PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES (HANSARD)

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Book 13

18, 19 and 20 September 2018

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

(from 16 October 2017)

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Speaker

The Hon. C. W. BROOKS (from 7 March 2017)

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

Mr D. A. NARDELLA (to 27 February 2017)

Acting Speakers

Ms Blandthorn, Mr Carbines, Ms Couzens, Mr Dimopoulos, Mr Edbrooke, Ms Graley, Ms Kilkenny, Ms Knight, Mr McGuire, Mr Pearson, Mr Richardson, Ms Spence, Ms Suleyman, Ms Thomson, Ms Ward and Ms Williams.

Leader of the Parliamentary Labor Party and Premier

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

Heads of parliamentary departments

Assembly — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

Council — Acting Clerk of the Parliaments and Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn[2]	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Napthine, Dr Denis Vincent[3]	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio[4]	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma[1]	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John[5]	Morwell	Ind
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David[6]	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
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Kilkenny, Ms Sonya	Carrum	ALP	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Knight, Ms Sharon Patricia	Wendouree	ALP	Ward, Ms Vicki	Eltham	ALP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Watt, Mr Graham Travis	Burwood	LP
Lim, Mr Muy Hong	Clarinda	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Williams, Ms Gabrielle	Dandenong	ALP
McGuire, Mr Frank	Broadmeadows	ALP	Wynne, Mr Richard William	Richmond	ALP

[1] Elected 31 October 2015
[2] Resigned 3 September 2015
[3] Resigned 3 September 2015
[4] ALP until 7 March 2017
[5] Nats until 28 August 2017
[6] Elected 14 March 2015
[7] Died 23 August 2017
[8] Elected 31 October 2015
[9] Resigned 2 February 2015
[10] Elected 18 November 2017

PARTY ABBREVIATIONS

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

Legislative Assembly committees

Privileges Committee — Ms Allan, Mr Clark, Ms D'Ambrosio, Mr Morris, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Mr Carroll, Mr Clark, Ms Edwards, Mr Hibbins, Mr Hodgett, Ms Kairouz, Ms Ryan and Ms Sheed.

Legislative Assembly select committees

Penalty Rates and Fair Pay Select Committee — Ms Blandthorn, Mr J. Bull, Mr Clark, Mr Hibbins, Ms Ryall, Ms Suleyman and Ms Williams.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Noonan and Ms Thomson. (*Council*): Mr O'Sullivan, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Ms Hutchins, Mr Merlino, Mr M. O'Brien, Mr Pakula and Mr Walsh. (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge.

Economic, Education, Jobs and Skills Committee — (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett and Ms Ryall. (*Council*): Mr Bourman, Mr Elasmar and Mr Melhem.

Electoral Matters Committee — (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon and Ms Spence. (*Council*): Ms Bath, Ms Patten and Mr Somyurek.

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan. (*Council*): Mr O'Sullivan, Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish. (*Council*): Dr Carling-Jenkins and Mr Finn.

House Committee — (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson. (*Council*): The President (*ex officio*), Mr Eideh, Ms Lovell, Mr Mulino and Mr Young.

Independent Broad-based Anti-corruption Commission Committee — (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells. (*Council*): Mr Ramsay and Ms Symes.

Law Reform, Road and Community Safety Committee — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Dr Carling-Jenkins and Mr Gepp.

Public Accounts and Estimates Committee — (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward. (*Council*): Ms Patten, Ms Pennicuik and Ms Shing.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto. (*Council*): Ms Bath and Mr Dalla-Riva.

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Tuesday, 18 September 2018

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

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (12:03) — 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.

CONDOLENCES

Detective Senior Sergeant Victor Kostiuk

The SPEAKER (12:03) — At the request of the Minister for Police, and I understand in consultation with the opposition, I intend to ask members to rise in their places to remember Detective Senior Sergeant Victor Kostiuk, who was tragically killed in Orbost last Friday.

Honourable members stood in their places.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Police resources

Mr GUY (Leader of the Opposition) (12:05) — My question is to the Premier. Last week two Victoria Police officers were attacked by a 40-year-old Newport man when conducting a routine check. They were punched and kicked. The female officer sustained facial injuries and bruising, and the male officer sustained bruising, facial injuries and various sprains. If the police officers were armed with tasers, this man could have been stopped and these police officers would have been unharmed. Premier, given Police Association Victoria has called for their immediate deployment, why are you refusing to give police the 4000 tasers they clearly so desperately need?

Mr ANDREWS (Premier) (12:05) — I thank the Leader of the Opposition for his question. The first point I would make is that obviously very important changes to the criminal code are before the other place in relation to, I think, Australia's toughest penalties against those who injure members of our emergency services. That is a relevant point, a very important point and one being delivered by this government. Those opposite do not perhaps acknowledge that, but those reforms are being delivered by this government. The incident that the Leader of the Opposition refers to was a terrible incident, but I would find fault with his conclusion. He has made a claim with some certainty on his part that things would or would not have happened or could or could not have happened, as if he had some absolute understanding of what was going on in that incident. I do not know that the Leader of the Opposition is in a position to be lecturing people with that degree of certainty or with —

Honourable members interjecting.

Mr ANDREWS — Well, here we go. You were there, were you?

Mr Guy — On a point of order, Speaker, on relevance, the question to the Premier was that given the police association has called for their immediate deployment, why hasn't the Premier responded to implement the 4000 tasers that police need to keep them safe? That was the question, and I ask you to bring him back to answering.

The SPEAKER — Order! The Premier had been responsive to the question but had started to debate the question. I ask the Premier to come back to answering the question.

Mr ANDREWS — Clearly the Leader of the Opposition has not read the media release that the police association issued last week in relation to tasers, but leave that to one side. The government will continue to take advice and take requests from Victoria Police, not from the opposition, when it comes to resources, technology, capability, equipment and recruit numbers. If it is all the same to the Leader of the Opposition, we will continue to respond and give to the Chief Commissioner of Police all that he seeks, not the Leader of the Opposition, who is a completely unqualified arbiter, if ever I saw one, of resources for police, given that when he sat around the cabinet table, police resources were cut.

Supplementary question

Mr GUY (Leader of the Opposition) (12:08) — Regional 24-hour police stations have now had access to tasers for several years following their funding by the Napthine government. Given the proven success of tasers in helping police to immobilise offenders without police having to resort to the use of a firearm, Premier, why did you stop the further rollout of this important tool to metropolitan police when you came to government four years ago?

Mr ANDREWS (Premier) (12:08) — The Leader of the Opposition refers to the previous government. I

think that task was actually left for us to roll out. I could be mistaken on that front, but regardless, I would simply reiterate the point I made in the answer to the substantive question. We will take our advice on the equipment that is necessary and on the equipment that is sought by Victoria Police from Victoria Police, not from the opposition who, when they had the chance, cut the police budget shamefully, doing nothing to support community safety or to fight crime.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte will come to order.

Ministers statements: TAFE funding

Mr ANDREWS (Premier) (12:09) — I am delighted to be able to update the house on the fact that this morning my honourable friend the Minister for Planning and member for Richmond, and our colleague the Minister for Training and Skills from the other place, were so, so pleased to be able to attend Melbourne Polytechnic's Collingwood campus to make a commitment for $220 million in additional support for infrastructure, new buildings and new equipment — the best facilities for TAFE — in the event that we are successful at the election on 24 November.

Of course that was not a great surprise to anybody at the Melbourne Polytechnic Collingwood campus because, Speaker, as you would know, we took the padlocks off the gates at Greensborough and we took the padlocks off the gates out at Lilydale. In fact we have delivered on each and every one of the commitments that we made not just to repair the damage done by this lot to our TAFE system but to make TAFE better than it has ever been. That is why this year's budget had funding for extra courses, funding to make 30 priority courses completely free and funding to make 20 — in fact 18 and then it was boosted to 20 — preapprenticeship courses absolutely free.

Put that record in contrast with, say, closing 22 campuses and facilities. Put that record of investment in contrast to sacking 2400 teachers. There are some who support working people and the kids of working people to have the skills they need for the job they want, and then there are others who cut TAFE, and if they had the chance they would cut wages too. Working people will have a very clear choice to make on 24 November.

Energy policy

Mr M. O'BRIEN (Malvern) (12:11) — My question is to the Treasurer. Treasurer, I refer to the government's reverse auction for new wind and solar farms, the results of which were announced last week. The *Herald Sun* has reported in relation to this auction —

An honourable member interjected.

Mr M. O'BRIEN — Yes, the *Herald Sun*:

> Taxpayers to shell out up to $350 million for Andrews's energy plan.

However, when asked, the government has refused to come clean with Victorians as to how much this plan could cost them. Treasurer, will you now be honest with Victorians and tell them what is the maximum amount that taxpayers could be required to shell out as a result of this deal?

Mr PALLAS (Treasurer) (12:12) — I do want to just clarify: there is a difference between an auction and an audition. I think what we just saw was an audition.

Honourable members interjecting.

Mr PALLAS — This government gave a commitment to Victorians that we were serious about providing them with an alternative to those opposite and their obsession with brown coal and gaseous power generation. We recognise that those are transition fuels, but importantly our commitment to renewable energies has borne fruit — borne fruit most notably through the active interest that we have seen through the reverse auction. The state —

Honourable members interjecting.

The SPEAKER — Order! People are shouting across the chamber too much. Members will be asked to leave the chamber if they keep doing that.

Mr PALLAS — This reverse auction has actually produced an outcome that the government had not anticipated — in fact something like 50 per cent more of generation or capacity as a consequence of these bids. So far as the government is concerned, these are arrangements under which we essentially underwrite a price, and therefore the price is not capable of being determined.

Honourable members interjecting.

The SPEAKER — Order! I have warned members about shouting across the chamber.

Mr M. O'Brien — On a point of order, Speaker, in relation to relevance, the question was: what is the maximum amount taxpayers could be required to shell

out as a result of this deal? Is the Treasurer seriously saying there is no limit to how much taxpayers are now on the hook?

The SPEAKER — Order! There is no point of order. The Treasurer is being responsive to the question.

Mr PALLAS — Obviously those opposite are not particularly interested in renewable energy. The fact that there is an underwriting on a spot price means that that will vary over time but the state has put in a cap to minimise its liability. So as far as Victorians are concerned —

The SPEAKER — The member for Ripon!

Mr PALLAS — they get more energy than they were expecting for the purposes of the allocated funds. The state of Victoria believes that this will put downward pressure on pricing and is in the best interests of all Victorians.

Mr M. O'Brien — On a point of order, Speaker, the question was about the financial exposure of Victorian taxpayers under this deal. I ask you to ask the Treasurer to come back to answering that question.

The SPEAKER — Order! The question was a very long question, and the Treasurer is being responsive. The Treasurer has concluded his answer.

Supplementary question

Mr M. O'BRIEN (Malvern) (12:16) — Treasurer, given you will not give a straight answer to the simple question of how much taxpayers are exposed to from this deal, will you deny that taxpayers could be required to pay out more than $350 million from this deal — yes or no?

Mr PALLAS (Treasurer) (12:16) — I do not know what part of 'this is an underwriting around a spot price that may vary over time'. The state has capped its liability, and that is as far as I believe it is appropriate to publicly announce. What I can assure the member for Malvern —

The SPEAKER (12:16) — Order! The member for Ripon can leave the chamber for the period of 1 hour.

Honourable member for Ripon withdrew from chamber.

Mr PALLAS — is that the state of Victoria and the people of Victoria will get a much better outcome in terms of downward pressure on pricing as a consequence of these initiatives.

Mr M. O'Brien — On a point of order, Speaker, the Treasurer is debating the question. It is not up to him to say we get a better deal if he cannot tell us how much our exposure is.

The SPEAKER — The Treasurer is being responsive. The Treasurer has concluded his answer.

Ministers statements: tunnelling training centre

Mr MERLINO (Minister for Education) (12:17) — I rise to update the house on an Australian first — a tunnelling training centre in Melbourne which will train thousands of local workers to deliver the Andrews Labor government's record pipeline of transport projects, including the Suburban Rail Loop. The new $16 million Victorian tunnelling centre will be built at Holmesglen's Chadstone campus to train local workers in underground construction and tunnelling. It will include a replica tunnel with a full-height entrance; three multipurpose engineering workrooms and training facilities, including a tunnel shaft and concrete lining spray simulators; as well as virtual reality experiences.

Just four years ago no tunnels were being built in Melbourne — four years of dithering by those opposite while Melbourne's population boomed. Now, because of our investments, tunnels and skilled workers to build them are needed on the Metro Tunnel, the West Gate tunnel and, if Labor is re-elected, north-east link, the Melbourne Airport rail link and the Suburban Rail Loop — thousands of local workers needing to be trained in tunnel boring machine operation and underground construction to meet this demand.

The centre will be open next year. Holmesglen will deliver existing and new courses at the tunnelling centre — certificate and diploma qualifications. By 2021 it is estimated that 5000 students and local workers will participate. We are ensuring that workers get the best training to get the best jobs, because when you shut down TAFE and fail to invest in critical infrastructure like those opposite, you are shutting down opportunity. We have seen today again that those opposite absolutely hate it when workers get the share that they deserve in our construction boom.

Solar homes package

Mr SOUTHWICK (Caulfield) (12:19) — My question is to the Minister for Energy, Environment and Climate Change. The Consumer Action Law Centre has highlighted the case of John, a 72-year-old aged pensioner from regional Victoria, who received an unsolicited visit from a solar retail representative. Despite telling the sales representative that he was not

interested in purchasing solar panels, the salesman let himself into John's home and refused to leave until he signed up to a $9000 solar panel system on a financing plan which he could not afford. Minister, we have seen with the Rudd Labor government's pink batts scheme how schemes like this end. What guarantees can you give that thousands of Victorians will not end up with dodgy salespeople knocking on their doors or phoning them at all hours, trying to sign them up to solar panel deals that will leave them thousands of dollars worse off?

Honourable members interjecting.

The SPEAKER (12:20) — Order! The member for Frankston can leave the chamber for the period of 1 hour.

Honourable member for Frankston withdrew from chamber.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (12:21) — I thank the member for Caulfield for his question. To get a question from someone who has actually practised some type of scamming as an adjunct professor —

Honourable members interjecting.

The SPEAKER — Order! The minister will resume her seat. When the house comes to order, the manager of opposition business on a point of order.

Mr Clark — On a point of order, Speaker, the minister is in clear breach of standing order 118 about imputations. She is also being completely irrelevant to the important question that was asked of her, and I ask you to bring her back to answering the question.

The SPEAKER — The minister should come back to answering the question.

Ms D'AMBROSIO — I am absolutely delighted to answer this question, because it is only our government that has a plan to help drive down power prices for ordinary Victorians. Those opposite might be a bit jealous about this announcement, but let me be absolutely clear. Our government has all of the designs in place to ensure that the rollout of the solar homes package under Solar Victoria has the highest level of integrity, with an approved list of accredited providers, so that Victorians can be absolutely confident that this scheme will be rolled out with the utmost integrity in place. We make it absolutely clear that if Victorians are being cold-called, they need to report that to the relevant agencies and report that to Solar Victoria. They absolutely can be confident that the Victorian government's solar program initiative will not be cold-calling anyone.

Victorians can be absolutely confident that the scheme is designed to ensure that not only safety is first and foremost but the protection of ordinary consumers is at the top of the priority list also. If there is anybody, any member of Parliament, who has anyone come to them with a story of scammers knocking on their doors or cold-calling them, they ought to be doing them a favour and referring them to the correct authorities, whether it is Consumer Affairs Victoria or whether it is Solar Victoria, because these actions actually have to be stamped out. But I am absolutely delighted that we have had more than 12 000 people register their interest with Solar Victoria and we are starting to see those applications coming through, because at the end of the day Victorians can be confident that our scheme is well-designed and has got the utmost protections for consumers. Victorians are voting with their feet by their thousands on the website and applying for the rebate.

Supplementary question

Mr SOUTHWICK (Caulfield) (12:24) — An independent review has shown that less than 1 per cent of the 4000 to 5000 retailers in Australia are signatories to the Clean Energy Council's Solar Retailer Code of Conduct. Given your solar rebate scheme has opened the floodgates for dodgy operators, how will you ensure vulnerable Victorians will not be tricked or cheated into unsolicited, rip-off solar deals?

Honourable members interjecting.

The SPEAKER — Order! The member for Macedon! The member for Gembrook!

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (12:24) — I thank the member for the supplementary question. Frankly, the member ought to be embarrassed by that question because it is not retailers that need to register for this scheme, it is actually providers and installers. Every Victorian can be absolutely confident that the rebates will only be made available to those that are fully accredited as providers and installers and the products are fully accredited by Solar Victoria.

Mr Southwick — On a point of order, Speaker, I ask you to bring the minister back to answering the question — that is, how can Victorians be protected by these types of schemes when there is meant to be a code of conduct that only 1 per cent of people have signed up to? Retailers are obviously sellers as well, or are you making that up as well? We ask you, Speaker, to bring

her back to answering the question of how we can ensure vulnerable consumers are not being ripped off.

The SPEAKER — The minister was responsive to the question. The minister has concluded her answer.

Ministers statements: government achievements

Mr CARROLL (Minister for Industry and Employment) (12:26) — I rise to update the house on how the Victorian economy is booming thanks to the Andrews Labor government's record investment in infrastructure, skills and training. Victoria's unemployment rate is the lowest it has been in seven years. The member for Warrandyte — there he is — should know too that youth unemployment is the lowest it has been in five years. Isn't that a good one for the tactical genius? Since 2014 the Victorian economy has grown by more than 370 000 jobs. Confidence is up. Investment is up. Manufacturing is up. The only other thing that is up is the Liberal Party headquarters — 104 Exhibition Street is up —

Mr Merlino — For sale.

Mr CARROLL — Yes, he has got his back to me. It is a capital city 1 zoning — no changes needed there.

Mr Merlino — No kitchen table required.

Mr CARROLL — No kitchen table required. It is good to see the member for Malvern is also up today. The party of WorkChoices is out there today having a go at the construction workers. We will stand with them — our more than $50 billion of economic activity, supporting TAFE, 3500 apprentices getting their start, just like the member for Kew is getting his start on the other side. They are interested in one apprentice. We are interested in 3500, making new careers —

Mr Clark — On a point of order, Speaker, the minister seems to want to talk about anything but his portfolio —

Honourable members interjecting.

The SPEAKER (12:27) — Order! The member for Warrandyte can leave the chamber for the period of 1 hour.

Honourable member for Warrandyte withdrew from chamber.

Mr Clark — The minister seems to want to speak about anything but his portfolio responsibilities. I ask you to bring him back to compliance with sessional orders and making a statement about matters relevant to his portfolio.

Honourable members interjecting.

The SPEAKER — Order! The minister will come back to making a ministers statement.

Mr CARROLL — We will always put local jobs first. We will always put local businesses first. We are getting the job done — $50 billion, the lowest unemployment rate in seven years, the lowest youth unemployment rate —

Honourable members interjecting.

The SPEAKER (12:28) — The member for Ferntree Gully can leave the chamber for the period of 1 hour.

Honourable member for Ferntree Gully withdrew from chamber.

Mr CARROLL — He calls me Potsie. I mean, seriously. At least Potsie had mates. I would not be quoting *Happy Days* if I were you. The only bloke that is happy is the member for Malvern because he is the only —

Honourable members interjecting.

Mr CARROLL — I would not be quoting *Happy Days* if I were you, mate. Get on there and purchase Exhibition Street.

Native forest logging

Ms THORPE (Northcote) (12:29) — The Greens' question today, in this final sitting week of Parliament, is for the Premier. Over the weekend I met with leaders of the Taungurung, Wurundjeri and Gunnai/Kurnai nations to discuss the future of our forests. At the meeting it became clear that none of the nations whose traditional lands cover the Central Highlands region have ever given permission for the Victorian government to log and sell our forests or to wipe out the Taungurung totem, the wollert — the Leadbeater's possum. These forests are our birthright and our legacy. We are the custodians of that land as the sovereign first peoples. Premier, with the treaty advancement process underway in Victoria, how can you continue to destroy and sell our Central Highlands forests without the free, prior and informed consent of the land's sovereign first people?

Mr ANDREWS (Premier) (12:30) — I thank the member for Northcote for her question. As I understand it, the government is engaged as we speak in traditional

owner settlement negotiations with the Taungurung people. I am not sure whether these issues will be on the table for discussion but that is an ongoing process and one of many such processes that we have been prepared and indeed willing and proud to enter into in a spirit of good faith. We have been able over these last four years to deliver sound outcomes both for Aboriginal Victoria and for the broader Victorian community.

In terms of the treaty process which the member asked me about, I can stand here very proud that we have taken I think the most profound steps towards treaty of any Parliament in our nation. That process will not be easy but, as the member I think has heard me say on many occasions, important work never is easy. We are committed to this process. I know there is a meeting of elders, a historic meeting of elders, coming up quite soon, later on this month.

Ms Hutchins interjected.

Mr ANDREWS — Next week in fact. My honourable friend, who is doing an absolutely fantastic job as the Minister for Aboriginal Affairs in our government, reminds me that it is next week, but never before. This is perhaps a commentary on how far we have come in just these last four years, but still we have a long way to travel. The fact that it will be a historic meeting of elders — it has never happened before — is a commentary on the fact that we should have got to this point a long time ago. We should have got to this point in terms of self-determination, justice for Aboriginal Victorians, a proper representative body for Aboriginal Victorians and a government that was prepared to take the bold steps towards not just lip-service to self-determination but actually giving the power back to Aboriginal Victorians.

I stand here with a degree of pride but at the same time in full acknowledgement that there is so much more we have to do.

Ms Thorpe — On a point of order, Speaker, the question was about free, informed, prior consent from the traditional owners where there is logging. I bring you back to answer the question on what permission has been granted to the Victorian government from the sovereign people of that country.

The SPEAKER — Order! The Premier is being responsive to the question. Part of the question was around the treaty process.

Mr ANDREWS — As I was about to make clear, I think all of us in this Parliament know that we do not yet have a treaty. That is why we have embarked upon a process to deliver that outcome. I am sure that utilisation of natural resources as well as many, many other issues will be on the table and will be put forward by Aboriginal Victorians through the representative body and they will be in a proper negotiation framework. They will be dealt with in good faith and in good time. We do acknowledge that this has never happened before anywhere in our country but we will get this done. The very subject matter that the member for Northcote refers to will, I am sure, among many other issues form the basis of those good-faith negotiations and the historic treaty with Aboriginal people, delivered in this, the progressive capital of our nation, the critical thinking capital of our nation, the place where fairness means something.

Supplementary question

Ms THORPE (Northcote) (12:33) — Premier, it was an election promise, your pledge to work towards a consensus approach in the establishment of any new national parks via an industry task force. I note that traditional owners were not asked to sit on this task force; maybe that is why it failed. Meanwhile our trees are getting trashed and the fate of up to 79 forest-dependent species remains under threat. Here we are at the end of the 58th Parliament and you have the worst record on national park creation of any government for decades. Premier, according to the actions of your government, do you accept that your legacy will be as the Premier who oversaw the extinction of the Leadbeater's possum or the extinction Premier?

Mr ANDREWS (Premier) (12:34) — I do very much thank the member for Northcote for her question. The answer is no, I do not accept that. What I have grown used to is lectures and commentary from those who really have achieved nothing in this state — not a hospital bed, not a classroom, not a national park anywhere, not a protection, not one public transport service, not one nurse or teacher or firefighter or ambo and not one unit of public housing, but they are very, very good at cheap commentary from the cheap seats, where it is easy to be an expert on all matters —

Honourable members interjecting.

Ms Sandell — On a point of order, Speaker, the Premier is misleading the house. He is calling these the cheap seats. I believe the seat that the member for Northcote occupies was not cheap, I believe it cost the Labor Party over $500 000.

The SPEAKER — Order! There is no point of order.

Mr ANDREWS — I will pay that. Every dollar of it was declared. The Greens will not determine the legacy of anybody in this place and perhaps not even their own.

The SPEAKER (12:36) — Order! Before calling the Minister for Health on a minister's statement, I acknowledge in the gallery the presence of former Minister for Planning in this place, the Honourable Rob Maclellan.

Ministers statements: health workforce

Ms HENNESSY (Minister for Health) (12:36) — Whilst not as titillating, I do rise to update the house on some of the record job and training opportunities in the Victorian health sector. Health is a fantastic area to work in. It is one of the fastest growing sectors in the country, none more so than any other state than in Victoria. I am incredibly proud that since coming to office we have hired more than 4000 nurses in the Victorian health system. I think that sits in stark contrast with the experience under the previous government, where $1 billion was cut out of the health system.

Of course this is not just about employment and jobs, it is about what we do with those jobs. It is about bringing great clinical care, compassion and support to people at a time of great vulnerability, and we are not done yet. We are of course very, very committed to continuing to improve things like the nurse and midwife-to-patient ratios, and we are committed to ensuring that we improve the quality of care in the Victorian health care system. In order to do that we have to invest in support and meet the additional demand for nurses and midwives, and we are investing more in those training opportunities.

A fantastic example of that is from next year, as part of our free TAFE commitments, eligible students will be able to undertake a diploma of nursing course for free, which means it is accessible for people. The diploma of nursing course is so important because that is the prerequisite qualification for the enrolled nurse course. Make no mistake about it: enrolled nurses are the backbone of our health system. We could not run our health system without them.

That free TAFE diploma of nursing will help build a pipeline of nursing careers for nurses and for our health system. We are going to help them even further with 400 places in statewide enrolled nurse graduate programs to provide graduates with on-the-ground training opportunities and support in their first year of employment. Only Labor supports nurses, and we are going to continue to do so.

Drought assistance

Mr WALSH (Murray Plains) (12:38) — My question is to the Premier. Premier, your Minister for Agriculture visited East Gippsland last week and said East Gippsland had only been in drought for three weeks. Over the last 18 months, due to the lack of rain, farmers have spent a fortune on hay and grain and have been forced to destock, with some now carting water. Premier, your minister's claim is ridiculous. After four years in the job it is an insult to Gippsland farmers and the towns that have been suffering from drought for months that your government knows so little and cares even less about their plight. Premier, is it your government's official position that East Gippsland has only been in drought for three weeks?

Mr ANDREWS (Premier) (12:39) — I thank the Leader of The Nationals for his question. The definition I think as applied by this government and the previous government is unchanged —

An honourable member — As part of a national arrangement.

Mr ANDREWS — as part of a national arrangement, so I am not quite sure what the point of the contention put forward by the Leader of the National Party is. The definition was applied by this government and by the previous government against a national framework. The term is determined nationally. There has been no change. I am not quite sure what he is referring to.

What I can refer the Leader of the National Party to is the fact that the minister was in East Gippsland and acknowledged, as I do, the very significant, very difficult circumstances that farmers in that community and the community more broadly are facing due to a lack of rainfall. We have announced an initial response package — some $5 million worth of support — that relates to mental health care, financial counselling, some on-farm infrastructure grants and some other elements of that package. If we need to do more into the future, we stand ready to do that. There is a very, very difficult set of circumstances in East Gippsland and in some parts of northern Victoria. I was in northern Victoria very recently, privately, and talking to a number of family friends and others. Things are very difficult in northern Victoria as well; we should not fail to recognise that as well.

If we need to do more against the definitions that were agreed to by the previous government, by our government and set at a national level, we stand ready to do that. Indeed our record has been to go above and beyond — above and beyond — those national frameworks with things like free child care, things like various rating concessions and a range of different incentives and supports we have put in place during these last four years, when, sadly some communities, particularly over in the north-west of the state, have dealt with very, very difficult conditions. Things are better now for them, but there are others that are in very, very difficult circumstances right now, and we need to respond appropriately, and the government has. If there is further work that needs to be done, then we stand ready to do that to support those primary producers and the communities who rely upon them, which is in fact every single Victorian.

Supplementary question

Mr WALSH (Murray Plains) (12:42) — Premier, drought-stricken farmers in East Gippsland are desperate to be issued with authority to control wildlife permits so they can control kangaroo populations that are eating what little stockfeed they have left. But your environment minister, like your agriculture minister, has so little understanding of these farmers that she has failed to resolve this issue despite repeated pleas. On behalf of East Gippsland's drought-stricken farmers, will you personally intervene to get farmers the authority to control wildlife permits they so desperately need?

Mr ANDREWS (Premier) (12:42) — What I will do is refer the Leader of the National Party to a proper, orderly process that began sometime ago that the minister for the environment and her department and agencies are focused on resolving as quickly as possible.

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

Ms Allan interjected.

The SPEAKER — Order! The Leader of the House will come to order. The Leader of The Nationals.

Ms Allan interjected.

The SPEAKER — The Leader of the House is warned.

Mr Walsh — On a point of order, on the issue of relevance, Speaker, the question was very specific about the Premier personally intervening because his minister just will not resolve these issues. To have Gippsland farmers just referred back to the same person who will not resolve it does not answer the question. I ask you to bring him back to answering the question on behalf of those farmers who are so desperate.

The SPEAKER — Order! The Premier is being responsive to the question.

Mr ANDREWS — What I was essentially doing was finding fault with the Leader of the National Party's characterisation of the minister. Whether it be the Minister for Agriculture or the minister for environment, he is in no place to be sitting in judgement of anybody. The former minister for mineral water over there, we will not be lectured. We will instead support farmers and we will not be involved in the grandstanding that the National Party are up to. We will instead support farmers each and every day.

Mr T. Bull — My point of order relates to relevance, Speaker. This issue was raised in here by me four weeks ago. It is an issue that relates purely to resourcing.

Ms Thomson interjected.

The SPEAKER — Order! The member for Footscray!

Mr T. Bull — Pick up the phone and put some more people on the job. For the Premier to stand there and go on with that waffle, the farmers want to know —

The SPEAKER — Order! What is the point of order?

Mr T. Bull — the answer so that it can be fixed overnight. On relevance, Speaker.

The SPEAKER — Order! There is no point of order.

Mr ANDREWS — As I was saying, there is a process to be followed. It is being followed, and a resolution will be delivered as soon as is practicable. The grandstanding of those opposite is duly noted.

Ministers statements: employment

Mr DONNELLAN (Minister for Roads and Road Safety) (12:45) — I rise to update the house on the great work the Andrews government is doing through our road projects of training young people. Let us be very clear: the proudest thing that this government has done has very much been restoring TAFE to health after its near-death experience with the last

government. We know they had a great love for the guillotine and cut 22 campuses. I was very proud to hear the Premier this morning announcing another $220 million to keep upgrading TAFE campuses, because we know that only Labor will back TAFE and only Labor backs TAFE students.

You have only got to look at the West Gate tunnel project and the work undertaken there: 6000 jobs will be created, but there are 500 jobs which are for apprentices, trainees and graduates under the Victorian Major Projects Skills Guarantee. We know that the Victoria University Polytechnic in Sunshine will be undertaking extensive training for those young people for the West Gate tunnel project. You have only got to look at the work that is also going on in the outer suburban road upgrades, another 4200 jobs; or the north-east link, for argument's sake, another 10 000 jobs.

Very much on this side of the house we are running a jobs factory. One widget after another widget after another widget — 370 000 jobs since we came to government. I think that is something we should be proud of — a 3.3 per cent growth rate, the fastest in the country. What could be the alternatives? You could cut wages. You could cut jobs. You could take the guillotine out. But that is not what we are doing. We want to see that growth.

If you are a young Lib, what would be your favourite job? Your favourite job when you grow up might be a lumberjack, like the O'Toole family of Gippsland, where you could learn how to cut services, cut TAFE and cut those things that Victorians so much need.

CONSTITUENCY QUESTIONS

Mr Katos — On a point of order, Speaker, I have a constituency question to the Minister for Police that remains unanswered — constituency question 14 787, asked on 9 August. It is an important question about additional police resources for the Geelong region and also about putting protective services officers on the Moorabool Street bus interchange, and I ask that you direct the minister to answer that question.

The SPEAKER — I thank the member for that point of order. I will contact the minister in relation to that matter.

Ms Kealy — On a point of order, Speaker, I also have an unanswered constituency question. My question was asked on 9 August — question 14 781 to the Minister for Energy, Environment and Climate Change regarding the gas monopoly which Wimmera residents face. We are also seeing skyrocketing gas prices. I have even just received an email today, in the last hour, around this issue. It is a key issue for my electorate, and I ask the minister to get onto this as soon as possible.

The SPEAKER — I thank the member for raising that point of order, and I will follow that matter up.

Bayswater electorate

Ms VICTORIA (Bayswater) (12:48) — (14 976) My question is to the Minister for Emergency Services. When will the proposed future site of the Knox emergency services be announced and when will the dedicated volunteers who work there be informed about this decision? The volunteers have been told their lease on the current site at 102 Lewis Road, Boronia, will not be renewed after 2020. These men and women are rightfully concerned as it has now been two years since they were told they would have to move out. They want to ensure that service delivery will not be affected and would like some certainty as to where they will be relocated. The Knox community and these volunteers deserve some respect and of course to be consulted on their needs and preferred location, after two years of silence from the Andrews Labor government.

Yuroke electorate

Ms SPENCE (Yuroke) (12:49) — (14 977) My constituency question is to the Minister for Industry and Employment. How has the Andrews Labor government supported local jobs in the Yuroke electorate throughout this term of government? I know the minister has worked very hard to make sure that Victorians have every opportunity to get the job they want. We have seen this work pay off, with the most recent statistics showing the unemployment rate hitting a seven-year low of 4.8 per cent — a massive improvement on the 6.8 per cent unemployment rate inherited from the previous Liberal-National government. I would like to thank the minister for all of his work in this area, and I look forward to his response.

Lowan electorate

Ms KEALY (Lowan) (12:50) — (14 978) My constituency question is to the Minister for Public Transport. Residents of Serviceton and district would like to know when the dangerous rail level crossing on Serviceton Road leading from the Western Highway to the community of Serviceton will be upgraded. We have heard a lot from Labor regarding level crossing removals in Melbourne, but we have not seen any action when it comes to fixing dangerous rail crossings

in country Victoria. As is the case with many rail crossings along the western Victorian rail line, the Serviceton crossing has no warning lights and no boom gates; the sole warning sign is unlit and during heavy fog the tracks and any oncoming trains are impossible to see. A number of trees have been planted along the track which also impede the view of drivers when they are checking if there are any oncoming trains. Therefore I ask the minister: when will the Serviceton crossing and similar dangerous rail crossings in my country electorate be upgraded?

Williamstown electorate

Mr NOONAN (Williamstown) (12:51) — (14 979) My question is for the Minister for Education, and it relates to Williamstown North Primary School, one of those schools which is experiencing enormous pressure in relation to growing enrolments and, I suppose, placing some challenges there for the school's leadership. That is why the minister's recent announcement to install a new double-storey portable at the school has been received with welcome arms. Given that wonderful news, my question to the minister is simply: when will that double-storey portable be installed on site?

South-West Coast electorate

Ms BRITNELL (South-West Coast) (12:51) — (14 980) My constituency question is for the Minister for Education, and I ask: what will the unspent $4 million in budget allocations to the Warrnambool Special Developmental School build be used for? Minister, this week the school launched a $1 million fundraising campaign to raise money for items like the construction of a gymnasium, a school oval and a playground — things I would have assumed to be standard in a new school build. It seems unreasonable that the school community is being forced to raise $1 million for basic equipment when budget papers show there is $4 million in remaining expenditure from the two budget allocations you were forced into providing on the back of community outrage. There is at least $735 000 left over from the first budget allocation because the land was purchased cheaper than the $5 million allocated — even that $735 000 would help. Minister, I ask: what will the remaining $4 million be spent on?

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) (12:52) — (14 981) My constituency question is for the Minister for Public Transport, and the question I ask is: what funding opportunities might be available to upgrade the Merlynston station car park? This car park has been in very poor condition for some time. It is a gravel car park. Gravel is regularly redistributed along it, but it is not a sealed car park. It does need to be a sealed car park: there are lots of potholes in it. It is causing damage to people's vehicles, their bikes and certainly their footwear as they try and trudge to the station. It has also become a regular dumping ground for rubbish, and construction rubbish in particular. So I ask the minister: what opportunities might be available to upgrade the Merlynston station car park?

Shepparton electorate

Ms SHEED (Shepparton) (12:53) — (14 982) My constituency question is for the Minister for Health. Minister, I have spoken many times in this place about the pressing need for appropriate cancer treatment services in the Shepparton district. Today I would like to use my last question to ask the minister: will you commit to a comprehensive cancer centre with onsite oncology, radiotherapy and wellness services for our community? I am constantly confronted with stories from people in my electorate who struggle to access radiotherapy therapy services when they fall sick. Last Friday I met with three constituents in Tatura who spoke of the immense challenge of driving to Bendigo for treatment, the toll it took on their health and the burden it places on their carers. Statistics show that distance from services is often a deciding factor in whether people actually choose to take on the treatment that they need. People in so many other regional centres now have full access to a full range of cancer services. People in my electorate deserve the same opportunity.

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) (12:54) — (14 983) My constituency question is to the Minister for Training and Skills in the other place and goes to what we can do on apprenticeships and how they specifically relate directly to the constituents that I represent. We have got the apprenticeships; we want to make sure we can actually connect the opportunities, the jobs and the skills. What information can the minister provide to make sure that that pipeline is connected? Melbourne is developing into the largest city in the country. It is predicted to become the largest within 30 years and grow to $8 million by 2051. Victoria is Australia's fastest growing state — we are driving the AAA-rated economy and we are providing record investments, surpluses and an unprecedented pipeline of infrastructure.

Polwarth electorate

Mr RIORDAN (Polwarth) (12:55) — (14 984) My question is to the Minister for Police. Can the minister tell the people of Polwarth what changes she will make to the law around fatal hit-and-run cases, where the perpetrators are allowed to keep their licences while the court process drags on, sometimes for years. In October 2017 the life of young Tyler Dean was cut short by a hit-and-run driver who failed to stop and render assistance. Nearly 12 months later the court process is still underway, and the laws in Victoria, which cancel licences for dangerous acts of drink driving, allow a person without qualification or reason to maintain their drivers licence. In small communities, which have to sometimes deal with tragic accidents like this, this knowledge that the law allows hit-and-run drivers to keep driving does not seem to fit with the government's desire to reach a zero road toll. The Dean family, led by mum Jeynelle, has given the minister and VicRoads a petition with over 32 000 signatures on it, highlighting how seriously the community view this crime.

Yan Yean electorate

Ms GREEN (Yan Yean) (12:56) — (14 985) My constituency question is to the Minister for Families and Children in the other place, and it concerns the Andrews Labor government's record investment in expanding Victoria's neighbourhood house network. I ask: when will the minister make a decision on the application by Mernda Community House for funding through the neighbourhood house coordination program?

This year's budget provided $21.8 million for neighbourhood houses, and my electorate has already reaped the benefits with the Whittlesea Community House seeing their hours boosted to 25 hours per week. Further, all neighbourhood houses in Yan Yean will benefit through increased support to the North East Neighbourhood House Network and the Goulburn North East Association of Community Centres Network to improve access to key services and activities. As part of this record boost — almost eight times as much as what was provided by the former Liberal government — the minister opened applications for funding for new or unfunded neighbourhood houses. I am very supportive of the application by the Mernda neighbourhood house.

RULINGS BY THE CHAIR

Questions without notice

The SPEAKER (12:57) — Order! Last sitting Thursday the manager of opposition business took a point of order about the responsiveness of the Premier's answers to the second substantive and supplementary questions asked by the Leader of the Opposition. Having reviewed the transcript I consider the answers to be responsive. I remind members of a previous ruling by Speaker Lindell in relation to the preambles of questions forming part of the question.

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

The SPEAKER (12:57) — I wish to advise that on 13 September 2018, I administered to Kathryn Elizabeth Miller, the deputy commissioner of the Independent Broad-based Anti-corruption Commission, the oath required by section 31 of the Independent Broad-based Anti-corruption Commission Act 2011.

PETITIONS

Following petitions presented to house:

Bairnsdale Secondary College

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the Legislative Assembly of Victoria the need for a bipartisan commitment to have stage two of Bairnsdale Secondary College upgrades funded as a matter of priority.

By Mr T. BULL (Gippsland East) (291 signatures).

Wire rope barriers

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the concerns of road users, farmers and emergency services workers about the rollout of 2000 kilometres of wire rope barriers across Victorian roads.

While not opposed to wire rope barriers in the appropriate locations, the petitioners request that the Andrews Labor government immediately halt its blanket rollout of wire rope barriers until these safety concerns have been addressed and a more strategic approach for barrier placement is adopted.

By Mr T. BULL (Gippsland East) (36 signatures).

Commercial fishing licences

To the Legislative Assembly of Victoria:

With Victoria already importing at least 75 per cent of its seafood, this petition calls on the Victorian Parliament to not enforce any further compulsory buyouts of commercial fishing licences in this state against the will of those who hold a commercial licence, and that any buyout schemes put in place be voluntary only. We believe that all Victorians deserve the right to access fresh Victorian sustainable seafood.

By Mr T. BULL (Gippsland East) (554 signatures).

Rochester ambulance services

To the Legislative Assembly of Victoria:

The petition of constituents in the rural communities of Rochester and district draws the attention of the house to a recent reduction of ambulance service level in Rochester with the cessation of a two-officer crew trial back to a single-crew model without community consultation.

The petitioners therefore request the Andrews Labor government take immediate steps in consultation with the community to review the level of ambulance service in Rochester.

By Mr WALSH (Murray Plains) (34 signatures).

Sandringham College

To the Legislative Assembly of Victoria:

The petition of the residents of Sandringham and surrounding areas draws to the attention of the house that a majority of the buildings and facilities which comprise the two campuses of Sandringham College have fallen into such a state of disrepair as to be unsafe and irredeemable. Our students and staff deserve better. The petitioners therefore request that the Legislative Assembly of Victoria provide funds of $47 million for the rebuilding of the structures and facilities on both campuses ($20 million for the Bluff Road campus and $27 million for the Holloway Road campus), providing an active, healthy, safe school with a strong contemporary learning environment.

By Mr THOMPSON (Sandringham) (3158 signatures).

Tabled.

Ordered that petition presented by honourable member for Sandringham be considered next day on motion of Mr THOMPSON (Sandringham).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

End-of-term report

Mr PEARSON (Essendon), by leave, presented report, together with appendices.

Tabled.

Ordered to be published.

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE

Crimes Amendment (Unlicensed Drivers) Bill 2018

Mr HOWARD (Buninyong) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget estimates 2018–19

Mr PEARSON (Essendon) presented report, together with appendix, minority report and transcripts of evidence.

Tabled.

Ordered that report, appendix and minority report be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 14

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest* No. 14 of 2018 on:

Corrections Amendment (Adult Parole Board) Bill 2018

Crimes and Sentencing Amendment (Bus Drivers) Bill 2018

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Acting Clerk:

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Statutory Rules 103 *(Gazette G33, 16 August 2018)*, 118 *(Gazette G37, 13 September 2018)*

Waste Management Policy (Combustible Recyclable and Waste Materials) *(Gazette G37, 13 September 2018)*

Ombudsman — Investigation of three protected disclosure complaints regarding Bendigo South East College — Ordered to be published

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 119

Livestock Disease Control Act 1994 — SR 118

Road Safety Act 1986 — SR 120

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 116, 118, 120

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Specification of Railway Stations for the Purposes of the Definition of 'Compulsory Ticket Area'.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the house dated 24 February 2015:

Children Legislation Amendment (Information Sharing) Act 2018 — Part 2 (except ss 10, 13 and 14), Part 3 (except s 16), and Division 3 of Part 5 — 27 September 2018 *(Gazette S405, 4 September 2018)*

Parks Victoria Act 2018 — Whole Act — 12 September 2018 *(Gazette S386, 21 August 2018)*

Racing Amendment (Integrity and Disciplinary Structures) Act 2018 — Whole Act (except s 6 and Parts 3, 5 and 6) — 1 September 2018 *(Gazette S400, 28 August 2018)*.

ROYAL ASSENT

Messages read advising royal assent to:

11 September

Prevention of Family Violence Bill 2018

Victims and Other Legislation Amendment Bill 2018

18 September

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Long Service Benefits Portability Bill 2018

Residential Tenancies Amendment Bill 2018.

NOTICES OF MOTION

Notices of motion given.

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Public Transport) (13:05) — I am very pleased to be at the point of the government business program motion on our program for today, our third-last sitting day of the year and of the term of this Parliament. I am pleased to present for the Assembly's support the final government business program for the 58th Parliament.

It is with great hope that I put this motion to the house. I had better read it out first. 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 p.m. on Thursday, 20 September 2018:

Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018

Mineral Resources (Sustainable Development) Amendment Bill 2018

Open Courts and Other Acts Amendment Bill 2018

Sale of Land Amendment Bill 2018.

As I said, this is the final government business program to be moved for the 58th Parliament. As always I look forward with optimism to support from members of the chamber for the government business program, a copy of which they have in their hands.

There are four bills on our government business program for the course of this week, demonstrating that the Andrews Labor government is working right up until the very last sitting day, with important bills to be considered and debated by the chamber, recognising of course that it is unlikely that these bills will see passage through the Legislative Council as they are also concluding their sittings this week. However, the policy areas that these bills consider give very clear direction of the government's intention, should there be an opportunity at a future stage for these bills to be considered.

As the house will have noted, I have just given notice of two motions, one to facilitate the holding of valedictory speeches on Thursday. There are 13 members of the Assembly who have indicated that they will be retiring at the end of this term of Parliament. As is appropriate, as has been done before and as has been undertaken with the cooperation of colleagues, this will be an appropriate opportunity for those retiring members to mark their period of service to the house. We all look forward to Thursday being an opportunity to reflect on

their contributions and indeed no doubt our own contribution over the course of this term and other terms for those who have served longer than that.

Also there is a motion with regard to the rebroadcasting of material. This is a sessional order that has been in place for a little while now, and we are moving to formalise that sessional order by placing it into standing orders. This is particularly to help facilitate some of the functions the Parliament needs to undertake during the caretaker period in order to support the ongoing operation of rebroadcasting. I understand members are quite fond of having the capacity to have their speeches rebroadcast. I perhaps will not be rebroadcasting this contribution today.

In rounding out, I would like the house to note that we have seen around 260 bills pass through the Assembly over the past four years. We have gone at a pretty good click when you consider that over that period of time the Parliament has also done other things obviously. There has been time taken to appropriately hear from representatives of the family violence sector and victims of family violence, who addressed this chamber for I think around half a day. There were some very long debates, most notably the voluntary assisted dying debate. Indeed an entire sitting week was devoted to consideration of that legislation. There has been a lot that has been canvassed over this parliamentary term.

So it is with those comments that I look to my colleagues, mostly on the other side, and ask them to give it a go: give this government business program a go. I know there have been differences in the past. I know there are other things they would like to consider, but in the final week I, with optimism, hope to see that there is support for what is a good business program. There is a lot to talk about, and most appropriately at the end of the week we will give our retiring colleagues a great send-off. I hope that this government business program finds support from colleagues in the chamber.

Mr CLARK (Box Hill) (13:10) — I am sure the Leader of the House expects to be disappointed by the opposition's response. I can confirm that we will in fact be opposing the government business program because there is unfinished business. Much as the government may seek to run away from it, we are now in the final sitting week of this Parliament, according to the government's plans, and yet if the government has its way, this house will be dissolved without having dealt with that great scandal that continues to hang over our heads — namely, the failure to hold to account our former Speaker and former Deputy Speaker for the very serious allegations of misfeasance in office that hang over them.

Mr Pearson interjected.

Mr CLARK — The member for Essendon interjects, and I am sure he will complain at length if he gets to his feet about my repetition of the same theme, but the fact remains that this house should be dealing with these serious matters and the government is failing to allow this house to do so. We will go down in the records of Westminster parliaments as one of the most shameful and debased in the way in which we have not upheld the standards that should be observed by any Westminster parliament that seeks to claim the credit of that name.

Time and time again whenever allegations such as these have arisen, these serious transgressions have been alleged, the house has taken responsibility for the conduct of its members. We have seen it in the Westminster Parliament, where they acted, despite the attempts of some of their rorting members to invoke the courts to try to stop police investigations. The Parliament took responsibility, as well as the police carrying out their duties, yet the government here tries to have its cake and eat it too — tries to assert exclusive cognisance over these matters to the exclusion of Victoria Police and then will not exercise any cognisance whatsoever — and that is an absolute disgrace.

It is clear the police do have jurisdiction in relation to criminal conduct by members of Parliament, as the UK Supreme Court upheld in the Chaytor case, and yet this house has responsibility also for the conduct of its members, as we saw was done properly in relation to the allegations against the former member for Frankston, when those on the Labor side of politics were eloquent in asserting the need of the house to do things and when the government of the day, the Liberal-Nationals government of the day, agreed with that and acted on it.

The member for Essendon no doubt might get to his feet and tell us about Publius Clodius Pulcher and the achievements of the old Roman Republic, and I suggest he might brush up on his Latin pronunciation on the way through, but I would prefer to stick to the precedent of Cato the Elder in insisting and continuing to insist. But what we on this side of the house are insisting on is not destruction but justice — justice in terms of holding to account the member for Melton and the member for Tarneit, having the evidence investigated by an appropriate committee of this house and a report made, and the house acting on its findings. That is what should be happening. That is what should be on the government program. That is what we will continue to persist in arguing.

In terms of the content of the program, the government has four bills, and they will each be considered in their turn and on their merits. The government is also appropriately proposing to set aside time for valedictory remarks, and I express appreciation to the Leader of the House for the way in which we have been able to collaborate to establish a program and time lines for that to occur. We are also going to consider a proposal to incorporate some of our sessional orders into standing orders, and again, subject to looking closely at the wording of that motion, I expect that may well command general support. So the program itself can be judged on its merits.

I note the Leader of the House waxed eloquent about the government's achievements, yet one thing they have failed to do is to honour their promise to make consideration in detail of bills a standard part of the procedure of this house. They now have no further time to redeem that, but we should still deal with the unfinished business of the accountability of rorting members, and for that reason we oppose this government business program.

Mr CARBINES (Ivanhoe) (13:16) — I am pleased to support the government business program. As the Leader of the House has indicated, perhaps some of the bills this week, those four bills that have been touched on, will not be concluded by the Council; it is concluding its deliberations this week also. But the point made by the member for Bendigo East when she talked about some 260 bills having been passed by this place really does, I think, go to the heart of affirming the confidence and the trust that the Victorian people have given to our government these past four years to get on with the task of leading and governing this state. To pass some 260 bills in this house alone I think stands the test of time against any record of previous governments in relation to the work that we have been able to do.

I too would like to just acknowledge the motion by the Leader of the Government in relation to those valedictory speeches and the reflections of some 13 members of this house who have had the opportunity and good fortune to choose the timing of their departure. The time that you first seek to nominate for Parliament is often as important as the time — if you get to do so — you choose to leave. I think that is something that they will reflect on in their contributions, and I give all credit to those across the chamber who have the opportunity to do that and who take the time to reflect on, and to put on the record for all time in this place the efforts and contributions that they have been able to make. We certainly look forward to hearing from them over the course of the week.

Just touching on the broadcast opportunities that have been provided to members of this place, particularly around social media, some of us have relied on others to perhaps upload those contributions, but we have certainly been able to make them in this place. I am certainly thankful for the opportunity that the Presiding Officers, the House Committee and others have provided to do that and thanks to the broadcast team at Parliament. I think the motion on those matters from the Leader of the Government is a salient point that is made. It is certainly, I think, an added value to have the engagement of people in the community with the work that we do in this place.

The manager of opposition business has touched on a couple of points. He feels perhaps that the government has not been accountable in relation to matters that we were not able to cover. I am disappointed we do not have the consideration-in-detail stats from the past four years. I would have liked to have referenced those in my contribution. Alas, I have not had the time to pull those together, but I am familiar with many. Moving the cattle out of national parks was a particular bill that we went into consideration in detail on early in our term, which I certainly enjoyed participating in.

When it comes to accountability we are all in this place to be held accountable on 24 November for our work, or lack thereof, in this place and for our commitment and passion in this place, or lack thereof, just as we were four years ago. Those of us who can recall being in this place previously might remember when the previous government lost two votes in this place through their own fault, with their own lawmakers not being present in this chamber to deliver on their duties and responsibilities to the people of Victoria. Some of us can recall those times. That is not something that has happened during the four years of our term in office. We have delivered, with 260 bills passing in this place. I recall being in opposition when it was only our members who were in this place during the activities of that Parliament when those who claimed to be the government presiding over those matters departed this chamber and left only the opposition in this house.

Much has changed in these past four years, and there will be much to reflect on over the course of the week. I am looking forward to the contributions of those who have been here for many years and those who have been here for a shorter time and the reflections that they will make in their contributions. I think that it is a credit to the work that we have done as a Parliament to pass that number of bills over the course of four years. It will be for the people of Victoria to determine who is responsible for affirming and representing them in the future, but I think we have made a very strong start and

have established a foundation with the work that our government has done to deliver on our commitments to the Victorian people. I commend the business program to the house.

Mr HIBBINS (Prahran) (13:21) — In speaking to the business program I note that the bills on the business program this week will obviously be debated and voted on this week but will not be passed by the upper house. I do not want to dob my colleagues in, but if there were some bills that we wanted to pass, I am sure they would be happy to come back for an extra sitting week between now and election time, if there is anything important that needs to pass. Of course there is a big backlog of bills in the upper house as well that needs to be gotten through this week — importantly, the midwives bill. There could be some important improvements and amendments to that bill if it was brought on in a timely fashion in the other place.

Even though we will not be supporting the government business program, I did want to end, with the indulgence of the house, on more of a positive note. In noting that with the bills on the program the Leader of the House wants to show the government's intent or set their agenda, I just came up with a bit of a list of bills that could have been voted on in this term of Parliament. Perhaps they would like to put them on the agenda and perhaps we could vote on them and pass them. Certainly the Greens will be pushing for them — if we are back here — to be debated and voted on next week. We could have had the freedom of information exemption removed from the Alcoa power plant to give the residents of Portland some certainty around that particular issue. Of course the Greens brought that into this chamber, but it was voted down. We could have legislated energy efficiency in rental homes. We could have removed the exemptions from the Equal Opportunity Act 2010 that allow for discrimination against LGBTI people.

Mr Pearson — On a point of order, Deputy Speaker, as much as it pains me and I am loath to interrupt the member for Prahran in his contribution, this is the debate on this week's government business program. It does not provide members an opportunity to riff large about various legislation they would like to have seen introduced in the Parliament, so I would encourage you to bring the member back to the motion moved by the Leader of the House.

Mr HIBBINS — On the point of order, Deputy Speaker, it has often been a wideranging debate often in here, and I am seeking your indulgence given the wideranging nature of the debate that often takes place.

The DEPUTY SPEAKER — There is generally a wideranging debate on the government business program, and as this is the last government business program for this term of the Parliament, I will indulge the member for Prahran. However, I do ask that he come back to speaking to the government business program.

Mr HIBBINS — I was merely drawing attention to the fact that there are a range of actions — I note that 260 pieces of legislation have been passed, and members have referred to that in the debate — and there are also several pieces of legislation that could be done in the future. I would say that we could end the wood pulp agreement and create the great forest national park, ban sow stalls and battery cages, end duck shooting and of course, my favourite —

Ms Allan — On a point of order, Deputy Speaker, in support of my colleague the member for Essendon and the point of order he made before, yes, the government business program allows some lateral conversations about other things that are on the notice paper. Unless the member for Prahran can point to where those items that he is referring to are on the notice paper, I would suggest he needs to come back to the motion, which is about the government business program that is before the house.

The DEPUTY SPEAKER — The member for Prahran has deviated somewhat from the government business program. I do ask him to come back to speaking to the government business program.

Mr HIBBINS — Well, that is disappointing. I thought I would end on a bit of a positive note, a bit of a forward-looking, futuristic note as opposed to litigating the issues of the past, but unfortunately the government does not want to see that. The Greens are forward focused. We are focused on the future. The government might want to discuss its record — the 260 bills that have passed — but certainly there is so much more to do in this state and so many bills to be brought on in this state, and we are focused on the future. It is unfortunate that the government does not want to hear that in this place.

Mr McGUIRE (Broadmeadows) (13:25) — It has been a privilege to serve in Victoria's 58th Parliament, and you can see just how hardworking this government has been. It has passed 260 bills and it is driving reform at a critical time in our history and for our future development. Victoria is Australia's fastest growing state. Melbourne is predicted to become the nation's largest city within 30 years and to grow to 8 million people by 2051. Driving a AAA-rated

economy has provided record investment, surpluses and an unprecedented pipeline of infrastructure to reimagine Melbourne and spread opportunities throughout the great state of Victoria. This has been reflected in the government business program right throughout this term.

Again, what we are bringing into today's debate is a whole series of reforms that need to be undertaken for economic reasons, for social reasons and for reasons of justice. I do actually want to go to the Open Courts and Other Acts Amendment Bill 2018, which overhauls Victoria's suppression orders. This has been a contentious issue for some time. A review was conducted by a former Court of Appeal judge, Frank Vincent, QC, who has served with distinction not only on the bench but also the Parliament, not just through the review that he has done on this piece of legislation but also with the informed insight that he provided for the *Betrayal of Trust* report. I know that everybody who was part of that acknowledged Frank's great contribution over time. This is a particular issue that shows the government is committed to ensuring that our courts are open and transparent, and that the law protects the public's right to information. That is where that stands. It reinforces presumption in favour of open justice and the disclosure of information in Victorian courts. That is an important matter, because that has become contentious over a long period of time on why there were so many suppression orders, particularly in Victoria. That is part of another reform.

We also have other bills. The Mineral Resources (Sustainable Development) Amendment Bill 2018 fulfils the recommendations of the Hazelwood mine fire inquiry rehabilitation report relating to the rehabilitation and closure of licensed mines. Again, this is the government working side by side with communities, particularly in the Latrobe Valley, on mine rehabilitation and improving the health and wellbeing of current and future generations. This is another response to a major investigation and particularly to the calamity that occurred in the Latrobe Valley. This is another part of the big-picture strategy of this government and how different issues are addressed. Then there is the Sale of Land Amendment Bill 2018, which implements the key results of a public review of Victoria's sale of land and business legislation undertaken as part of the government's broader consumer property law review.

The fourth piece of legislation is the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. This bill changes and improves the operation of the Essential Services Commission Act 2001 and the Essential Services Commission, and implements the government's response to the review of that act.

As the 58th Parliament draws to a close, these are critical issues that the government is again addressing. It is part of the big picture that this government has painted and that the community has embraced, which also shows where ordinary people fit into this, with a whole range of reforms that have been done right through education and TAFE and everything to give people a better opportunity in life. We will have valedictory speeches, and that is important. I wish everybody well for their future and those who are recontesting. I think it is important that we have those speeches.

I note that the Leader of the House talked about the voluntary assisted dying legislation. As fate would have it, I was the last one up on the adjournment on that day and I made the point that, as a single malt man in a soy latte time, I wanted an extension. That did not get the round of applause that I may have been looking for, but it makes the point that it has been an incredibly hardworking Parliament.

Mr CRISP (Mildura) (13:30) — I rise to speak on behalf of The Nationals on the government business program. I notice there are four bills on the program this week: the Mineral Resources (Sustainable Development) Amendment Bill 2018, the Sale of Land Amendment Bill 2018, the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018 and the Open Courts and Other Acts Amendment Bill 2018. There will be some interesting debate on these bills, even though we all know that they will not see the light of day in the upper house.

I, too, want to support those who have spoken about the valedictory speeches that will be made by 13 members in the house, four of whom are from the opposition, being the member for Brighton, the member for Nepean, the member for Sandringham and the member for Evelyn, all of whom have made substantial contributions to the people of Victoria in their time in this house.

Also, we are going to be changing our sessional orders to standing orders in regard to the broadcast and rebroadcast of parliamentary proceedings. This is something that I think is moving with the times, as we very much need to. Increasingly we are living in a world where people, through their devices, want to catch up with what is important to them later but not necessarily at the time of those contributions.

However, there is one thing that does hang over this house, and it has hung over this house for quite some time. I would like to support the points made by the manager of opposition business. There is the matter of the behaviour of the former Speaker and former Deputy Speaker, and this should have been dealt with. It casts a shadow over the performance of this Parliament, and as time goes on, we will not be remembered for the things that we want to be remembered for during a Parliament. We will be remembered for this difficult period.

The house should have taken responsibility for the actions of those members. This is the final place where we have to be accountable. A process should have been followed to deliver what would have been an appropriate process and outcomes needed to show that this Parliament can in fact not only act as the responsible body for all of Victoria but also be responsible to itself.

It has been a difficult time. Like others, we have had our ups and downs with various bills, but I think our actions here in not dealing with this matter will unfortunately create a precedent going into the future. What we have failed to do now, as far as setting standards goes, means that today's minimum becomes tomorrow's maximum in standards. That is something I did not want the 58th Parliament to be remembered for. With that, The Nationals, in coalition, are not supporting the government business program.

Ms SHEED (Shepparton) (*By leave*) (13:33) — I seek to speak on the government business program. Like other speakers, it is disappointing at this late stage to have to continue to rise to oppose the government business program for all the reasons already stated. The unfortunate issue of not having dealt with the behaviour of the former Speaker and former Deputy Speaker that arose during the course of this Parliament remains hanging over the Parliament, but so do a number of other things. I must say, as someone who has always held the courts, the Parliament and our institutions in high regard, it has been disappointing to see a number of instances during the course of this Parliament that really have brought the Parliament into disrepute.

I think early on, when we saw an upper house member resign — Damian Drum — and a considerable delay in filling that position, it was disappointing to see. People of northern Victoria were without an upper house member for quite a long time. Then of course when someone was nominated there was a very long delay in allowing that member to take his position in the Parliament. That came along with the period when the Special Minister of State had been suspended from the upper house for an inordinate length of time — six months; not heard of in the Westminster system, as I understand it — under very unusual circumstances.

Since that time we have not had a meeting of the Standing Orders Committee, a committee that I happily sat on. It is very disappointing to think that so many of the issues that were on the agenda for that Standing Orders Committee have been bypassed over the last two years. I hope that we would not see that happen again. We have seen a notice on the notice paper calling for a parliamentary integrity adviser, and don't we need one. There have been so many things happen, particularly during the last two years, that perhaps put us in a position where we would not see instances of that sort of behaviour occur were there such a position created, were there such a person to provide frank and fearless advice to members of Parliament about what they can and cannot do. It is very disappointing that that has not progressed.

There have been 260 bills pass through the Assembly and there are four more on the government business program this week, all of which need debate. With the valedictory speeches, I am very much looking forward to hearing some of them. There have been long and amazing contributions by many people. I look forward to the member for Brighton's valedictory speech. Similarly, from others who are retiring there will be a lot for those of us who have simply been here for one term to learn, to hear what they have to say about Parliament. They have had years of experience to reflect on this Parliament and perhaps the previous one, which I think also had features of turmoil and perhaps a lack of regard for parliamentary conventions.

I put on notice that, should I be re-elected and should I hold the balance of power, I have a long list of conventions and behaviours that I would seek to put on the table for Parliament to adhere to in the future, because the people of Victoria have expectations of people who sit in this place. They have been disregarded and debased in many ways during this time, even though some amazing things have happened. The Royal Commission into Family Violence is something that was really sorely needed, and it is an absolute credit to the government for it to have stood up and done what they have done during these four years in relation to family violence. I believe we will see the rewards of that over a very long period, because it takes a long time for people to change their behaviours. It is certainly a credit to the government in that regard.

We are nearing an election, and although I oppose the government business program on this occasion yet again, it is symbolic in a way because it is the people of Victoria who will decide on how we have behaved, on

how we should behave and on who they think should be in this Parliament.

House divided on motion:

Ayes, 44

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D'Ambrosio, Ms	Noonan, Mr
Dimopoulos, Mr	Pakula, Mr
Donnellan, Mr	Pallas, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Perera, Mr
Eren, Mr	Richardson, Mr
Garrett, Ms	Scott, Mr
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Howard, Mr	Thomson, Ms
Hutchins, Ms	Ward, Ms
Kairouz, Ms	Williams, Ms
Kilkenny, Ms	Wynne, Mr

Noes, 42

Angus, Mr	O'Brien, Mr D.
Asher, Ms	O'Brien, Mr M.
Battin, Mr	Paynter, Mr
Blackwood, Mr	Pesutto, Mr
Britnell, Ms	Riordan, Mr
Bull, Mr T.	Ryall, Ms
Burgess, Mr	Ryan, Ms
Clark, Mr	Sandell, Ms
Crisp, Mr	Sheed, Ms
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Smith, Mr T.
Gidley, Mr	Southwick, Mr
Guy, Mr	Staley, Ms
Hibbins, Mr	Thompson, Mr
Hodgett, Mr	Thorpe, Ms
Katos, Mr	Tilley, Mr
Kealy, Ms	Victoria, Ms
McCurdy, Mr	Wakeling, Mr
McLeish, Ms	Walsh, Mr
Morris, Mr	Watt, Mr
Northe, Mr	Wells, Mr

Motion agreed to.

MEMBERS STATEMENTS

Detective Senior Sergeant Victor Kostiuk

Mr CLARK (Box Hill) (13:44) — On behalf of my colleague Edward O'Donohue, the shadow Minister for Police; the Leader of the Parliamentary Liberal Party; and all my Liberal and Nationals colleagues, and I expect on behalf of all members of this house, I express our deepest condolences on the tragic death last week of Detective Senior Sergeant Victor Kostiuk.

Detective Senior Sergeant Kostiuk was participating in the Wall to Wall ride to the National Police Memorial in Canberra with around 300 other riders to remember fallen officers when a car allegedly veered across the road and struck his motorcycle near Orbost at Cabbage Tree Creek along the Princes Highway in Mount Raymond Regional Park. Detective Senior Sergeant Kostiuk and his son, Detective Senior Constable Felix Kostiuk, had been riding together out ahead of the main group of riders when it is alleged that the car veered onto the opposite side of the road at about 2.20 p.m., striking Detective Senior Sergeant Kostiuk's motorcycle.

The loss of a highly respected member of Victoria Police is tragic at any time, but the loss of Detective Senior Sergeant Vic Kostiuk hits home even more to the Victoria Police family and the wider community because he was participating in an event to remember fallen police members who had been killed in the line of duty. As Acting Chief Commissioner Shane Patton observed, the loss of one such as he has struck at the heart of the force. On behalf of all parliamentary colleagues, I extend our deepest sympathies to Detective Senior Sergeant Victor Kostiuk's family and loved ones, particularly his wife, Pauline, and son, Felix, together with his friends and his Victoria Police colleagues at this very sad time.

Detective Senior Sergeant Victor Kostiuk

Ms NEVILLE (Minister for Police) (13:45) — I rise to pay tribute to Detective Senior Sergeant Victor Kostiuk, who died tragically on Friday while participating in the annual Wall to Wall Ride for Remembrance. My deepest sympathy is with his son, Detective Senior Constable Felix Kostiuk, who was with him on the ride, and his wife, retired Superintendent Pauline Kostiuk. I spoke with Pauline last night to offer the condolences of the government at this very sad time and to acknowledge the significant contribution Vic made in his work with Victoria Police.

Detective Senior Sergeant Vic Kostiuk was a career policeman of some 39 years, having commenced his rich and distinguished career in 1979 working in general duties uniform positions at Frankston and St Kilda. He worked in a range of roles, including criminal investigations; the homicide squad, where he handled many family violence related murders; organised crime; and the tactical response squad. In 2010 he commenced working in the area of family violence and continued in this critical area, recently

being employed as the officer in charge of the Somerville family violence investigation unit. He was instrumental in changing the focus of how Victoria Police manage family violence. He established a new model, the Alexis — Family Violence Response Model, which at its core has a victim-centric approach, supporting victims and assisting families.

Vic will be a great loss to the highest levels of Victoria Police, his family and friends. We honour his life. He was a proud, committed family man, dedicated to his job. I know I speak for all members of this Parliament in offering our sincere sympathy to Pauline and Felix and their extended family, all his work colleagues and his many friends.

Drought assistance

Mr T. BULL (Gippsland East) (13:47) — Last week we had the Minister for Agriculture visit our region in East Gippsland. This was followed up by a visit from the shadow minister as well. Whilst well received to get some attention in our neck of the woods, it was very disappointing that the agriculture minister commented on ABC radio that we had only been in drought for three weeks. Our farmers have been experiencing hardship for well over 18 months, and that was a slap in the face to the many on the land who are going through this very traumatic experience at the moment that worsens every week when we do not get rain. What we need now is for the leaders of our respective parties to come down to East Gippsland and see what it is like on the ground and to talk to these people on the ground who are experiencing this hardship. I call on the Premier and the Leader of the Opposition to come down and visit our region and understand the prospect of what these people are facing.

Victorian Patient Transport Assistance Scheme

Mr T. BULL — I also want to talk briefly about the Victorian Patient Transport Assistance Scheme, which offers subsidies to those who have to travel for specialist treatment. One group in Orbost, the Snowy Flamingos Cancer Support Group, has stated that they have members who have incurred over $15 000 in out-of-pocket expenses because they are 95 kilometres away from that specialist and there is a 100-kilometre cut-off. I call on the minister to review this criteria so that it takes into account some of the challenges of our country patients.

Government achievements

Mr PEARSON (Essendon) (13:48) — I am delighted to stand in this place not only as a member of the Andrews Labor government, but a member of the Labor movement. Deputy Speaker, in four years we have accomplished so much. We sought to come here and not merely stop the coalition from trashing the state and the economy, we came here to build a better society on behalf of the Labor movement.

We have invested in our schools and brought back funding to support the most vulnerable and disadvantaged children. We are investing in building the critical infrastructure that is required to ensure that regardless of where people live they can take a secure job in the CBD if they choose to do so. We will have none of the nonsense from those opposite that seek to lock out and exclude people from the new economy jobs based upon their parents' bank balance or their postcode.

We are investing in rebuilding public housing estates so that public housing tenants can live in modern, 21st-century, energy efficient housing. Not long after I was first elected, a little boy in my community nearly lost his finger because an open window fell on his hand in the walk-up flats at Flemington. Why should this be allowed to happen, and why would the Liberals and the Greens oppose us in seeking to rebuild these estates?

We are investing in employment programs to ensure that members of our African-Australian communities have the opportunity to get a job. Rather than demonising these communities, we are working with their community leaders and young people to ensure that they have the very best opportunities in life. We are making social procurement an important component of our major projects. This is not a tick-and-flick exercise; this is an opportunity to ensure that the economic value generated from these major projects is shared across the broader economy.

I came to this place to get things done on behalf of my community and as a member of the Labor movement. Regardless of the outcome of the election in November, the movement will continue because we remain steadfast and resolute in ensuring that working people have the opportunity to lead dignified and meaningful lives.

Warrandyte electorate funding

Mr R. SMITH (Warrandyte) (13:50) — In my final members statement for this Parliament I would like the house to note that this nasty, rorting government has delivered very little to the electorate of Warrandyte over the past four years. This government claims to govern for all, but the reality is far different. This government and the permanently angry Premier

Andrews pick and choose those Victorians they will support, and if you are not one of Labor's mates then you are on your own.

In sharp contrast an elected Matthew Guy-led government will not ignore my residents. Already we have committed funding to support many groups in my electorate, including the Park Orchards Sharks, with $500 000 going towards the redevelopment of their clubrooms; the Wonga Park Wizards Junior Football Club, which will receive $80 000 for upgrades to the lighting on their home ground; $40 000 for the Doncaster East Football Club to upgrade lighting; and Doncare, a fantastic not-for-profit community service provider that will receive $1.7 million to help them look after vulnerable people in my community. Local schools that have seen no support from this spiteful Labor government will benefit from funding, including Wonga Park Primary School, Donvale Primary School and Warrandyte High School. There will be more funding announcements in the coming weeks.

For a government that claim they are delivering for all Victorians, the Warrandyte electorate has only received $2.5 million of funding over four years under this Labor government. Compare this to the list I have just read out, as I said, with more to be announced. The choice could not be clearer for my community on 24 November: to continue with a crooked, grubby, rorting government which rots from the head down, or to support a Liberal-Nationals coalition government that is actually committed to supporting my community.

Mordialloc electorate education funding

Mr RICHARDSON (Mordialloc) (13:51) — Last week we made a fantastic announcement at Parkdale Secondary College: $9.6 million will be delivered to build extensive classrooms and redevelop that site that has stood for decades and supported students in my local community. To talk about where governments put which eggs in their basket is really important, because it talks to their priorities. The priorities that governments set are very key to the priorities that they will put forward into the future.

When you think about education and the investment in my local community it has been significant. I think about Yarrabah School that we are completely rebuilding brick by brick from the ground up. It is a school that supports the specialist needs of hundreds of students. That school was forgotten for decades, but now we see that school rebuild get underway, which shows the values that we place on education. Mordialloc College is delivering their first stage, and recently — two months ago — we looked at them joining the Premier to commit to their second stage. That will be so very fantastic.

You might only get one term in this place to make a difference and do something in your community, and the time that you have got shows the values and priorities you put forward. In education, in our kinders and in our TAFEs, we have put Victorian students first in my local community. We have made a difference that will set up these schools, kinders and TAFEs for the future, for decades to come. Hopefully we get the honour to represent that community again and deliver more very important projects.

Glen Park Community Centre

Ms VICTORIA (Bayswater) (13:53) — Glen Park Community Centre deserve huge congratulations on becoming the overall winner of the Victorian Learn Local Awards for the eastern metropolitan region. It is a fabulous achievement. Well done to Heidi Butler-Moore and the team.

Boronia West Primary School

Ms VICTORIA — Last week I was thoroughly entertained by Boronia West Primary School's version of *Shrek: The Musical*. What a funny and enthusiastic bunch of children who gave it their absolute all. Well done to everyone involved, including some of the main performers: Tiana Wadsworth, Connor Kreemers, Ashleigh Burrows, Talia Lamers, Jordyn Morris, Jamie Fitzgerald and Hannah O'Brien, as well as the three talented sisters who played Princess Fiona — Bianca, Isabell and Karley Hooper Ford. Of course the entire cast and crew were ably led by the one and only Yarny Triandafilidis, Mr T.

Boronia Hawks Football Club

Ms VICTORIA — A massive congratulations to all the guys from the Boronia Hawks Football Club who over the weekend produced an amazing trifecta of premierships in division 3 of the Eastern Football League. A big shout-out to the players, coaches and support crew of the under-19s, reserves and seniors from your number one ticketholder. Well done to chairman, Kristan Wood, and his team of men and women who work tirelessly behind the scenes to make this a truly welcoming and successful club.

Angela Wheelton

Ms VICTORIA — My sincerest congratulations to the amazing Angela Wheelton on her investiture in the Order of Australia and the order of St John of Jerusalem recently. Along with her husband, Paul

Wheelton, AM, KSJ, Angela is one of Australia's quiet achievers in the world of philanthropy. Humble and kind, this couple are true treasures, and our society is made much richer by their generosity both here and overseas.

Country Fire Authority Craigieburn brigade

Ms SPENCE (Yuroke) (13:54) — I would like to congratulate the members of the Craigieburn Country Fire Authority (CFA) who were honoured at the annual awards night on 8 September. The national medal was presented to Brendan Morris; CFA life member service medals went to first lieutenant Chris Gray and third lieutenant Luke Symeoy; a 40-year service medal went to Tom Rolls; the 15-year service medal recipients were senior station officer (SSO) Shaun Pacher and station officer John Zuccarelli; the 10-year service medal recipients were Tom Winter, Trent Warren and Andrew Bell; the 5-year certificate recipient was Steve Lewis; the firefighter of the year 2018 was awarded to both Tom Winter and Lisa English; the officers award went to Olivia Povolo; the encouragement award recipient was William Dawson; the volunteer recognition award also went to Lisa English; and the staff appreciation award recipient was SSO Peter Spicer.

Congratulations to these recipients and a collective thank you to all members of the Craigieburn CFA. You do a terrific job protecting people and property in our community, and your service is greatly appreciated.

Team Yuroke

Ms SPENCE — As this will be my final members statement in the current Parliament I would also like to thank my electorate officers and others who have been a great support to me since the last election. To Paul Caruso, Ryan Moore, Gursewak Singh, Joshua Sfregola, Alicia Cassar and Chelsea Sharpe, thank you for your support in the electorate office. I also thank those who have helped out along the way, whether for a long time, like Justin Barbour and Casey Nunn, or for last-minute replacement call-ups, like Aniela Kociuba and Helen Patsikatheodorou.

To Declan McGonigle, thank you for your support in my parliamentary secretary role. Thank you to all who have helped out volunteering: Josh Peell, Theo Mavromatakis, Natasha Chand, Brianna Stanley and many others. And to my ALP family — branch presidents Spiro Pastras and Cheryl Woods and other executive and branch members — thank you to you all. Collectively you make up Team Yuroke, and it has been terrific working with all of you.

Horsham Table Tennis Association

Ms KEALY (Lowan) (13:56) — Recently the Horsham Table Tennis Association took the bold step of purchasing a new property. The Horsham Table Tennis Association have long been in premises at the pastoral and agricultural society, the show site. They shared it with a shearing shed, so often there were times when it did not smell so great in there. So the table tennis association had this idea of taking the matter into their own hands and buying a property.

Recently they were told that the commissioner of state revenue had made a decision not to waive the stamp duty on the purchase of this property. The Horsham Table Tennis Association do an enormous amount of community work. They have run a fantastic program for people with disabilities for a very long period of time. The amount they put into the community should be rewarded. This is money that could otherwise be used to upgrade their facilities and provide a more expanded program. Therefore I ask the Treasurer to review this decision by the commissioner of state revenue and to waive the stamp duty for the purchase of this property.

Western Victoria roads

Ms KEALY — Roads in western Victoria are continuing to get worse and worse under this Labor government, which can only focus on the city and city roads. We have heard a lot of talk, but when it comes down to it, people who live in western Victoria know that the potholes are increasing and the sides of the roads are crumbling. They are not getting better. We need to fix country roads and save country lives. I really do not want to see another email like I received recently, where somebody had to divert around a large pothole, which ran them off the road on the Western Highway. People should not put their lives at risk on —

The DEPUTY SPEAKER — The member for Bentleigh.

Bentleigh Secondary College

Mr STAIKOS (Bentleigh) (13:57) — Last week I saw Bentleigh Secondary College's amazing production of *We Will Rock You*. Congratulations to Joel Nankervis, Jessie Pirret, Cece Tsan, Jordyn Wallace, Ester Rubino, Sebastian Wescombe, Lucas Petropoulos, Jack Blight, Abby Miles, Andii Box, Tom Edema, Nik Floros, Brendan Guy, Braydn Morisi, Luka Munro, Rishika Naik, Jasmine Sanchez-Butt, Roxy Hellwege, Matthew Yianni, Madeline Clift, Grace Docherty, Ashleigh Fitzsimon, Lachlan Hardy, Ruby

Hartley, Tess Harvey, Emily Hastings, Jamie Jacobson, Caleb Jarcevic, Gem Kapoyanis, Hudson Kuhnell, Madison Kuhnell, Sophia Lambas, Danae Melzer, Oscar Munro, Olivia Murphy, Jack Murphy Downs, Holly Pirret, Corina Pope, Isabella Qazi, Ebony Rae Mann, April Simmons, Daniella Stolyarsky, Emily Tasker, Tuviksha Tejavath, Tommy Thorman, Bianka Tsan, Hannah Tyrell, Tommy Valentini, Marisia Zapantis, Leanne Zyntek, Shayna Wescombe, Chrissy Bonikos, Jesse Dann, Louise Davis, Christiana Malotsis, Emma North, Annabelle Stimpson, Sonia Broch, Lachlan Brown, Joseph Folwell, Sophie Lawson, Kiri Nikolitsis, Sharni Watts, Angie Wright, Kara Haw, Alyssa Kyri-Ovenden, Rania Pappas, Zoe Robinson, Lilli Vafiades, Jasmine Ashby, Ella Boyes, Stephanie Fischer, Aimee Kay, Tia Lambas, Zoe Marshall, Kelly Murphy, Evie Pappas, Cecily Pope, Cece Rickards, Mia Toomey and Leyla Watts.

Melissa Ferguson

Mr NORTHE (Morwell) (13:59) — I would like to congratulate the founder and CEO of Gippsland Farmer Relief Incorporated, Melissa Ferguson, who has been working tirelessly to support our local farmers in need. Gippsland Farmer Relief Incorporated is a community support and service group that Melissa started in 2016 from her own home, providing practical assistance to Gippsland farming families such as food and groceries as well as referrals to counselling services. This passionate young innovator was recently awarded a 2018 Victorian Premier's Volunteer Champions Impact Award for her enormous contribution to her community. Congratulations, Melissa.

North Gippsland Football Netball League

Mr NORTHE — At the recent annual North Gippsland Football Netball League's grand final dinner it was pleasing to see both Mark Answerth and Alanna Diamond inducted into the hall of fame, as it was to see Jackie Bond awarded a life membership. All three have been incredibly passionate and dedicated people as players and administrators for a long period of time, and therefore the accolades they received are extremely well deserved. Well done, Jackie, Mark and Alanna.

Bev Lorraine

Mr NORTHE — On a more sombre note, I wish to pass on my best wishes to Bev Lorraine, an 83-year-old Morwell resident who is well known for her contribution to our community in a variety of ways. Bev was last week severely assaulted in her own home by a cowardly, despicable piece of scum. Bev, please know you have the love and support of our local community, and we wish you all the best in your recovery.

Jack Strong

Mr NORTHE — On Monday hundreds of local mourners celebrated the life of 19-year-old Jack Strong. Jack tragically took his own life, and given he was such a popular young man in our community his loss has been felt right across the community. To Katrina, Matt, Peter and Paula, our sincere condolences to you all at such a difficult time.

Carer support

Ms WILLIAMS (Dandenong) (14:00) — I rise to acknowledge the incredible dedication of Victoria's 736 000 carers and to draw attention to Labor's commitment to better support unpaid carers across our state.

I come from a family of carers, and through my role as Parliamentary Secretary for Carers and Volunteers I meet with carers regularly. These are amazing people who too often go unrecognised. The reality is that being a carer can take a heavy toll — physical, emotional, financial and mental. One in five carers gives up work to care for someone, carers tend to have lower household incomes and they are 40 per cent more likely to have a chronic health condition — often ignoring their own health while caring for a loved one. Young carers, who are often sibling carers or children of parents with health challenges, can struggle at school and are more likely to leave the education system early.

The Andrews government's recently released carer strategy, done in consultation with carers around the state, highlights all these challenges and maps a better path of support, which is why I am so proud to have been a part of Labor's announcement last week that we will fund an additional 100 000 hours of respite each year to give carers the break they need and will broaden out the eligibility for that respite to include mental health carers. We will also create two $2 million funds to support carer peer support groups, which we know are a lifeline for so many carers across our state. We are also committed to half-price travel on public transport for carers, and we have committed to greater support for young carers in school to ensure their life trajectory is not negatively impacted by their caring responsibilities.

This whole package amounts to about $50 million of much-deserved investment. I am very proud that this government is committing to supporting our carers.

Infrastructure projects

Mr MORRIS (Mornington) (14:02) — Victorians awoke this morning to reports that Labor's much-hyped major projects are being used as a stalking horse to push up the cost of construction in this state. Site allowances are payable for the West Gate tunnel project at $8.90 an hour and for Melbourne Metro at $9.20 an hour. Both amounts are totally out of line with private sector sites across Melbourne. It is not just those site allowances, it was also reported that a large component of overtime, paid at double time, has been built into the base rate.

Unfortunately, these tactics are not confined to just these major projects. The Frankston station redevelopment, scheduled to be completed by the politically convenient date of November 2018, apparently has not been going too well. First there were the bus bays that were too small for buses, then the new bus stops built at vast distances from the station with no protection from the elements en route. Now we have a project that is apparently way behind time. I have received a reliable report that last Sunday there were at least 100 workers on the site but yesterday, which just happened to be a rostered day off, there were half a dozen. What site allowances and conditions were built into these agreements that would lead to such a situation?

Failed major projects and massive budget blow-outs are familiar territory for Labor. Remember the desalination project, remember the Myki fiasco, remember the cancellation of the east–west link that was not going to cost a cent but finished up costing $1.3 billion. Yes, we need these major projects, yes, we need them managed, but we need them delivered in a cost-efficient manner with value for money for all Victorians. Unfortunately that is something this Premier and this government just do not understand.

Indian community

Mr DIMOPOULOS (Oakleigh) (14:03) — This is a government that supports multicultural communities. On Saturday the Premier visited Sankat Mochan Samiti in Huntingdale for their 10th anniversary. That is 10 years of giving back to our community. The Monash region is home to one of the largest Indian-Australian populations in Australia. The Premier announced $550 000 to establish a multipurpose centre for the Indian community in Monash and also promised that a re-elected Labor government would provide an additional $500 000 to get it done — that is over $1 million.

Caloola Reserve, Oakleigh

Mr DIMOPOULOS — Caloola Reserve in Oakleigh is home to fantastic sports clubs like the Monash City Football Club, the Oakleigh Tennis Club and the East Oakleigh Cricket Club, but the pavilion has long passed its use-by date. Last week one of Victoria's champions of local sport, the Minister for Sport, came to Caloola to announce $800 000 to build a brand-new pavilion in partnership with the Monash council. This building will make a huge difference to local clubs and our wider community.

Oakleigh Bowling Club

Mr DIMOPOULOS — I recently had the pleasure of rolling the jack to kick off the season at the Oakleigh Bowling Club. What was more pleasing was to help unveil the brand-new covered decking area — a collaboration between our government, the bowling club and the incredible Murrumbeena Community Bank, who do so much for local sports in my community.

Felicitations

Mr DIMOPOULOS — As we approach the end of the 58th Parliament I would like to place on record my appreciation to the attendants, the Hansard staff, the committee staff, the library staff, the catering staff and all the staff around Parliament. They are exceptional. Without you, Parliament just would not function. Thank you.

Electricity prices

Mr WELLS (Rowville) (14:05) — This statement condemns the terrible state of Victoria's power sector, which is seeing a spike in power disconnections, bill shock and supply issues. Despite Victoria's world-class coal and natural gas reserves, the state government's mismanagement of the energy sector is hitting everyday Victorians. Victorians are reeling as they receive huge winter energy bills as a result of Labor's botched energy policies. One lady in my electorate, a pensioner, was in tears discussing her quarterly $3700 electricity bill. Luckily her family stepped in to help. Unfortunately over winter her solar panels had not accrued a single cent of credit — so much for renewables.

For the second time in August 69 businesses in my electorate missed a day of work, losing wages and interrupting the manufacturing and supply chains, due to planned maintenance which was cancelled at the last minute. This means delays until the maintenance can be completed. AusNet Services have denied businesses

any compensation for their losses. The Minister for Energy, Environment and Climate Change has not even replied to their complaints, let alone to mine.

The number of Victorians who were disconnected from essential services jumped a huge 25 per cent in the winter quarter, the most difficult time to be without heating, light and hot water. Electricity disconnections have gone up by more than 82 per cent since December 2017. Labor's failure to keep electricity prices under control means more and more Victorians are unable to afford life's basics.

Carrum Downs Junior Football Club

Ms KILKENNY (Carrum) (14:06) — Congratulations to Carrum Downs Junior Football Club (CDJFC) for another great season. With standing room only, hundreds packed our brand-new Carrum Downs community pavilion for presentation day on Sunday. How fitting that presentation day marked the first official event to take place in the brand-new Carrum Downs pavilion. This wonderful new facility for Carrum Downs was jointly funded by Frankston council and the Andrews Labor government with a contribution from the football club. We are seeing investment in Carrum Downs to build the things that the local community can use, enjoy and be proud of. The new pavilion will also be home to Carrum Downs Auskick. The energy and sense of community from all those involved in Auskick will now resonate in these awesome new facilities. The Southern United Football Club, which plays in the Victorian Women's National Premier League, will also join the list of clubs calling the pavilion home.

Congratulations to Rodney Garwood for achieving life membership of the Carrum Downs Junior Football Club. Rodney has made an extraordinary contribution to the club and to the local community. Congratulations also to all the players and volunteers, coaches, umpires and supporters who make CDJFC so special.

Ebony Booth, who was runner-up in the best and fairest in the under 11s, deserves a special mention. Being the only girl in her team and just one of a handful of girls at the club, this is an awesome achievement. I know that Ebony and other female players are such great role models for so many other girls who are looking to play local footy. They will be strong ambassadors in helping to boost the number of girls and young women playing with the club. Congratulations to the Carrum Downs Junior Football Club for their active role in promoting female participation. This is a true community club.

Portsea beach

Mr DIXON (Nepean) (14:08) — I first raised the disappearance of Portsea beach following the dredging of Port Phillip Bay over 10 years ago. The community, local council and I rightly condemned this government's recent plan to permanently remove the beach by replacing it with a rock wall. We were all pleased to hear of the government's backflip on this plan last week when they announced that they would put the rock wall on hold pending further investigations of alternative plans. I am confident that a sustainable option can be found that will restore the beach and at the same time stop further erosion.

Drug law reform

Mr DIXON — On another matter, as a member of the Law Reform, Road and Community Safety Committee I am extremely disappointed that the government has refused to respond to our recent investigation into drug law reform. The massive amount of work put in by the committee members, secretariat and the over 200 groups and individuals who made submissions to or attended hearings of the inquiry deserve more than a list of government activity. This was an appalling cop-out by the government which is more intent on surviving than making the hard decisions that come with being a government.

Mornington Peninsula roads

Mr DIXON — Finally I noticed last week a number of government media releases on the so-called road maintenance blitz. It was disappointing to note that once again the Mornington Peninsula was left out of any road construction or maintenance funding by this government.

Moorabool mobile library van

Mr HOWARD (Buninyong) (14:09) — Last Friday I was pleased to join members of the Moorabool community to celebrate the completion of the upgrade of Moorabool's mobile library van. The upgrade includes provision of a disability access ramp, new bookshelves, internet access, video screens, solar panels and a great new look. Many more Moorabool communities can now access library services when the van comes to visit aged-care facilities, rural schools, festivals and shopping precincts. The Andrews Labor government partnered with Moorabool shire to fund the fit-out of the van.

Warrenheip sporting facilities

Mr HOWARD — On Saturday I visited Warrenheip to open two new multi-sport hardcourts lined for basketball, netball and tennis. With growing numbers of juniors, women and girls signing up to play grassroots sport, it is important for people in all of our small communities to have access to great facilities. One hundred thousand dollars was provided by the Andrews Labor government to support the City of Ballarat, Warrenheip Tennis Club and Tennis Australia in bringing this project to fruition.

Mount Clear College

Mr HOWARD — Great news for Mount Clear College when the Deputy Premier visited yesterday to announce that a re-elected Andrews government will invest $5.5 million to continue our major transformation of the school. This funding will upgrade the school's art, music, drama and science facilities, and it adds to the $5.4 million that we have delivered to upgrade Mount Clear College this term. Yesterday we were able to see progress on the school's nearly completed technology wing. This adds to the great funding announcement made by the Minister for Training and Skills when she visited Federation University TAFE last week.

Mount Fyans wind farm

Mr RIORDAN (Polwarth) (14:10) — Over 400 people gathered at the Mortlake Soldiers Memorial Hall last night to again call on the government to bring some strategic and environmental planning to the wind farm rollout in western Victoria. The community has learnt that no environment effects statement has been requested for the latest development at the Mount Fyans wind project being developed by Woolnorth Wind Farms. The Premier was happy to make wind farm announcements in other parts of the state for political purposes, but will not front the people of Mortlake who will bear the costs of the 40 per cent renewable program by 2025. Locals, landscapes and wild animals have a right to be protected from this new cashed-up industry. These are long-term decisions that require considered thought and care, and country communities need to be a part of the planning process.

Gerangamete groundwater

Mr RIORDAN — I will present in this last sitting week a petition signed by people from across the Barwon River catchment area, who for nearly two decades have been campaigning to protect the natural water resources of the Otway region. During the 2007 millennial drought in particular and at other times Barwon Water and the City of Greater Geelong have relied heavily on the pumping of underground water from the Gerangamete bore field. The unsustainable mining of water from this region has had a detrimental effect on a wide ecosystem. There is now irrefutable evidence that the Gerangamete peat bog, Boundary Creek and the upper reaches of the Barwon River have suffered, with the exposure of acid sulphate soils, acid water and fish kills. Other streams and waterways have also felt the effect of damaged springs and run-off. The community has welcomed Barwon Water's ceasing pumping but now very strongly petition the government to cut the entitlements to this resource and to rule out the use of this bore field while other water options exist.

Rosanna Golf Links Primary School

Mr CARBINES (Ivanhoe) (14:12) — This morning I was very pleased to join the Deputy Premier and Minister for Education at the official opening of the $6.39 million redevelopment of Rosanna Golf Links Primary School. We were joined by 527 students, including the senior concert band members, conducted by Aaron Vreulink, school council president Matthew Oates, principal Kelly Morrow and student leaders Dylan Starmans and Elise Black. Our special guests included the inspiring Professor Graeme Clark, AC, who opened the upgraded deaf facility. Professor Clark's discoveries led to the first multichannel cochlear implant to bring hearing and speech effectively and safely to severely and profoundly deaf children across the world.

My thanks to those parents who worked so hard on Sunday at the working bee to ensure our school was looking its best this morning. Thanks also to the parents, teachers and friends association for their work raising funds for the two synthetic basketball courts. It is always a team effort at Rosanna Golf Links. I know how thankful I am to be a parent at Rosanna Golf Links Primary School. To the teaching and support staff: our children are in great hands.

Ivanhoe electorate schools

Mr CARBINES — Of course next term we will be opening the $2 million four prep classrooms at Ivanhoe Primary School. The sod turn will be done at Olympic Village Primary School — that $6 million new school — and of course we will be opening the $11.5 million redevelopment of Viewbank College, my old school.

Olivia Newton-John Wellness Walk and Research Run

Mr CARBINES — I would also like to congratulate everyone who took part in the 2018 Olivia Newton-John Wellness Walk and Research Run at La Trobe University. A huge thanks to the event patron and driving force behind not only the Olivia Newton-John Cancer Wellness and Research Centre but also the Olivia Newton-John Cancer Research Institute, Olivia Newton-John, the inspiring patron herself.

Ministerial conduct

Mr SOUTHWICK (Caulfield) (14:14) — What a disgrace! In the last sitting week of Parliament we have six ministers in this chamber under police investigation by the fraud squad. That is an absolute disgrace.

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018

Second reading

Debate resumed from 8 August; motion of Mr PALLAS (Minister for Resources).

Mr SOUTHWICK (Caulfield) (14:15) — I rise to make some comments on the Mineral Resources (Sustainable Development) Amendment Bill 2018. We have a bill before the house that comes about as a result of recommendations from the Hazelwood mine fire inquiry. The mine fire inquiry was back in 2014, and I understand that subsequent to that there was a further inquiry in 2015–16. On 21 June 2016 we had a number of recommendations to government in regard to this mine fire inquiry, and this bill is a response to one of those.

In the final sitting week of Parliament — in fact with only a few days to go — we are presented with a bill that will not leave this chamber and will not end up becoming legislation. We are seeing, yet again, a lazy government that has not been able to manage its business program. A whole process of work was undertaken on the inquiry into something that was very, very significant to the state — one of the most significant fires that we have seen in this state that many people in the Latrobe Valley will remember. They absolutely expected the government to act, but yet again this government has failed. This government has failed because it has introduced a bill that will not leave this house and will not become legislation under this government. The Andrews Labor government has had plenty of time to bring this bill before the house. Unfortunately the bill is a massive failure. The government has let down the people in the Latrobe Valley and it has certainly let down the people in the electorate of Morwell.

They would have expected better from this government. They would have expected that this government would have got on with it and would have ensured that, given the kind of work that was done leading up to this bill, we at least had a fair time to debate it and that it certainly had the opportunity to go before both houses and become an act of Parliament. This unfortunately will not be the case, and it is very unfortunately a sad waste of time in that we will debate this bill and then after the next few days it will end up in the ether and have no opportunity to become legislation. Nevertheless, I certainly think that I, and we, the opposition, owe it to the electorate of Morwell and people in the Latrobe Valley to give regard to what was intended as part of this bill to ensure that at least we put on the record some of the comments which I will now make.

The bill talks a lot about establishing a Mine Land Rehabilitation Authority. This authority is meant to be established to clarify rehabilitation, closure and post-closure obligations. The bill also sets up a post-closure fund. The intention of this particular authority is to give some certainty once we have a closure of a mine, and certainly we are talking about declared mines under this bill — declared mines being those in the Latrobe Valley. Once there is a notice of closure, the bill provides that from that point on there is to be proper planning and there is a fund in place and it allows for planned rehabilitation of those mines.

I think it is quite ironic because it is 18 months since the closure of the Hazelwood power station and yet there was no such plan in place for that closure. We have heard many people say that five months was far too short notice to close anything of the significance of a power station like we had in Hazelwood. In fact that was a tsunami. That was an absolute tsunami that Victoria had under the Andrews Labor government, one which effectively wiped out cheap power prices from that point on. It completely wiped out any opportunity of cheap power prices from that point on. The closure took 22 per cent of our energy supply out of the market, a significant amount — almost a quarter of the state's energy — and then from that point on we have all seen the effect.

We have certainly heard the government, including the Minister for Energy, Environment and Climate Change, the Treasurer, the Premier and others, saying, 'Not my fault, not my fault. That was a market decision'. But we do know that this government, the Andrews Labor

government, tripled the coal tax and effectively taxed the Hazelwood power station out of business. Even if one was to follow the line of argument that the government has and say, 'Well, you know, market forces determine this. We are just going to sit back', we know that we had a situation only a few months later not far away from the location of Hazelwood at the Heyfield timber mill.

I know the member Essendon will probably be talking about market forces when he makes his contribution, but for the Heyfield timber mill — 200 jobs — the government stepped in and said, 'We're going to save these jobs, save the timber industry'. Even though there was no supply of timber, 'Regardless we're going to save those jobs. We're going to purchase a timber mill'. This line that I am taking is not the suggestion that the government should have necessarily gone in and purchased Hazelwood. That is not what we are referring to. But to allow a power station to close within five months and to not have some kind of plan leading up to it for a planned closure, like we are talking about here in terms of a plan for rehabilitating a mine once a power station closes, is an absolute contradiction in the terms.

We know that currently the Hazelwood mine is going through rehabilitation, and certainly that is a major project — millions of dollars. The number is still not fully known as to what it will cost ultimately to rehabilitate that particular mine. The government had many levers in place where they could have sat down with the company and said, 'As part of this closure, let's plan it. Let's plan the closure, let's plan the rehabilitation and let's ensure that we do not have five months that ultimately all Victorians will have to pay for but that we have a number of years that will allow us to transition to some new energy into the marketplace and have a closure that ensures we don't see an escalation of power prices', like we have had.

Straightaway, with the bill introducing an authority which looks at all of these post-closure obligations, setting a fund up and setting a plan in place, this is the complete antithesis of what we have had under this government leading up to now. The government has been absolutely a mess in so many different ways but certainly, when it comes to energy, it is fully responsible for the kinds of prices that all Victorians are paying in their energy bills and the uncertain future that we have in terms of reliability of supply. We have an unreliable energy system, and a very expensive one, thanks to this government.

The bill then states that the authority will be established by 2020 and the authority will take over from the Latrobe Valley mine rehabilitation commissioner. I also want to point out that on 21 March 2017 we had a bill before the house for the establishment of the Latrobe Valley mine rehabilitation commissioner. This commissioner was meant to be set in place to actually work on:

> … developing and maintaining a framework for the monitoring of rehabilitation planning activities, carrying out strategic audits of Latrobe Valley licensees and public sector bodies in relation to rehabilitation planning activities, monitoring and evaluating rehabilitation … activities in accordance with the framework, reviewing research plans in relation to the … coal mine land prepared by Latrobe Valley licensees, coordinating rehabilitation planning activities, and engaging with and conducting meetings between relevant groups and persons. It also includes, providing information and education to the Victorian community about coal mine land rehabilitation and the rehabilitation strategy, carrying out investigations on the referral of the minister, and providing advice and recommendations to the minister on matters related to the exercise of the commissioner's powers and functions.

You can see that we have a commissioner that only in March last year was appointed — or certainly the bill was put before the house for their appointment — and that this commissioner would be holding office for a period not exceeding five years. It would be a full-time appointment on a full-time or part-time basis. The 2017 bill provided that the review would be done and this work would be done to coincide by 2020, in which time the minister would prepare a strategy for the rehabilitation of the coal mine.

What I find really interesting is that we had a process in place. We had a bill that went through under this government and said we are going to have a commissioner. The commissioner is going to do all of this work, the commissioner is going to report to the Parliament and the minister by 2020, and the actual plan will be reviewed every three years. That is where we kind of started.

Now we are into having an authority. The word 'commissioner' gets transferred to 'authority', and the authority does a lot of this work. I do not mind if we do something properly. I do not mind if it takes a couple of attempts to get there, but it just is beyond belief that we have a government that starts something and then rolls it into something else. They are not even able to get this stuff right in a first term. If we were always going to have this Mine Land Rehabilitation Authority, if that was the grand plan and if we were going to have a commissioner set up to manage this, then just tell us. Let us do the work properly in the first place. Let us say from the beginning, 'This is what's planned. This is what we're going to do. This is the money we require', and we are away.

That has not been the case. Provided in the 2018–19 budget to the 2021–22 budget, over the four-year period, is $5.4 million for the current authority. But until 2020 we also have this commissioner — obviously the commissioner is being funded as well. So the question — the answer to which I am sure we are all interested in — is: what gets rolled into what, and why didn't we get it right the first time? Why do we now have to go from the Latrobe Valley commissioner to a Mine Land Rehabilitation Authority?

This leads me to the next point, which is that in this new authority that we are talking about today we have what we call 'declared mines'. Under the bill the declared mines are in fact those mines within the Latrobe Valley itself — the coal mines. The question that we have is: if and when this becomes legislation — we know it will not because it has been brought in during the last sitting week of Parliament, so we are just talking about nothing — when are the floodgates opening it up to other mining facilities? We have seen the amount of regulation and red tape in the mining sector. I can tell you that the likes of the Minerals Council of Australia, the small miners and the prospectors all the way through to the cement aggregates industry have been sitting there scratching their heads and saying, 'Why have the government created so much regulation and red tape that they can't even get an amendment to a working permit through, let alone a new permit through?'.

We have seen that in the cement aggregates industry and for quarries. For any Victorian out there who is trying to build a house at the moment the price of basic rock peaks because we cannot get rock into the industry because of planning permits. It is huge. There is a 20 per cent increase on the cost of basic rock, cement and aggregates to build roads and homes. They are all increasing in cost. I have had some people say that they are looking at potentially importing rock from other countries because they cannot get it here. What an absolute joke! A landmass of the size that we have and a state like Victoria, which has been the home of resources, being told by industry that we might need to look at importing some of this stuff because we cannot get our own act together. We cannot get our stuff together under this government.

This government have not cared about the cost of living. They have not cared about housing affordability. They certainly have not cared about energy prices. We know when talking about mining that mining is a very, very broad industry. If you look at your mobile phone, you can see the amount of different resources it takes to actually create a mobile phone from the mining industry. I recall in this government's first year the Treasurer getting up and pretty much saying, 'The mining industry is pretty much dead in Victoria. We've got to look to other industries. We're transitioning to other industries'. We on this side of the house do not think so. We think that mining has a long way to go and offers huge opportunities and a huge amount of job creation. We think it is certainly something that the Victorian government should be supporting with both hands. We are not seeing that under this government. As we have said, what this government have done to the Latrobe Valley is an absolute shambolic disgrace. We have seen the Latrobe Valley Authority being set up and running around trying to provide all sorts of projects just to stimulate some kind of job creation because the government have completely ripped the heart out of the Latrobe Valley.

One would question if this bill is effectively — in terms of where the government is taking this — a blueprint to close Yallourn power station down the track. They have gotten rid of Hazelwood — 22 per cent of energy is out of the market. Yallourn is next in line — another 22 to 25 per cent energy out of the market. If you think your power prices are high now, wait, there is more, if this government gets a second term. That is the concern that all Victorians should be worried about at this point in time.

There is no question that Victoria needs an energy mix. We have been saying that all along. Victoria does not need a government that is ideologically focused on winners and losers. It has an absolute attack point when it comes to the Latrobe Valley. The Minister for Energy, Environment and Climate Change has not even visited many of these mines when she was resources minister. She never went near them and is absolutely missing in action when it comes to this kind of stuff. We have seen that situation before. We have seen the focus this government has had rushing out and announcing all kinds of energy policies with literally no detail or substance in them. There is the solar for homes announcement for 650 000 homes. We are told the minister was not even informed of this policy. The Premier got up and said, yes, we will have a crack at this, and away you go, we get an announcement coming out with 650 000 homes lining up for their free solar.

What were the consequences? As we reported today, you have got the solar sharks preying on vulnerable Victorians, those who have been telemarketed to and doorknocked and ultimately been sold a lemon, if they even receive their product at all. We are now told by this government — the Minister for Energy, Environment and Climate Change in question time — do not worry about all of that. We have got plenty of protection. When we asked about how only 1 per cent of retailers

are covered by the Clean Energy Council code the minister went on to say, well, that is retailers. I am unsure what a retailer's job is if not to sell product to somebody. I am sure there will be many retailers involved that will be selling solar to people under this scheme.

This bill before the house today does look at a number of other things. As I mentioned, the post-closure fund ensures there are sufficient funds once a mine is declared post-closure. It also looks at enabling the public to comment on the grant and refusal of licence applications — currently only objections are allowed. We would certainly want to ensure that the public have a say, but we also do not want to be held up in lots of red tape so we need to find out more details about what that actually means. The bill also extends the terms of a prospecting licence to seven years from the current figure of five years.

As I mentioned earlier there is $5.4 million over four years for this. Again what we are questioning today is how much more this is going to cost. Will there be additional financial and regulatory requirements of the declared mine to contribute to further premature closure in the Latrobe Valley power station as we have seen with the Hazelwood power station? How much ultimately will this cost? Has this been budgeted? How much will this cost taxpayers? Again we asked the Treasurer about the reverse auction scheme today in question time — how much those reverse options are going to cost taxpayers — because ultimately we, all Victorians, will be paying for this renewable policy that the government is putting in place. The Premier said, 'I am not at liberty to really disclose that information, and at this point we are unsure'. So what in fact the Treasurer has done is he has given a blank cheque and has said to those people providing these large-scale renewable projects, 'Fill in the numbers. You fill them in, because I've got no idea'. And that is ultimately what has been happening in Victoria.

The biggest fears I have are three things. Firstly and most importantly is that we have Victorians at a crisis point when they are not able to keep themselves warm over winter and cool over summer and are effectively living in the dark. That is the biggest fear, and we have seen it time and time again. I was with the member for Ovens Valley. We travelled and visited a number of people that are living in one room in a four-bedroom house because they cannot afford to heat the rest. What a disgrace.

Businesses are closing down. I spoke to an ice-cream factory which said, 'Look, our power bills are so through the roof that our business has now been put into administration'. It is a significant business and has been there for a number of years. This is one of the greatest fears — we are effectively getting to a point where we are no longer a great state producing great products and creating jobs through the private sector; we have become a service state. We have become a state where all we can do is sell tourism and education because no-one wants to locate here. No-one can afford to run anything here because bills are just too expensive. That is what this government is taking us to. The Premier is taking us on a fast track to an ideological focus lined up with his Greens mates to effectively turn the lights off in this state.

My second fear is the fact that we will have blackouts. We heard in a report from the Australian Energy Market Operator that there is a one in three chance of power shortages — blackouts — over summer. One in three — that is a big number — so just imagine, like we had with the Premier sitting at the tennis last year during the Australian Open when the lights went out. This character, this Premier, has had years to fix the problem. The lights went out years ago as far as the Premier is concerned. He has done nothing to fix this energy mess, absolutely nothing, and we are all paying for this through costs and through unreliability.

The third worry that I have, although I am looking at hopefully being able to do something about it, is what we are going to inherit should we win government in November. I reckon this will be the biggest — humungous — mess that we have ever seen, the kinds of deals that have been done, these silent deals that have been done, these contracts that have been signed. I remember when Peter Garrett, as the former federal minister for environment under Kevin Rudd, went out there with his pink batts staff flogging batts around the country, just saying, 'How good is this? How good are pink batts? We've got a fantastic project here. This is fantastic'. And then what happened? It had to be shut down because effectively roofs burnt down. People die as a result of this kind of stuff, and that is my biggest fear.

This will involve 650 000 homes. People are out there at the moment getting themselves in, signing themselves up into new businesses. ABN numbers are out of control at the moment. People are getting themselves into 'solar whatever company proprietary limited', going out there and selling this stuff to Victorians — doorknocking vulnerable Victorians, telemarketing vulnerable Victorians in the middle of the night, trying to get them into this deal.

Mr Pearson interjected.

Mr SOUTHWICK — I just fear that this is not going to end all that well. I think even the member for Essendon knows this is not going to end all that well. I really am worried about all Victorians. I am certainly worried about the vulnerable. I am worried about the elderly. And do you know what? In fact this particular solar program excludes renters and apartment dwellers and excludes people on a low income, so you effectively have a house valued at up to $3 million or thereabouts and a household income of up to $180 000. That is the target market. Well, it would not be so bad if they were the ones being telemarketed to, but at the moment we are telemarketing to the most vulnerable. They are the ones that are copping it.

I heard the most horrible thing from somebody the other day. These telemarketers look for the three Rs when they doorknock: roses, ramps and rails. If a house has got roses in the front garden and it has got some ramps and rails, there is a vulnerable person behind that door that they can prey on. That is what they do. That is part of the training some of these companies do. They get them there and they say, 'You know what? Look out for someone that has got a ramp, a rose and a rail there in their home. Away you go — customer on the hook'. That is what this corrupt government has got itself into. That is what this government has set all of us up for. That is what we are all going to be paying the price for. That is why this government cannot be trusted with anything. That is why this government is a complete failure. That is why we have an energy crisis in this state. That is why we are paying more than we ever have for our power bills, and that is why in December it is going to be a lucky dip of whether your lights stay on or whether your lights go off. The lights have gone out for a long time under this Premier. This Premier is completely missing in action. This Premier has failed Victorians, and come 24 November this Premier and this government need to be shown the door.

On that note, we will not be opposing this bill, but it does not really matter, does it, because the bill will not see the light of day. The bill will not see the light of day because this government has failed again to bring this bill into the house until two days before we close for the end of term. What a disgrace. What a joke.

Mr PEARSON (Essendon) (14:42) — I am delighted to make a contribution on the Mineral Resources (Sustainable Development) Amendment Bill 2018. I do want to pick up on a point that the member for Caulfield made in his contribution. I am paraphrasing the member, but I think what the member said is that in relation to the shutdown at Hazelwood what should have happened when the company gave notice is the government should have sat down with the owners and operators and had a planned closure; I think that was his contention.

Just by way of background, the Hazelwood power station got planning approval in 1958. The generators went onstream from 1964 to 1971 and provided 1600 megawatts of baseload power. A Worldwide Fund for Nature report — and I note that that will probably be met with some derision from those opposite — found that it was the least carbon efficient power station in the OECD in 2005. The other point I would make is that when Hazelwood was sold off by the Kennett government in 1996 the proceeds that the state received was $2.35 billion. In checking on Wikipedia, they estimate that there was about $800 million reinvested into that power station from 1996. I do not know whether that is true or not, but let us suppose the figures stack up. So $800 million was reinvested by successive generations of owners of Hazelwood from 1996 to about 2016 when it closed — that is 20 years. The Australian Tax Office (ATO) has a capital depreciation rate of between 2.5 and 4 per cent. So 2.5 per cent of the original purchase price of $2.35 billion in 1996 equates to $58.75 million, and 4 per cent equates to $94 million. I concede that this asset was progressively sold from 1996, but by way of illustration, if you look at the 20 years, they invested $800 million; that is about $40 million per annum. But if we look at what they should have invested according to the ATO, it is between $60 million and $100 million, so there has been a significant level of underinvestment in the asset.

You could argue two reasons for that. You could argue the fact that the asset was approaching its use-by date, in which case why would you invest that money? That is one thesis. Another thesis might be that there has been some level of negligence by the owners or a decision by the owners to chronically underinvest in that asset. Why do I raise this? In response to the member for Caulfield's contention that the state should have sat down, I would hazard a guess that if the state had done that and said, 'Don't shut down now. Come in and sit down. What can we do to keep the doors open and keep you operating for the next five or 10 years?', I reckon the taxpayer would have been on the hook for a lot of money — a lot of dough.

Bear in mind that this is an asset that was built between 1964 and 1971. It is like the EH Holden that you take to the mechanics in 2016. It has been a great car but it is past its use-by date. It is not fit for the 21st century. It is not reliable. You are going to have to spend $50 000 to keep it on the road. You can make that choice, and I am not sure if the member for Caulfield would suggest that had we sat down with the operators and they had said,

'You can keep it operating for the next five years but it is going to cost you a billion dollars' — or whatever the figure is — we pay that, but that is the situation we were in and we had that really clear choice.

The other point I would make is that the lead speaker for the opposition, the member for Caulfield, obviously has a slight bias or a penchant for baseload coal-fired power stations as opposed to renewables.

Mr Southwick — On a point of order, Acting Speaker, I would ask the member not to deliberately mislead the house on what I have said. I have never said that. I have always spoken about an energy mix, so I would ask him not to mislead the house.

The ACTING SPEAKER (**Ms Thomson**) — It is not a point of order.

Mr PEARSON — I am sorry. In the course of the member's contribution he was quite critical of aspects of renewables and he seemed to be quite positive about coal, but if that is the member's position, so be it.

The point I make to the member though is that there is not a bank in Australia, and I suspect in the OECD, that would actually lend money to build a baseload coal-fired power station. So even if, for example, we had turned around and said, 'Let's call in Engie, who have made this decision to shut down Hazelwood, and let's say that we will have a complete refit — let's pull out the old generators, let's put in some new generators, let's go out and get financing to make it work', there is not a financier in the Western world that would fund such an investment. Because these investments, one, are capital intensive — they cost billions of dollars; two, they need a long lead time in order to get a return on the asset; and three, technology is changing so rapidly that the banks are not going to lend money for such an asset because it runs the risk of being a stranded asset, of becoming a white elephant. The member for Caulfield might think that baseload coal-fired power stations are de rigueur in 2018, but the financial markets do not; they do not think that. They would argue that it is a very poor investment because of technological change.

The other point I make from an environmental perspective is that it is estimated that Hazelwood was 50 per cent more polluting than some of the black coal-fired power stations in New South Wales and Queensland. Admittedly, yes, brown coal as opposed to black coal has fewer sulphides, but in terms of CO_2 emissions it is far greater. If the minister had done what the member for Caulfield wanted, I can guarantee you that the questions in question time today would not have been about dodgy door-to-door salespeople, they would have been: why did you put the taxpayer on the hook for hundreds of millions of dollars or billions of dollars of taxpayer funds for an asset that is an absolute dog? That would have been the question today. Once a former government decided to privatise these assets and sell them off in the open market, it became a matter for the private sector to determine what to do with them, and that is just the reality of the world in which we are living.

The bill is about making sure that there is an appropriate regulatory regime in place for the Hazelwood mine. As the bill indicates, this is in response to the Hazelwood mine fire inquiry.

This, I think, is a very important piece of legislation because it reflects the times in which we are living. I grew up in the clay belt in the outer east. Back in the 1970s and 1980s you would dig a hole, you would dig out aggregate or a resource, you would then use that hole for rubbish and it would become a tip, and then you would cover it and make it an oval for kids to play on. That was very much the way in which quarrying operated probably right up until, I dare say, the late 1980s or 1990s at a guess. The reality is that now community expectations have changed quite significantly, and I think that most people in the community would say that they would want to have some involvement, some say, in the way in which a quarry like that would operate. Near my electorate and the electorate of Niddrie you have got the Valley Lake estate, which used to be the old Niddrie quarry. That has now been turned into a vibrant community centre with plenty of housing and plenty of green open space.

What the bill is seeking to do is respond to the mine fire and try and make sure that there are appropriate arrangements in place to ensure that when the mine is rehabilitated it is done in a way which accords with people's expectations. The bill also ensures that there is appropriate regulatory oversight and that there is also the capacity to work with the owner of the asset to ensure that what is delivered on that site is indeed appropriate. There is a degree of community involvement and oversight as well. It is important that, from a bond perspective, there is an ability for a bond to be paid by the owner, and I believe that is held by the government and then returned post completion.

This is a significant investment that will occur in the valley. It is about working in partnership with the community, making sure there is an appropriate level of regulatory oversight to ensure that what is left as a final product is something that the valley can be rightly proud of. I commend the bill to the house.

Mr McCURDY (Ovens Valley) (14:52) — I rise to make a brief contribution to the debate on the Mineral Resources (Sustainable Development) Amendment Bill 2018. This is a bill that will not get through the upper house this week. It has been left until it is too late, as we have heard from the member for Caulfield. It is a shame that some of these bills that seemed to be high priorities back when Labor was in opposition have now been left until the last sitting week of the 58th Parliament.

The main purpose of the bill is to fulfil the government's commitment to implement the recommendations of the Hazelwood mine fire inquiry. The bill establishes a Mine Land Rehabilitation Authority, clarifies rehabilitation, closure and post-closure obligations and sets up a post-closure fund, although there is more detail required around that post-closure fund. The Mine Land Rehabilitation Authority will be established on 1 July 2020, and the authority will take over the Latrobe Valley mine rehabilitation commissioner's current roles in relation to the rehabilitation of the Latrobe Valley and the regional rehabilitation strategy.

The bill enables the minister to apply this new regime to future mines that present a significant risk to public safety, the environment and infrastructure using an existing statutory power to declare mines. The Latrobe Valley coalmines are currently the only declared mines, and there is, as I say, uncertainty around this definition. But after a mine is closed the landowner will be responsible for monitoring and maintaining the land. The post-closure plan will be registered against the title of the land, and the minister will have the power to enforce that plan.

The bill establishes a post-closure fund for each mine. The authority will use the post-closure funds to meet the ongoing costs of managing declared mine land post closure. The criteria and processes for assessing liability will be set in regulations. Although the declared mine land rehabilitation framework bill is enabling, we know the devil will be in the detail amongst the regulations.

The changes will start to come into force from 1 July 2020. The time frame for rehabilitation plan changes will be set following consultation. The bill enables the public to comment on the granting and refusal of licence applications. Currently only objections are allowed.

Other parts of the bill allow landowners and mine licence-holders to include agreements on non-financial compensation in registered compensation agreements, and the bill extends the term of prospecting licences to seven years from the current five years. Prospecting licences were introduced in 2010, and they are used by small-scale prospectors and miners.

I am a little disappointed that in the mining and resource management area there were not changes included in the bill, particularly in terms of resources and the mining of resources. For example, as building and infrastructure goes ahead in both Melbourne and communities in the country, we are starting to run out of resources. As this government tries to out-green the Greens at times, I was disappointed that some strategies around how we can keep some of these mines open were not included in the bill.

In the Ovens Valley there is a perfect example in Tarrawingee, where Mawsons quarries have run out of certain mining resources and they cannot get a permit for further resources in that region. They are bringing in some of this rock from miles and miles away, and it is just making the cost of building, particularly concrete structures, go through the roof in the Wangaratta region. Again, this is due to the red tape that we have got in that mining and mineral resources area. It needs to be fixed, and I was hoping that might have been resolved some time during the term of this Parliament. But as this is the last sitting week I cannot see any of this getting through. The government should have considered a few more details and maybe introduced this legislation a little earlier.

I do have some concerns. Some concerns have been raised with me about why the government have waited so long to introduce this legislation. Is it just another stunt so they can say they tried but failed even though they did the best they could? If they really wanted to get this through, it would have been introduced and debated many moons ago — not necessarily this year. It could have been last year or the year before. Other concerns I have are around funding obligations and who pays for the establishment and ongoing costs of the Mine Land Rehabilitation Authority. There is speculation about what happens to the funding that is in the budget for the Latrobe Valley mine rehabilitation commissioner and managing mine rehabilitation risks, which, I might add, will provide $5.4 million over four years if the commissioner is replaced by the Mine Land Rehabilitation Authority, as set out in this legislation, by July 2020.

Other questions include the additional financial and regulatory requirements of the declared mine fund that could contribute to the further premature closure of Latrobe Valley coal-fired stations, as this government caused with the Hazelwood power station by tripling the costs of the mine operators due to the establishment

of the mine's post-closure fund. As I mentioned earlier, debating this bill in this last sitting week will not help to answer some of those questions. Sadly, it is too little too late. There is still uncertainty around when mine operators will be required to contribute to their post-closure fund and some of the guidelines and regulations that the minister needs to follow. There is still an enormous amount of work that could probably go into this.

I know the Minerals Council of Australia are broadly supportive of the bill; however, they are concerned about the lack of industry understanding of the process of a mine becoming a declared mine. The minerals council also expressed strong support for the bill's proposed changes to the small-scale prospecting licence, which it views as a common-sense reform.

With that, this bill does make a number of legislative changes which have broad support from industry. It establishes a framework to provide additional financial protection for the state in relation to the rehabilitation of the Latrobe Valley's brown coal mines, but again I say that all the huff and puff of Labor when they were in opposition has certainly turned into too little too late in this 58th Parliament.

Mr HOWARD (Buninyong) (14:59) — I am certainly pleased to speak on the Mineral Resources (Sustainable Development) Amendment Bill 2018 that is before the house. Having listened to the speaker from the National Party just before me, it is clear that he does not quite understand the background to this bill in full. It is not as though there has not been a lot of work done by this government and previous governments in regard to the whole issue of any miners receiving a licence in the first place and being required to commit to rehabilitation and set in place rehabilitation plans.

I took great interest in this issue from early in my time in this house because there was a gold mine in Mount Egerton that was closing down and the community of Mount Egerton was very concerned that the mine was not operating as perhaps it should have been. The department responsible for mining pursued the mine owner to ensure that the mine was closed appropriately, that rehabilitation was done and that the community was not left with a disaster site, as it were. The site of that former mine in Mount Egerton is now for the most part a pleasant site that has parkland that can be accessed and utilised by the Mount Egerton community. That has been a good process in that area.

In my role as parliamentary secretary for environment and resources, I have had the opportunity to do a lot of work with our mines department. I have seen that people in that area have worked very hard to ensure that processes are in place in all our mining sectors so that our mines are operated well.

With regard to the Minerals Council of Australia, from when I have had occasion to work with them I know that that is something that they have supported strongly. They want to see the mining industry have a good reputation across the state.

We know that often when either exploration licences are applied for or mining is undertaken community members are concerned about what they are going to be left with at the end and the whole effect of mining on the community. It has been important that the community's voice has been heard and that mining operators understand that they have to follow through on commitments relating to things that are going to be in the community interest and that if the mine does close the rehabilitation work will be done appropriately.

In regard to this particular bill, we know that the background of this bill is that it essentially relates to the Latrobe Valley coal mine. We remember back to 9 February 2014 when a fire took hold of the Hazelwood mine and burnt for many, many days — 45 days, in fact — sending smoke across the Morwell area in particular and threatening the health of the community in Morwell. They quite rightly were outraged by the fact that this fire was able to continue. We know that when we looked into what had preceded the fire, we found that a lot of the watering equipment that was put in place in case a fire happened had been disconnected. So a lot of work was done and soon after the fire, in March 2014, the government asked the Governor to undertake a broad review of the management of the Hazelwood mine and the issues associated with the fire. We know that the Honourable Bernard Teague, AO, Professor Emeritus John Catford and Ms Sonia Petering were appointed to undertake that inquiry. It was a very thorough and useful inquiry that of course made many recommendations.

We also know that subsequent to that the Hazelwood mine was closed in March 2016. The Andrews government, having committed to meeting all the recommendations of the Hazelwood mine fire inquiry, has been following through on that. Although this bill is coming before the house at this time, it is not as though things are not continuing to be done. It is not as though we did not establish the Latrobe Valley mine rehabilitation commissioner and put that commissioner in place to oversee the follow-up from the Hazelwood mine fire and then the mine closure. That commissioner has been doing an excellent job. I have talked with him and some of his staff to gain an appreciation of the great

work that that person and his team have done in working with the mine operators, the community and local government to ensure that their concerns are being addressed and that an appropriate process has been put in place in regard to the rehabilitation of that very, very large coal mine. That has been proceeding. We have been working through addressing those issues raised in the inquiry in regard to that mine and we know that more work needs to be done.

The fact that this bill will not be passed during this Parliament is not necessarily of concern because anybody who has read the detail of the bill will have seen that the bill establishes a new Mine Land Rehabilitation Authority and that authority will not be established until 30 June 2020. We have plenty of time to get this bill through this house and the other place before 30 June 2020 so that the new authority can be put in place. The centre point of this bill is clearly to establish a Mine Land Rehabilitation Authority, which will simply take over from the existing Latrobe Valley mine rehabilitation commissioner in following through on the work. We know that the responsibility of that authority can in time be larger than dealing with just the Latrobe Valley mine, but that is the key focus at this stage.

Other members have talked about a number of things in the bill in terms of how the legislation will work. We know that essentially this bill is directed to ensuring that we have in place an appropriate procedure to ensure that all mines have a proper rehabilitation plan. The plan will be developed to certain levels depending on the size of the mine, the length of time it has been running and so on. That is something that is continuing but will be further enforced when this bill is passed by both houses and is finally enacted. The bill also looks at issues to do with the Mineral Resources (Sustainability Development) Act 1990 and takes on board recommendations that have been made to the government, and it looks to clarify a number of issues associated with the overall bill.

This government has worked very soundly in ensuring that our mining industry in all areas of the state is, for one, supported. We know of course that our mining industry is important. It is certainly important for somebody who comes from Ballarat. Certainly our goldmining industry is continuing. We continue to have gold being taken from underneath Ballarat, which is certainly adding to the economy of this state. In regard to coal mines, we know that a number of coal mines in the Latrobe Valley are now closing down. We need to set in place a process to ensure that they are converted from large holes in the ground to areas that can be appreciated and used by the community in years to come and are going to be safe and sound and well managed into the future.

In taking the next step with the creation of the Mine Land Rehabilitation Authority, this bill will be setting the people of Victoria on the right path into a sound future in terms of future mining operations and in particular where those mines close down or even when they are continuing. Of course we still need a rehabilitation plan for areas of mines, particularly when they are open cut mines. We know that you do not wait until you have finished the mining altogether before you do the rehabilitation; you do the rehabilitation as you go along. The people of Victoria can feel comforted to know that this government continues to see the substantial issue ahead of us in dealing with the closure of the Latrobe Valley mines. I commend all of those who have been involved in the preparation of this bill. There has been a great deal of consultation and this will result in a good outcome for the people of this state.

Ms SANDELL (Melbourne) (15:09) — I am here to speak on the Mineral Resources (Sustainable Development) Amendment Bill 2018. It is, as many other speakers have already said, a very important bill but it is also a very overdue bill. As we have heard, the Hazelwood mine fire inquiry was in 2014 and this is one of the recommendations to come out of that. It would have been good to actually have this passed while it was still able to go through the upper house because it does deal with the very significant and very neglected issue of mine site rehabilitation for coal mines in particular.

I am quite disappointed, I have to say, that this key recommendation of the mine fire inquiry, this bill, is only being slated for debate in the lower house now, which means that it has no chance of going to the upper house because of course this is our last week in Parliament. It is pretty disingenuous, I have to say, for the Andrews government to bring this on so that they can say they are acting on this issue when they know full well that this bill is not actually going to be debated in the upper house, which means it is not going to pass; rather it is going to lapse. However, I am here to speak on the bill and I am happy to put the Greens' position and my position on the record: the Greens support this bill.

In short, as we have heard, the bill establishes a new Mine Land Rehabilitation Authority to provide independent oversight for the rehabilitation of mines that are 'declared mines'. At the moment the term 'declared mine' only applies to coal mines in the Latrobe Valley. We know that Victoria needs a new authority. It is something that has been long fought for

by the Greens, by environment groups and of course by locals in the Latrobe Valley as well.

The impacts of the Hazelwood mine fire were devastating for the locals, devastating for our environment and devastating for our climate, and we cannot really underestimate the impact that that mine fire had on people. What it also made absolutely clear was that we cannot just trust these big corporate coal companies to do the right thing if they are left to their own devices. I wish we could, but unfortunately time and time again history has shown us that we simply cannot.

These companies are motivated primarily by profit. They would like to do the bare minimum that they can get away with, especially in terms of cleaning up after these mines are no longer profitable and they leave the mine operations. History shows that they just will not do the right thing unless there are really strong laws in place to make sure that they do. So it is important that the Mine Land Rehabilitation Authority has a really powerful role in ensuring meaningful rehabilitation planning happens throughout the life of a mine, not just as an afterthought after the operations of the mine have closed.

Given how important this authority will be, I want to stress the importance of getting it up and running and fully resourced as soon as possible. Under this legislation it will not be established until 1 July 2020. We believe this authority is too important to wait another two years for. We have already waited four years since the mine fire inquiry started, and the community has been waiting a lot longer than that. It is 2018 and we know that the authority is not slated to start until 2020, and honestly this is just not good enough. We need it to start now, but this bill is not even going to pass; it is actually going to lapse so we are going to have to wait some more months if the legislation gets through at all.

Yesterday I announced the Greens' plan to power Victoria 100 per cent with renewable energy and actually phase out coal entirely by 2030. We did this because we know that coal mines, coal power and burning coal simply have to be phased out, and they have to be phased out quickly if we are to guarantee a safe climate for all of us in our future. We also know that we need to do it in a way that really supports communities, so I announced as part of our 100 per cent renewables package a comprehensive plan for new jobs and new industries in the valley.

I must have visited the valley — I do not know how many times — at least half a dozen times in the first couple of years when I was an MP, including after the Hazelwood mine fire and then in the lead-up to Hazelwood's closure. I went there to sit down and listen to people and ask, 'What are the issues that you are facing and what should the government be doing?'. Obviously the Greens' position is that we need to get out of coal, but let us listen to the communities about what they think that might look like. They are not silly. They know that coal is coming to an end and they know that we have to get out of it.

They told me time and time again a few things: that privatisation had absolutely failed them; that they felt abandoned by successive governments, not just around the fire but especially around the fire and particularly around privatisation; and they told me that they wanted new industries and new jobs invested in early because they know that coal mines are closing and they actually want something there that is up and going, employing apprentices, employing people and bringing money into the community before the coal mines and plants shut. That is something that has not happened, and it is something that did not happen with Hazelwood either, which is really disappointing.

This government knew that Hazelwood was closing. However, the week before it closed I got up in this Parliament and asked a question of the Minister for Energy, Environment and Climate Change about what she knew about Hazelwood closing. She got up and categorically said that it would not be closing and that she had not had meetings that indicated that it would be closing. That really was not the truth because she knew that it was coming and yet they were making public statements that kept the community in the dark. This community really deserves better than that. They deserve this bill going through, but they also deserve new jobs, new industries and large investments, not just a couple of jobs here and there.

I know this government has done some good things in terms of investing in the valley. Solar Victoria is now based in the valley, which is great, but the plan that we announced includes $500 million of investment in big batteries and pumped hydro storage, solar and batteries on all freestanding public housing and solar and batteries on every Victorian school, and those jobs to manage that process would be located in the valley. This is the kind of large-scale investment, as well as new renewable energy such as offshore wind, that we need in places like Gippsland and the Latrobe Valley to make sure that we are actually protecting people through this inevitable transition.

We know that coal has to be replaced: it is a fact and it is the way the rest of the world is going. We know that

Victoria's powers stations are Australia's dirtiest and that they are actually some of the dirtiest in the whole world. We know they spew out huge quantities of toxic sulphur, mercury, nitrogen and also particle pollution. So it is not just about the environment and climate change; we actually also need to phase out coal for our health. These power stations and the mines that feed them just need to go, and when they do we need to have a strong mine rehabilitation authority in place to make sure that we are not left with this legacy of damaged land or dangerous mine sites.

What I would like to see, as well as this bill passing, is actually a time line from this Labor government, and ideally from the opposition as well, for the phase-out of our coal plants and mines to actually give the community some certainty and actually protect us from climate change. We have got a plan about when we would cancel the licences of different units of plants and how we would bring new jobs, new industries and new energy to ensure security of supply. If we can do that by just working with some energy experts on a voluntary basis, and with the limited staff that we have, surely the government and the bureaucracy can work that out as well. Unfortunately, as we have seen time and time again, this Labor government simply does not have a plan when it comes to coal.

When you look at what this Andrews Labor government has done on coal and gas, when you look at what this Labor government has said and done when it comes to coal and gas, it tells you really everything you need to know about how much they actually care or do not care about climate change. Let us list a few of them, shall we? This Labor government has extended the licences of our two most polluting coal plants out to 2032 and 2048. That is well beyond the time scientists tell us we need to absolutely stop burning coal and keep it in the ground if we are to avoid the worst impacts of climate change. This Labor government gave $50 million of our taxpayer money — Victorians' money — to a dodgy brown coal project to try to turn brown coal into hydrogen, for very, very little energy but a lot of new pollution. This Labor government has publicly declared in this chamber their support for a monster gas import ship at Crib Point in Western Port Bay bringing in dirty fossil fuels through a Ramsar wetland. This Labor government made the decision to open up our western coastline to gas drilling. This is a fossil fuel that is dangerous to drill and dangerous to burn. And this Labor government has refused to support a permanent ban on all onshore gas drilling across our farmland and our environment. It is a pretty sad record, I have to say. It is a pretty disappointing record if you are someone who actually cares about the future of this planet and our children's future and our grandchildren's future.

The Premier talks a big game on renewables, and I know that this Labor government has done some good things and made some good announcements when it comes to renewable energy. But sitting behind those shiny announcements about solar power for people's homes is this fundamental belief of the Andrews Labor government that we should keep burning brown coal in this state into the future. That is something that just simply cannot coexist with a safe planet and a safe climate for our future. I am sorry; that is just basic, basic science. If we actually want to protect Victorians from more droughts, from more bushfires and from more floods, we actually have to keep coal in the ground. We have to stop burning coal. That is what all the scientists are telling us. That is a simple scientific fact — that burning coal causes climate change — and if we want to avoid more droughts, more bushfires, more floods and more extreme weather events, we simply must keep coal in the ground. But this Labor government does not believe that. This Labor government believes that a safe climate can coexist with continuing to burn coal out to 2048 — and I am sorry, but that is simply just not true.

I want to go back to some of the specifics of the Mine Land Rehabilitation Authority. Under this bill the rehabilitation authority will only be able to oversee declared mines, and so far that is limited to the coalmines in the Latrobe Valley. Unfortunately this does not go far enough. We would like to see the new authority empowered and resourced to provide thorough and effective oversight for the proper rehabilitation of mines all across Victoria.

My office is routinely contacted by communities, such as recently those surrounding Costerfield near Bendigo. These are communities who are deeply concerned about contamination from mining and inadequate rehabilitation. At the moment these communities really struggle to just get the basic information they need about what has happened to the mine, what is going to happen to the mine, if there is contamination or not and what the rehabilitation plans will look like. An independent authority that had a clear mandate to work with communities and to only allow mines to proceed when they are safe and to make sure that they are cleaned up properly would make a really big difference to these communities and the environment across our state.

I also want to mention the Alcoa mine site near Anglesea. That absolutely should be a declared mine under this bill, because the least Labor can do after the shameful special treatment they have given Alcoa is to

give the Anglesea community some certainty around what is going to happen to them. The coalmine near Anglesea, the Alcoa coalmine, has a history that clearly demonstrates the favourable treatment that Labor and the Liberals have given to them — through subsidies, for example — at the expense of communities and the environment.

In 1984 the then Premier, John Cain, gave Alcoa a special exemption to freedom of information laws, which has essentially allowed them to hide a lot of their actions. The Greens have twice tried to introduce a bill to remove this unjustified exemption. No other company gets a special exemption from FOI, but twice our efforts to remove this exemption have been blocked by Labor, the Liberals and The Nationals. It is relevant to today's bill because it does relate to rehabilitation. Alcoa has closed their coalmine; they made that decision in 2015. Since then the community has really been trying to get information about how the site is to be rehabilitated. They were quite optimistic and hopeful at the start that they could work with the community, but that has not happened. The company has not actually acted in good faith.

What has become apparent is that Alcoa never really had a plan, and now they are just scrambling to try to put one together under pressure. It shows that rehabilitation is just an afterthought for them. It is not something that they thought of when they started digging. They did not think, 'Gosh, how are we going to clean this up at the end?', which is what they should have been thinking, and governments should make them think about that. But now they are patching it together. Maybe there will be some commercial activity there and more residential development in an area in which it is wholly inappropriate. The community is rightly very annoyed at Alcoa and the government for letting them hide their plans and giving them this veil of secrecy. This bill would be much better if it actually included mines like the one at Anglesea.

This is something that we have to take seriously. We do not just treat it as a token aspect of licence approvals — like, 'Oh, do you have a plan?'; 'Sure'; 'Yes — tick'. No, you actually need a proper plan, and it needs to be overseen by someone who knows what they are doing.

Finally, I draw attention to the recent and pretty disappointing decision from this government to rush through a decision to open up more than 10 000 square kilometres of western Victoria to mining exploration. Labor recently tendered 11 new large exploration blocks in an area known as the Stavely Arc. That is not all; they are even providing millions of dollars in public money — that is taxpayers money — to these big mining corporates to help pay for this exploration. The area that has been opened up runs from just north of Warrnambool all the way through to the northern border with South Australia and New South Wales. Some of the blocks border the Grampians National Park, the Little Desert National Park and Wyperfield National Park, and they cover huge areas of productive agricultural land. This decision to create uncertainty and open up this land to mining licences really poses a lot of threats to food production as well as the environment.

I have been contacted by a lot of farmers and landholders in the area who are pretty outraged that this government has rezoned their land to allow this mining, with no community consultation. I think they are pretty desperate when they are contacting the Greens. We do not get a huge vote out in western Victoria, although I think it has been increasing as a result of the government's decisions on gas exploration and now these mining licences. They feel like they do not have a voice in this Parliament, when no community consultation is undertaken before land is rezoned like this.

I am pretty concerned about the impact that will have on our waterways as well, which are already under stress, particularly in the west. Mining, as we know, is a huge user of water. I am not sure where the government thinks this new water is going to come from and what the impact will be on our agriculture, let alone our native plants and animals.

To me it seems like just another example of selling off our state to the highest bidder and valuing profits above communities, above the environment and above long-term thinking. It is about getting a short-term buck, because they will not be in government when they have to deal with the rehabilitation. Instead of handing over money to these mining companies and trashing the environment, it would actually be great if we could use this public money to protect our environment or ensure that everyone is doing the right thing by the environment.

In conclusion, as I said, Labor has done some really good things on renewables, and we have celebrated those and we have commended those. They have done some good things in terms of increasing mine rehabilitation bonds and responding to the community's calls for a Hazelwood mine fire inquiry, and this bill would be another step in the right direction if they had allowed it to be introduced early enough to be debated and if they were actually serious about getting it through. But Labor's conflicted stance on mining, on

gas and on coal is confusing the community, and it is pretty devastating for our environment.

I would like to see Labor stand up and tell us really where they stand. Do they want coal mining to continue or not? Do they want to protect us from climate change, from more droughts and from more bushfires or not? At the moment it seems clear that the answer to that is: yes, they want more coalmining, and no, they do not want to protect us from climate change. I would be very, very happy to hear the Premier or a minister of this state stand up and genuinely say, 'No, we have a plan to get out of coal, we have a plan to leave fossil fuels in the ground and we actually have a plan to protect Victorians and our children and grandchildren from climate change', but I am not going to hold my breath.

Mr EDBROOKE (Frankston) (15:27) — It is indeed a pleasure to rise this afternoon to speak on the Mineral Resources (Sustainable Development) Bill 2018. I start by congratulating the minister and the minister's advisers on all the hard work that has gone into this bill. It is of course a recommendation from the Hazelwood mine fire inquiry, which found that current legal requirements for mine rehabilitation and mine closure are very unclear. The inquiry recommended a few things, one of which was that the government should establish an independent Latrobe Valley mine authority by 2026 or earlier in the event of the premature closure of one of the Latrobe Valley mines, which was recommendation 15.

It also recommended that the government amend the Mineral Resources (Sustainable Development) Act 1990 to clarify rehabilitation, closure and post-closure obligations, which was recommendation 17. It further made a recommendation to establish a post-closure trust fund to mitigate the likely costs arising from ongoing monitoring, maintenance and management of a rehabilitated mine site after closure, which was recommendation 12.

The purpose of this bill is to respond to those recommendations of the Hazelwood mine fire inquiry, which found that the current legal requirements for mine rehabilitation and mine closure are just not there. It amends the Mineral Resources (Sustainable Development) Act 1990 to clarify rehabilitation, closure and post-closure requirements. It clarifies responsibility for the post-closure management of rehabilitated mine land where required and establishes a Mine Land Rehabilitation Authority to oversee declared mine rehabilitation and post-closure management, including administration of post-closure funds, from 30 June 2020.

We did hear some talk of that date, 2020, just then, and we also heard some other stories from the Greens as well. I guess I would just like to start part of my contribution by clarifying some of that. I think this government has made it very clear that when we say we will do something, we will do it. By 2020 I think is a reasonable date. There is a lot to do in this space. There are mines all over Victoria. To put these recommendations in place is no small feat.

We have also heard some people in the house questioning our commitment regarding climate change and also questioning our commitment to renewable energy. I would just take the previous speaker, the member for Melbourne, back to some of the announcements we have made over the last month, including solar for people's rooftops in Victoria — 60 000 I think — solar hot water heating; the list goes on and on and it will continue. This government knows that renewables are the future of clean and cheaper electricity. We also had a huge wind energy announcement a week ago which was all over the media, so I cannot really believe what I am hearing sometimes from the Greens when they are questioning whether we will be making that transition.

Anyway, back to the bill. This bill actually brings back headaches for me. I was a firefighter on duty the day the Morwell mine fire began, and I was at plenty of previous ones as well. I got the call to travel down to the Morwell mine — code 1, lights and sirens — which took about an hour, and we could see from the get-go that there was no incident control structure; there was no management. At that stage it was the local emergency services doing what they could to develop a structure while actually trying to contain the fire at the same time. Now I could take you through two to three weeks of the risks and the issues in that community, and I will talk about the town of Morwell itself in a second, but all this came about because the ethical responsibilities of this mine operator were not actually being met.

It is not very well known, but in responding to that mine fire we took the Frankston Teleboom apparatus down into that mine. The mine itself is 42 kilometres-plus in circumference. It takes 15 minutes to get down to the mine bottom, so if there is an emergency, that is 15 minutes of travel to get someone who could be in a critical condition to the very top to get them airlifted. Also, once you start pumping water into that mine it becomes a swimming pool. The water does not go anywhere — you have to pump it out. You are using water as an extinguishing medium and it is ending up around your feet and you are wading around in it. These are very difficult

conditions. So I would like to just give a shout-out to the men and women who were actually down there for those months taking care of that, because I can assure you that when we first got there it was like taking a bite of an elephant. We could not even see where in the future we could make gains in this job and extinguish that fire.

It is not very well known that when we got there the pipe works, or the ring main as we call it, for that coalmine had actually been scrapped and sold as scrap metal. Mines require fire pumps, sump pits, different extinguishing mediums and what we call a ring main, which is usually at least a 90-millimetre hose or static pipe that we can connect into as firefighters and use that water that is already pressurised to, say, 1000 kPA. In this mine the sprinklers were attached to that but the pipe itself had been taken away and sold by the mine. They actually sold that for scrap, so we ended up down there and the only water we could use was water through the hoses that we laid down there, which was kilometres and kilometres and kilometres worth of hose. That happened because the rules are very unclear. The responsibilities are unclear, and I am very pleased to see that that is being addressed in this bill.

What I saw during that fire was a massive risk not only to the emergency services workers and volunteers down in that mine but also the Morwell township where my parents live and where some of my family lives. Schools were closed down, kindergartens and childcare centres were closed down, and it was not until two weeks in that the Dandenong hazmat unit was requested to put remote carbon monoxide monitoring units all around Morwell. What they found was that the parts per million of carbon monoxide and other toxins in the air were far too high for people to be exposed to. Of course we have heard about the deaths that have been attributed to that mine fire as well due to respiratory illnesses. This was a terrible thing for that community, and in many ways the community is still scarred from that and is still coming back from that.

When I go down there to visit my family I do see some really positive work going on by this government, with a massive amount of funding going into innovative programs for that community to get back on its feet again. I must say that what I saw when I first got down there was that the government at the time, now opposition, did not really have much time at all for those people in that community or that emergency. I saw the Premier at that time, Denis Napthine, do a doorstop and then take off in a helicopter. I am sure Denis was organising other things at the same time, but there was not any show from the former government to say, 'We are interested in this, and we actually want to look after the community and get it done'.

What we did see was the then opposition leader, now Premier, in what I would say is one of the gutsiest things I have ever seen and also probably something for which the Premier will have my respect forever, come down and walk into a tent of very tired, very sore emergency service workers — police, ambos, Victoria State Emergency Service workers and firefighters — who had really had enough of this job. People were not in any mood to talk to politicians, but he came in, sat down and asked questions. Before I knew it there were people huddled around the then opposition leader, and he actually found out what was going on. In a lot of ways this bill has a bit of, I guess, passion from the Premier himself in the cabinet about what he saw down there and why we cannot let this happen again in Victoria. The fire was dangerous. It put many, many lives at risk. On the first day I was there six people were in hospital just from the mine firefighting effort alone. We know, as I said before, that the community has suffered, and it is only now with an Andrews Labor government that they are seeing some action being taken to prevent this kind of thing happening again.

I cannot speak highly enough of this bill. I commend the bill to the house. I hope that across the board today we have support — the opposition not opposing it and the Greens supporting the bill. I hope many people can stand up and actually get behind this bill and let us know that these incidents are not acceptable and that we can prevent them quite easily.

Ms McLEISH (Eildon) (15:37) — I rise to make a contribution on the Mineral Resources (Sustainable Development) Amendment Bill 2018. As we have heard from a number of speakers before me, the bill before us primarily implements the recommendations of the Hazelwood mine fire inquiry. The Hazelwood coalmine fire of February 2014 was a pretty unusual event, and it lasted for 45 days. That in itself is really quite remarkable. It had a number of impacts on the local community down in that area. February 2014 is a very long way from September 2018. By the way, the member for Frankston spoke before me about the importance of this bill and how the Premier is not going to let the people of the Latrobe Valley down. Well, I think he has, because we know this bill is going to float in the ether for a while in the last week before the 58th Parliament rises. This bill is not going to get through the upper house in that time. So I think that the Andrews Labor government has not really supported the people of the Latrobe Valley as is being made out.

I want to acknowledge the role of the member for Morwell during that fire. Those of us that have had major events in our electorates know what is required of an MP: you really have to go over and above the amount of work that we all normally do. The member for Morwell was on the ground all the time. His office was often open on weekends, and he was certainly working very late at night a lot of the time. For him that was a very draining experience, having to support the community like he did. I commend him for the work that he did because it is not easy when you have a major event like that.

This bill establishes the Mine Land Rehabilitation Authority. Again, it is another authority being created by the government. I cannot keep track of the number of new statutory authorities that the Andrews Labor government have created, and with each one comes an associated bureaucracy. This authority is to be created by 1 July 2020. It takes over from the Latrobe Valley mine rehabilitation commissioner's current role. We are probably having a bit of a debate about what is the right thing: is it a commissioner or is it an authority?

If something needs to happen, we have got a commissioner. They have a budget. Certainly in the budget of 2017–18 there was funding there. In fact the 2018–19 budget, under 'Managing mine rehabilitation risks', provides $5.4 million for the Latrobe Valley mine rehabilitation commissioner over four years — that is, from 2018 to essentially 2021–22. At some point by July 2020 the commissioner will be replaced by the Mine Land Rehabilitation Authority. There was either not much forethought given to establishing that authority or this bill has been a little bit of a rush job, with the government realising that perhaps they are letting the people of the Latrobe Valley down.

There will be a fund established post the closure of mines. It is important to recognise and understand that the landowner remains the same. It is a bit like the situation of one of my cousins who owns a racehorse. When the horse retired, they said, 'You still own the racehorse. You've still got to feed it and put it somewhere and house it'. So if you have had a mine, you own the land and you still have the obligations. Here the landowner will still be obligated to monitor and maintain the land.

I think this bill is looking to provide certainty so that with the closure of these declared mines — and I know there is a little bit of argy-bargy about what is and what is not a declared mine or how a mine becomes a declared mine — and with a notice of closure there will be proper planning, there will be a fund in place and that planned rehabilitation will roll out. The issues associated with that have certainly been raised in depth, including by the lead speaker, the member for Caulfield, who is also the shadow minister.

This brings us to the fact that the Hazelwood mine has closed. I would say primarily that the tripling of the coal tax was a major influence in that. I do note, as did the lead speaker, that when there was an issue at Hazelwood with a limited timber supply the government did step in there to help out, but in this instance the government actually tripled the coal tax. They really had no plan for the closure, and they did not explore any other options.

There are a couple of other amendments being made in this bill to the Mineral Resources (Sustainable Development) Act 1990 which provide for an avenue to listen to those who support or who may be even promoting the particular project of the time rather than just objectors being heard. The amendments also extend prospecting licences from five years to seven years for small-scale prospectors and miners.

I just want to use this opportunity to briefly discuss the role of miners and prospectors and their concerns, certainly as bush users. The Prospectors and Miners Association of Victoria is a voluntary body. They were established to protect and enhance the rights and opportunities of those who wish to prospect, fossick or mine in Victoria. Their membership is really quite interesting because it ranges from prospectors who do traditional gold panning and sluicing and use metal detectors — you will often see people in various parks fossicking, using metal detectors, who might be looking for gold, gemstones or other minerals — to those that use machinery on prospecting licences. It covers quite a range of members. They constantly feel that their right to conduct these activities is under threat, and they are always quite vigilant about this.

This brings me to Bush User Groups United, which really wants to see access for all to our forests and does not want to see our forests and parks locked up. I certainly do not think that is the answer. I stood out on the steps of Parliament with the members of this group and those from the Prospectors and Miners Association of Victoria a couple of sitting weeks ago. The Bush User Groups United has about 10 000 members, and these guys go to the bush. They head out there and in the small towns they may be staying in caravan parks or they may be camping. If they are not mining and prospecting, they may be bushwalking or they may be four-wheel driving, mountain biking or hiking. I think when you look at the role that these people play in the bush — because they love the bush they want to be there and they want to see it maintained — they

certainly do not want it to be closed off. Typically those bush users will take their rubbish with them. They are one key — seeing rubbish being dumped and knowing where it is they can actually report that. I think that if they continue to have a presence in the bush, they will continue to monitor that and send alerts to those who can actually do something about it.

I remember a number of years ago being involved with a four-wheel drive club. I think we were up the back of Healesville with the former Minister for Environment and Climate Change, the member for Warrandyte, and they would GPS spots where they had found rubbish that had been dumped. Sometimes there would be car engines, sometimes there would be tyres or other rubbish, and they would actually GPS that so that staff from Parks Victoria could come in, go directly to it and remove it. So I think that people that are out in the bush are certainly there to protect it. They love their bush, and I would hate to think that there are steps in place to lock these guys out of the bush.

They are also the ones who can report on the fuel loads, and we know that forests carry an enormous fuel load at particular times unless that is managed properly. I have been alerted to the Badger Weir picnic ground at Badger Creek, which I have been to a number of times. The gates there have been locked for nearly two years since a storm, and the government have failed enormously to actually clean up the mess there and go to tender to replace the toilet block. The local community around that area are very concerned now because there has been little effort made to clean it up and it is becoming very overgrown. It is in very close proximity to quite a number of houses in the community at Badger Creek and they are worried that with this will come an increased bushfire risk. So I am certainly here to support the bush users.

With regard to the bill that is before us, I understand that there has been quite some consultation with the Minerals Council of Australia, Cement and Concrete Aggregates Australia, the GHD Group and the Municipal Association of Victoria. There is broad support from the industry, and the opposition will not be opposing this bill.

Mr RICHARDSON (Mordialloc) (15:47) — It is a pleasure to rise to speak on the Mineral Resources (Sustainable Development) Amendment Bill 2018 and make a contribution on another key piece of legislation from the Andrews Labor government aimed at supporting our communities and importantly responding to and continuing to support the community around the Hazelwood area and the Latrobe Valley. I am not sure why the member for Eildon was talking about toilet blocks because I could not find toilet blocks in this bill. I know lead speakers get to make wideranging contributions, but I am not too sure. Half that speech was nowhere near even landing near the target on this bill. But it was good to listen to even though it was a long way off the mark. If you do not prepare for a bill and if you are trying to get your speech numbers up and that is the best you can do, good luck to you.

Obviously the Hazelwood mine fine was significant, but it took up to a month for the then Premier, Denis Napthine, to get down there. I know the member for Morwell had done a stack of work in that patch. That was his local area. He was slogging away from day one, and for all the work that he was doing it needed a bit of that cabinet support and assistance as well. The mine fire inquiry was really important though, and it answered the questions about what happened, why the responses were lacking and what we could do in the future to ensure that tragedies like this do not happen again. The health impacts on the Latrobe Valley and Morwell were substantial, and people continue to live with that legacy and those challenges today.

The member for Frankston talked eloquently about this. He does not need notes when talking about this issue because this is in his blood, in his heart and in his soul from what he and his colleagues saw on a daily basis when they were emergency services workers serving their community, going down there day in, day out and working around the clock to make sure that community was protected. To hear him speak with that passion and energy about supporting that community and the work that has been done since then to ensure that we monitor the health and safety of our fireys and everyone else that served down there as well is very critical. You hear him talk about that with that passion and that energy and you know that every single one of those emergency services workers gave their blood, sweat and tears on the field supporting that community. We thank them for the work that they did and for what they do.

I could not let the member for Melbourne's contribution go without acknowledging that we are talking about an inquiry here and there is obviously going to be a sledge at the government and anyone else who is going past about renewable energy. I find it just astonishing, absolutely astonishing, that whenever there is a bill that has got something randomly to do with energy policy it is a chance to have a crack. The member for Melbourne was part of a lobby group, the Australian Youth Climate Coalition, when the party that she joined absolutely butchered the emissions trading scheme. Their values were so strong and they were so passionate about destroying the emissions

trading scheme for the uncertainty and lack of policy direction that we now have at the federal level that she signed up to join the Greens political party.

It just sticks raw. I was working for the federal member for Isaacs, the shadow parliamentary secretary for climate change and energy efficiency, in his office during that time and I saw up close the policy work that was done and the way the Greens just constantly butchered that policy. It was never good enough. There was never a halfway step. We are not going to take lectures from the Greens political party on action on climate change when they come in with a flimsy policy after we announced that 650 000 households will have rooftop solar and an innovative policy on battery storage and capacity. They were beaten to the punch. They should just admit it. They were beaten to the punch on this one. They will claim that it was their idea too and they had it all along, but they try to come back to talk about 100 per cent renewables. The reality is that for years and years to come coal will still be part of our energy mix. It will. It will be tomorrow and it will be in years to come as we transition towards cleaner renewable energy. To just say, 'Turn it off now', does not deal with the realities of economics and sensible policy of transition.

You can just see what would happen if the Greens ever got a majority to govern in their own right. Workers would be tossed aside. We have seen the position they have taken on various issues, including in the timber industry as well. Forget the workers. Do not ever talk about working people. They are just a commodity to put to the side to put forward their agenda. Those people trying to make ends meet and trying to support their families are irrelevant to the ideology and policies of the Greens, who do not support working people and have never fronted up to support working people. That is why the Labor Party is always there to support working people.

Those conversations about the mine inquiry were forgetting the people who still work in the mines and who are still creating the energy that supports our state. That is a reality now and will be in the years to come. We owe it to those people to make sure that they are safe and protected in their workplace at all times. Statutory authorities let down people in this space, but also the companies that operate these mines and that should have a duty of care to the community and to their workforce failed. We saw throughout the inquiry various issues about safety procedures not being followed. I remember stories about sprinkler systems not being updated. The lack of such basic requirements showed the negligence of these companies and their disregard for their workforce, and they need to be held to account. That is where regulation and the authority that has been established is so important.

The member for Eildon went on about this being 'another bureaucracy' and 'another creation of an authority'. That is an easy cop-out for a previous government that struggled to create an authority because they had nothing to have authority over. When you do not do anything for four years, what do you need an authority for? You can sit back and have an authority over at the Office of Living It Up, like the Leader of The Nationals. You can have an authority over that, but regarding the authority being created to establish safety and best practice, if you read through the bill, it is quite clear what the intentions are. As for the notion that this is just another bureaucracy, well, we have got the Major Road Projects Authority, which is a great bureaucracy building an absolute ton of roads in our local communities. There is also the Level Crossing Removal Authority. We need these to make sure these projects are delivered right. The mine authority will be very critical in supporting the overview and the safety requirements for our communities.

This is really important work. When you have a landmark inquiry, you see it through. You do not drop the bundle. You have got to see it through in years to come. A similar issue around the health and safety of people in the community and workers was the Fiskville inquiry. We are still chasing down every single one of those recommendations. I know that lives on with members who represented those communities but also with the members who sat on that inquiry. You are always seeing through those recommendations because you owe it to the people who were affected in those communities, who have suffered and whose health was impacted. We know people lost their lives as a result of this mine fire. Just like at Fiskville, those communities were greatly impacted. You want to also pay tribute to their legacy and to the people who were impacted. The least you can do is support them in their community, and you owe it to them to make sure that no other community in Victoria ever suffers the same plight again. That is the critical work of government here. It should not be narrowcast into 'It's another authority' in an effort to undermine the great work that will be done. It is important for those communities.

The inquiry itself clearly found that the legal requirements for mine rehabilitation and closure were unclear. The establishment of the independent Latrobe Valley Mine Authority by 2026 was a key recommendation put forward. We are very supportive of that and the work that has been done. We have got a lot of lessons to learn in this space. We sometimes see that statutory authorities are lacking. Listening to the

legal counsel that advised us on Fiskville, which had some crossover with the Hazelwood mine fire inquiry, it became clear that WorkSafe have to get their house in order. We have seen that they are responsible for supporting and protecting workers, and where there are issues like that, they need to step up and they need to support the safety of the workforce and those communities. Yes, there is an obligation upon the companies — absolutely — or statutory authorities. We saw that failing by the Country Fire Authority during the Fiskville inquiry, where WorkSafe were just lacking in that space. We heard that with the Hazelwood mine inquiry. They need to do more, and we need to ensure that workers are always supported and protected.

I commend the bill to the house and welcome the fact that it will not be opposed by the opposition. In saying that, really they should have been front and centre from day dot rather than leaving it to the member for Morwell, who had to do the hard yards down there reporting back up to town. It is only an hour and a half's drive down from Pakenham. Those opposite should have been on the front lines with the member for Morwell, who had to slog away for a long time in his community, making sure that all those people's inquiries were answered and that they were protected. I commend him on his work and the wider community on the work they have done.

Mr CRISP (Mildura) (15:57) — I rise to make a contribution on the Mineral Resources (Sustainable Development) Amendment Bill 2018. The purpose of the bill is to amend the Mineral Resources (Sustainable Development) Act 1990 to establish the Mine Land Rehabilitation Authority, to establish the board of the Mine Land Rehabilitation Authority, to provide for the rehabilitation of declared mine land, to provide for the establishment of a declared mine land register and to establish a declared mine fund. It is also to amend the Mineral Resources Act and to make some consequential amendments to other acts.

I am going to concentrate my contribution on only part of this bill. I am going to leave most of the declared mine areas to the member for Morwell because at present the only declared mines are in the Latrobe Valley. I am going to concentrate on part 3, clauses 50 onwards in the act, which are around the bill enabling the public to comment on the granting and refusal of licence applications. Currently only objections are allowed. The bill allows landowners and mine licence-holders to include agreements on non-financial compensation in registered compensation agreements. It also extends the term of prospecting licences to seven years from the current five years. Prospecting licences were introduced in 2010. They have been used by small-scale prospectors and miners.

In my electorate we have some mining. As I grew up, if someone told me that we would ever have a mining industry within 250 kilometres of Mildura, you probably would have been sent off to talk to someone. But underneath our feet in the ancient seabeds are mineral sands. That has introduced another dynamic to the Mildura region's economy with mineral sands mining. In my electorate Iluka Resources have been busy for some time. Currently they are not mining, but I hope they will get underway shortly. Mineral sands were washed down many millions of years ago into a basin and are sitting at between 10 metres and 20 metres and up to 50 metres below the surface. They are in the regional groundwater table. Most are mined in my electorate by the open method — that is, they just have a large open cut. That is where we will need to talk a little later about rehabilitation.

Let us talk first about what we are mining. The heavy metal concentrate comes out of the seam that is in that ancient seabed. It is dug out by depressing the regional highly saline groundwater table with spear point bores. This creates a dry environment for them to mine. The salt water is pumped back into the mine behind as there is a regional groundwater table. Once the mineral concentrate has been mined it is put through a concentrating plant, which is just gravity and water to separate it, and then it is taken away to a separation plant. In my electorate that goes to Hamilton. Again good rail transport has been important to move this concentrate. It is heavy.

It is then divided into zircon, which is a glassy mineral used for the manufacture of household industrial ceramics and glazes, and rutile, which is titanium separated using magnetic screening techniques. The uses for rutile are refractory ceramics and brilliant white pigment for the production of titanium metal. Then you have ilmenite, which is used with the other titanium products. There is also titanium dioxide, which is whitening. You will see that in sunscreen and also in paints, plastics, paper, ink and toothpaste. Every time you brush your teeth you might be using something dug out of my electorate. That is an important industry in our region.

As I said earlier, the mine is a large trench dug down to the ore body, and the ore is extracted. The Iluka mines are the Kulwin mine and the Woornack, Rownack and Pirro mine. Some years ago I visited, with the member for Gippsland East, the Kulwin mine site, which was finished and being rehabilitated, with the member for Gippsland East. That work was being undertaken by

the Garraway Group, who are well-known earthmoving contractors who have been supporting the mining industry.

When the hole is dug you go down through several geological formations. They take the dirt out and store the overburden and then put it back in the same way it came out to maintain the integrity of the geological structure in the region. There is also the opportunity as you are going back in, with the topsoil, the Woorinen sands, to do some minor alterations to improve the soil. With the Kulwin mine, the section that we inspected had been rehabilitated. It had a couple of crops growing on it, and you could see the boundary of where the mine had been because the crops were better there. It had been put back better than it had been, and it has now returned to dryland farming. Garraway are a large firm based in Mildura, and they have been involved. Russ and his team, and Toby Garraway, who I have known for a long time, played a key role in this rehabilitation. I think local skills, dedication and understanding are really important.

There are a couple of legacy issues around mining left for the future that I cannot help but mention at this stage. Firstly, there is the issue of getting heavy equipment across the road. No mine seems to be able to avoid a road, and getting equipment across the road has been a challenge for Garraway — dealing with VicRoads and others. Then there is the residual infrastructure, which is slip lanes and some culverts and so on, which I think would be to the benefit of the community should they remain.

There are certainly plenty of resources to be developed in the Mallee region — it is estimated there are around 260 million tonnes or 50 years supply of mineral sands — and the mineral sands market is improving. I am hoping that Iluka will be underway again with their next venture. What is the benefit of mining to our small towns? It is employment, and that has certainly been the case for Ouyen. Over the time that the mines have operated mining has brought resources to that community.

The small town of Ouyen put their heads together because they were looking for a legacy project after the mine had finished. What they wanted to do was to have a recreational lake, and in the early days they received a great deal of support from Iluka to actually do some of that early planning. On 5 October they are going to open a recreational lake at Ouyen. I pay tribute to the Ouyen community. They had the foresight to think beyond the mine that was bringing people to their community and to work hard, get the whole community involved and bring people together with this purpose. It took them a number of years to create this lake. It was hard work, but it is a legacy project where they have had to think beyond the life of the mines — two mines that were quite nearby and delivered benefits to them — and they now have a lake. That is what can be achieved when communities work together and engage with the mining industry and other contractors and people who have worked with that mining industry. They have created for themselves a legacy project.

Mining is important to my electorate. It will continue to be important to my electorate. It gives us another string in our economic bow, and the extension of those prospecting licences by another two years to seven years certainly helps take the ups and downs out of what can be a volatile market. For the last couple of years the market for mineral sands has been down. It is recovering now, but these projects do take quite some time. This is one aspect of the bill that I think is important for the Mallee — to pick the right time to have your mine, because if you open a mine at the wrong time, that can be bad for the communities around. Stopping and starting is a feature of the mining industry that can be highly disruptive in our small communities. So with those words, The Nationals are not opposing the bill.

Mr NORTHE (Morwell) (16:07) — It gives me great pleasure to rise to speak on the Mineral Resources (Sustainable Development) Amendment Bill 2018. The main purpose of this bill is to implement certain recommendations of the Hazelwood mine fire inquiry. The second-reading speech briefly refers to the Hazelwood mine fire back in February 2014, which was an absolutely disastrous time for so many people within our community. It is certainly not an episode that anybody would look back on at all fondly, and there were so many individuals, families and businesses impacted by that fire, which lasted 45 days. It would be remiss of me not to mention the commencement of that fire and pay tribute to those men and women who bravely fought the fire before it got into the mine and I sincerely believe saved lives and protected many assets within the Morwell township. Unfortunately, we believe that through the act of an arsonist that fire spread into the Hazelwood mine, and we all know what transpired over the next 45 days.

I sincerely appreciate some of the compliments afforded to me by certain members in the chamber, particularly the members for Frankston, Mordialloc and Eildon. That is really nice to hear, but the real heroes were the people who had to fight that fire.

It was an extraordinarily complex fire; it was just awful. You had to really be in the mine to get a sense of

understanding of how bad the conditions were. I pay tribute to the member for Frankston and all of his colleagues, both the career firefighters and volunteers. I think the words of Craig Lapsley at the time were that fighting the fire was like taking a bite of an elephant — they just had to take one bite at a time. In reality, to see that fire extinguished after 45 days was not only a relief — an understatement — but when you considered the complexity of that fire and how widespread it was, I think it was a pretty amazing effort by all concerned to extinguish that fire in that period of time. That includes not just the fireys of course but also the emergency services providers and all the charitable organisations and service clubs that fed the people on the ground, that supported families and that supported businesses. It was just an horrendous time and obviously any legislation that we put through this place that stops that from happening ever, ever again is something that I am fully supportive of.

The bill establishes the Mine Land Rehabilitation Authority and it talks about the authority being established on 1 July 2020. It refers to other provisions in the bill such as declared mine land rehabilitation and closure obligations and also the establishment of a post-closure fund which other members have spoken about in their contributions on this bill. There are many changes that have occurred since the mine fire. There were actually two inquiries. There was one by the former government — the coalition government — that was instigated and a second one post the November 2014 election. One of those new initiatives has been the establishment of the Latrobe Valley mine rehabilitation commissioner, the office for which is located in the Latrobe Valley. In a sense what this bill seeks to do is transition the commissioner's office into the Mine Land Rehabilitation Authority.

I can say from firsthand experience that the Latrobe Valley mine rehabilitation commissioner and his office have been out and about in the community extremely regularly receiving feedback from local community members about what is possible in terms of rehabilitation of the mines, and that is happening ongoing and very regularly. Rae McKay, who is the commissioner, is extremely well respected within the community, and I do compliment Rae and his staff for the work that they are doing. They are certainly not shying away from the difficulties that exist and the different community opinions that may exist on this particular issue, but they are out in the community regularly. Their role at the moment is to monitor and audit mine rehabilitation that is occurring within the two mines now, and as that progresses forward the transition into the authority in July 2020 also mirrors the rehabilitation strategy that is in place or the plan moving forward, so at least we have some sense about what is possible in the future.

There are different opinions and views in terms of how the mine should be rehabilitated. The existing plan that has been in place for a period of time, if we are talking about Hazelwood as an example, is to basically fill that mine and have it as a pit lake. There are many different views and opinions again on whether something more prominent that can be utilised by the community should be in place and what the consequences are for the local community. I think one of the unfortunate issues since we have seen the closure of Hazelwood power station and the notion that the mine is to be filled with water is the potential loss of Hazelwood Pondage. The pondage has been an iconic feature of our community for a long time. It is a unique body of water with above-average temperature that is heavily utilised by local people and visitors alike. It is a very popular destination. The Latrobe Valley Yacht Club, which uses that facility, and important disability programs such as Sailability are really under threat, because with Hazelwood closed there is the potential that water from Hazelwood Pondage will be used to fill the mine, leaving Hazelwood Pondage in jeopardy. That is one of the consequences that is really being considered at the moment. There are also some structural issues with the pondage, but nonetheless it is a massive issue in our community.

When you are talking about mine rehabilitation, quarries in some sense are more simplistic in that you can rehabilitate those, return those to the community and they can be utilised for community assets and services. What we are talking about here is massive open pits, and you simply cannot fill them with overburden; that is simply impossible. I know the Greens would like to think you can just simply plant some trees or whatever and all will be good and well, but what we are talking about here are complex mines. We are dealing with watertables, we are dealing with steep batters, we are dealing with instability, and it is just not that simple. The body of work that needs to go into this is complex, it is technical, it takes time. I am a firm believer that we should be looking at world's best practice in terms of how the mine is ultimately rehabilitated. Hopefully the Latrobe Valley regional rehabilitation strategy that is being put in place, again to coincide with the establishment of the authority in mid-2020, will give some direction to the community as to what our mines might look like in the future once they have been rehabilitated.

There is also the Latrobe Valley Mine Rehabilitation Advisory Committee and some local pre-eminent people who are on that committee providing advice,

such as Susan Lloyd, Roland Davies, James Faithful, Sarah Gilbert, Ron Mether and others who are part of that. Over a period of time we have seen massive change. We have seen the bonds increase for the mines: Engie is now $289 million, AGL Loy Yang is $154 million and Energy Australia is $148 million. We have seen the massive increase to coal royalties, which has also impacted not only the stations but the mines. We have seen an extension of the mine licences to ensure that rehabilitation can take place, and we have also seen the introduction of a five-year notification if a power station is to close. There are plenty of things happening, some positive and some not so positive, but hopefully this legislation will make rehabilitation much better.

Debate adjourned on motion of Ms HENNESSY (Minister for Health).

Debate adjourned until later this day.

SALE OF LAND AMENDMENT BILL 2018

Second reading

Debate resumed from 22 August; motion of Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Ms VICTORIA (Bayswater) (16:18) — Today I rise to speak on the Sale of Land Amendment Bill 2018. I have to say at the outset that I am quite surprised at how speedily this bill has got on to the notice paper and got up for debate, considering there are still other very worthy pieces of proposed legislation that are sitting on the notice paper that we could have been debating, given that this is the last week of this particular Parliament. I am sure we could have gone through some of the other pieces of legislation and debated those. But anyway it is good to see that this has come to the house, even though of course it will never pass this Parliament because it does not have the opportunity to go to the upper house. I guess it means that perhaps the government did not think that this was one of the most important things on their agenda.

This bill deals with the Sale of Land Act 1962. It provides restrictions on the use of sunset clauses when it comes to residential off-the-plan contracts. It also prohibits the use of what are known as terms contracts and rent-to-buy arrangements on certain pieces of residential land. It is also about regulating money paid in respect of options to purchase under a land banking scheme.

One of the things that I am sure the government will come out and talk about is the fact that it prohibits public auctions of property before 1 o'clock on Anzac Day, and rightfully so. There is so many other things that are limited on Anzac Day, a day when we should rightfully be respectful of those who have made the ultimate sacrifice and not just served our country but also given their lives for our country and when we remember them. To be doing those sorts of transactions before 1 o'clock is not a good thing. Certainly for those of us who are always up for the dawn service I think it is good to know that there are others out there who will be having to pause, regardless of whether or not they understand what Anzac Day is about, regardless of their generation, and will be prohibited from doing any of those sorts of transactions before 1 o'clock.

The bill also amends the Estate Agents Act 1980 in respect of payments made from the Victorian Property Fund (VPF). I do want to go into that in a little bit more detail.

We are not going to be opposing the bill because I think there are some good provisions here as far as consumer protection goes. Unfortunately we are not going to go into consideration in detail on the bill and we are certainly not going to have an opportunity to do that in the upper house. There are questions that need to be answered but, unfortunately, as I say, we will not get around to them.

Clause 12 of the bill inserts new sections 10A to 10D into the principal act in relation to sunset clauses. These provisions say that the vendor has to get written consent from all of the purchasers in a residential off-the-plan situation where there is a contract if they want to invoke a sunset clause and rescind the contract. At the moment that does not happen. There have been occasions when unscrupulous vendors have gone out and taken advantage of that. They are very few and far between, because it does not pay for them to do that in most circumstances. but we know there have been some people who have done that.

What is going to happen now is that they are going to have to obtain written consent from each purchaser about the rescission, after giving each of those people 28 days written notice. Twenty-eight days, I am guessing, is probably long enough, especially in a larger estate or in a larger building where you are talking about multiple owners, some of whom may be overseas. Twenty-eight days is going to be plenty of time for that. But the fact that the consent of each and every purchaser has to be gained is, I think, going to be administratively quite complex — a bit of a nightmare on some of the largest subdivisions. I am not quite sure

how that would work in reality. In the new housing estates where there are some quite high-density or medium to high-density properties, we know that it is going to be a great challenge.

If the vendor cannot get consent from all of the purchasers, then they do have the opportunity to go to the Supreme Court of Victoria and there are new provisions for that. That is section 10D. The vendor will be able to go to the Supreme Court for an order to rescind a contract under a sunset clause. The court may also make an order to rescind the contract under that clause if it is satisfied that making an order is just and equitable. They will have to do a balancing act there, but one would assume that because it is the Supreme Court they are going to get it right.

There are other provisions. For example, the court can make any other orders that it considers just and equitable, including what they consider to be reasonable compensation for the purchaser. The bill also says that the vendor is liable to pay the costs of a purchaser in relation to the proceedings for an order unless — so we get the shift of proof here — the vendor satisfies the court that in fact the purchaser unreasonably withheld consent. It might be that everybody else has said yes, but one person is saying no and might be quite unreasonable about it, or they may be demanding extra money or compensation or something like that, so the court can make a judgement in that area.

Although we obviously appreciate the need to protect consumers and those who have gone out in good faith and purchased land or a house and land package and it may be their first home and it might be their dream to do that, we also know that to have that dream taken away is extremely traumatic and can financially set them back almost for life if they have been working towards one particular block of land. I am certainly not going to stand in the way of those sorts of provisions, but again the practicality of how this is going to be conducted is I think dubious on larger estates and larger developments.

There are also new offences in relation to the sale of land. Clause 14 amends section 12(d) of the principal act and replaces the word 'fraudulent' with 'knowingly', and that is now a lesser burden. This is in relation to disclosing certain facts about a property. There are certain material facts that would now have to be disclosed if this legislation were to go through. As I said, the burden on those involved is less, but the penalty is going to be much higher. Those who we consulted with certainly came back and said, 'Where is the burden of proof on "knowingly"?'. Examples were bandied about on whether the property had had a meth lab in it or a murder had taken place in it.

Obviously if you are talking about somebody fraudulently not telling somebody, so if they are asked and they do not tell them, that is very different to if they do not disclose something because they do not think it is relevant. It might be that it was hearsay that the neighbours talked about when they said, 'Oh, 20 years ago there was a bit of a dodgy bloke who lived there'. How much of that is withholding things that are actually important if it is hearsay from neighbours and a bit of gossip? Or do you actually have to go out and start saying, 'Okay, I need to find out what went on in that property and I need to disclose that'. If that is the case, is that really the job of the vendors if they have lived in the property or if they have owned that property and perhaps rented it out? But if somebody says, 'Oh, no, we told the vendor about that', then you can say that they knowingly did not disclose that. But was it relevant and was it actually factual information that they were given, or was it just gossip? I think the burden of proof on that is going to need to be very well considered, because I think it could get a lot of people into an awful lot of trouble.

Of course the guidelines for that are going to be provided by the director of Consumer Affairs Victoria (CAV). We know that at this very time the upper house is debating the Justice Legislation Miscellaneous Amendment Bill 2018. One of the provisions within that bill is about the short form of exclusive contracts, which of course was something that was signed off by the director of consumer affairs back in I think April 2010. It has left the real estate industry reeling as a result of something that has gone completely wrong through the signing off of a form by the then director of Consumer Affairs Victoria. It was passed on as being relevant and legal to the Real Estate Institute of Victoria, who then passed it on to their members to use for all contracts when it came to residential sales. We have got an issue there where things probably needed to be double-checked. We obviously have a different director of consumer affairs now, and I would suggest that there should be checks and balances in place for all of the things that are signed off. We will certainly be looking at what the guidelines given by the director of CAV will be and what sort of material facts they are going to be looking for.

There are other clauses, for example, clause 20, which inserts new sections 29EA to 29EC about terms contracts. Proposed new section 29EA prohibits terms contracts for residential land under a prescribed amount. But, again, we will not know what that prescribed amount is until after implementation. Some

very heavy penalties for non-compliance, including imprisonment, are on the table. We would like to know what the government was heading for with this one, and we would like to know what the prescribed amount will be. I feel that this is fairly important information that we do not have at this point in time. Proposed new section 29EB prohibits brokering or arranging terms contracts under a prescribed amount. Clause 22 inserts new division 5 which is to do with rent-to-buy arrangements and prohibits rent-to-buy arrangements for certain residential land.

Proposed new division 6 is around options to purchase, and it details when an option to purchase under a land banking scheme is prohibited. If a land bank scheme is allowed under this division, it ensures that the money payable by a purchaser must be held in trust until the registration of the planned subdivision or when the option to purchase expires. There will be penalties there for non-compliance. I think that is a great provision, so I am good with that one. There are lots of other provisions that are being put in here. As I said, there is clause 29, which will be a popular one, about the prohibition of public auctions before 1 o'clock on Anzac Day.

The one I want to get to is clause 30. This amends the Estate Agents Act 1980 in relation to payments out of the Victorian Property Fund (VPF). The original provisions specifically mention the Owners Corporation Act 2006 and also the Sale of Land Act, but if we have a look at the new provisions, there is wording in the explanatory memorandum that says 'under certain acts'. It does not say under the currently specified acts; it says 'under certain acts'. That raises a lot of questions for me, and I would have loved to have gone into consideration in detail about that or had my upper house colleagues take this bill into a committee stage. What we want to know is: how can the VPF funds be used? Can they be used to fund, for example, VCAT proceedings or to assist VCAT in the carrying out of their functions and duties?

I ask this because of the Residential Tenancies Amendment Bill 2018 that went through the upper house last sitting week. What can I say about that 500-page bill? I am not going to go there. It is already on the record what I think of that particular bill. There were some good provisions around minimum standards, and then the rest of it was very, very biased towards one side. One of the things that I brought up in my speech on that bill over and over again was the requirement for any disputes to be settled through VCAT. Having spoken to presiding members at VCAT, they were all scratching their heads saying, 'How are we going to deal with this workload? How are we going to resource it? We're already under-resourced. How we can get through this? How can we do the lists? How are we going to get through the amount of people talking about whether or not they can make modifications, whether or not they're allowed pets?'. Everything has to be referred back to VCAT because of the amendment to the Residential Tenancies Act (RTA) 1997, and the burden on VCAT and its members is incredible.

When I asked at the bill briefing whether or not additional resources have been allocated for that, after some very uncomfortable movement in the room I was told, 'Well, actually, no'. There was no additional financial resourcing for VCAT to deal with the RTA other than doing a separate budget bid. We all know, and as a former minister I know, what a bid can be like. You are going to have to go in there and bat against education, the arts, sport and all the other portfolios. Does this provision in this particular bill then allow for the VPF to be raided essentially to then provide the extra resources required because of the introduction of the RTA amendment? This is something which is troubling me. If they say, for example, 'Let's use it for the residential tenancies list', we would see a very, very quick depletion of funds in the VPF. This troubles my side of politics very much. We know that there will be the influx. How it is going to happen I do not know, and this is still a big question mark for me.

If we look at the VPF figures, in July 2017 there was just over $311 million in the fund. The year before that it was actually $422 million. There was $100 million gone and I know some of it went towards housing initiatives, but that money will not be there. It certainly will not be earning interest. The pool is supposed to grow, but that money will not be there to be used for housing. We know that obviously there is the threat of greater homelessness due to the RTA. What will be left for housing initiatives if that money is in fact depleted because it is being used for the residential tenancies list? I think there are a lot of questions there.

Obviously the fees from lots of things — for example, the licence fees paid by estate agents and conveyancers and penalties under the estate agents legislation and that sort of thing — go to the VPF. But that is how it grows and it is supposed to be used for housing and all sorts of other good things. I think we actually used some of it for Kids Under Cover and those sorts of projects when I was minister. If it is spent on VCAT then it will not be there for housing, so that troubles me.

There are some things in this bill — for example, not having auctions before 1 o'clock on Anzac Day — that are good and workable. I commend the government for bringing that in; I do not know why it was not there

before. I do know that there have been some absolute fiascos in the consumer affairs portfolio under this government. I would hate to think that this was another one in the making with the number of questions that are sitting here on the table and are unanswered.

As I said, we are not going to oppose this, but that makes no difference. It is not going anywhere; it is not going to the upper house. I have always said that our job as parliamentarians — it sounds very altruistic — is to actually leave the place better than it was when we found it. I have always lived my life that way. When I started volunteering when I was 13 years old I started treating the world in that manner. I want to actually make a difference before they put me in the earth — hopefully I have many, many years to go. I think there are opportunities for us as members of Parliament and certainly when we are ministers to make a real difference. I do not know that this bill is going to do all that.

Mr CARBINES (Ivanhoe) (16:37) — I am very pleased to talk on the Sale of Land Amendment Bill 2018. Again, as has been touched on earlier today, 260 bills have passed the Assembly during this government's term. It just goes to show that the work never stops for the Andrews Labor government. Again here we are debating and working towards seeing the passage of another piece of legislation in this term of the Andrews Labor government.

I should just cover off a few of the aspects relating to the bill. Some of the amendments that we can expect to discuss through the course of this debate will of course be prevention of developers unfairly rescinding signed residential off-the-plan contracts under sunset clauses in order to take advantage of increased property prices that would otherwise benefit purchasers. That is important also because one of the other aspects that we will be considering in the amendments will be to address that predatory conduct that we have seen in the alternative housing finance sector by prohibiting unaffordable and high-risk terms contracts for lower value residential property and rent-to-buy arrangements — with some exceptions, of course. Thirdly, the bill will close the regulatory gap that has enabled unregulated and problematic land banking schemes to flourish. It will strengthen the existing offence of fraudulently concealing material facts about a property for sale, which is of course with the intention of inducing another person to buy that property. It provides for the making of guidelines to assist vendors and estate agents to understand what is a material fact. Lastly, the bill will restrict public auctions of land from being conducted before 1 p.m. on Anzac Day. I know that has broad support from not only the Real Estate Institute of Victoria but also many stakeholders in the community. Anzac Day is, of course, a particularly sacred day in not only the Victorian calendar but nationally across the country.

During 2016 and 2017, as part of the broader consumer property law review, the Andrews government reviewed Victoria's sale of land and business laws. That review led to this package of reforms addressing consumer concerns in the Victorian property market. In many electorates and certainly across the Ivanhoe electorate there have been some significant residential developments with opportunities for people to purchase off the plan. That has been so particularly through Heidelberg and some parts of Ivanhoe where the value of land is very significant. There has been a desire to see some high-density development so that more people have an opportunity to live in our community, close to the city centre and local services, but also so that those in the local community who seek to downsize from local properties that over many years have become particularly valuable pieces of land can do so. People in the past may not have been able to stay in the local community because they have been able to afford to buy something new and modern with high ratings in relation to sustainability. Their properties are of significant value and now they are able to afford something new and modern in the local community where they have grown up. That has been a big change from some of the problems that we have had in the past. Certainly people in my community who have made a contribution, having grown up and lived locally, have not been able to afford to downsize because the housing type in the community has been very limited. People have been rattling around in large homes worth significant amounts of money. They have not necessarily been asset rich but they have not been able to maintain a standard of living and meet their commitments.

A lot of change has happened. While that can be difficult in a planning context, in my community it has also been beneficial. It has allowed people in the community to downsize by being able to purchase properties in the local community. They have been able to add to their superannuation and savings and continue to live in the community where they have raised their families, worked and made a contribution and where they have decided to stay because they have their social connections there.

In providing those really positive aspects with the opportunity to potentially buy off the plan or invest in opportunities that arise locally, it is really important, in considering some of these amendments in the Sale of Land Amendment Bill, to also consider some of the consumer affairs matters that relate to individuals and

the most significant purchase that they make in their lifetime, most notably their home, and to ensure that the safeguards are appropriate. There are also people who are new to the market. These days more often than not people who are fortunate to be able to have the support of family are able to purchase in communities in inner suburbs such as those in the Ivanhoe electorate. They are particularly expensive places to live in for first home buyers, in many cases just impossible. It is also important that there is the opportunity to buy off the plan or in smaller inner developments of apartments across the electorate, which in some cases are very impressive. Some people may well find that there is an opportunity for them to make those first home purchases. We need to make sure that the law adequately protects them from developers and those who seek to sell those properties to people who perhaps have not had the experience of purchasing a home or have not gone through that experience many times. We can always learn, and we need support in the way in which we manage those processes.

I know that many local people, as they approach retirement and have downsized from their family home, have had the opportunity to purchase smaller and more modern accommodation across my electorate. That brings with it benefits for those people and for our community because we want to keep those people local. They are great volunteers and community contributors. They add a lot to the community in which they have grown up and they are also great advocates. What is important is to have planning changes that provide opportunities for diversity in housing type, to give more people the opportunity to stay local in a community that is rapidly seeing an increase in housing costs. The days of people moving just up the road when they move out of home have long gone. It is a great place but a very expensive place to live in, where the median house prices in particular suburbs in parts of my electorate are well over $2 million. That puts great strains and stresses on people when their ambition is to live in the community where they grew up but you can imagine that it also leaves open the opportunities for people to be exploited and to be let down by unscrupulous operators when it comes to the sale of land. They are the sort of aspects that we are addressing in some of the changes and amendments outlined in this bill.

Of particular interest to me is some of the work to prohibit certain terms contracts and rent-to-buy arrangements. The bill introduces a prohibition on selling residential land other than agricultural land under a terms contract where the sale price of the land is less than the prescribed amount and a prohibition on selling residential land under a rent-to-buy arrangement, with certain exceptions.

On sale of land matters, it is interesting in a broader context that locally we are about to go through a Bellfield master plan in relation to significant landholdings owned by Banyule City Council. Several portions of that land were former schools sites sold by the previous Baillieu-Napthine government to Banyule City Council. Obviously Banyule City Council had obligations when it purchased those school sites with ratepayers funds, and they also gave public commitments to build community infrastructure in those communities — in particular a basketball stadium in Bellfield and the redevelopment of a community centre in Bellfield, but those projects of course never came to pass. We have seen significant residential developments on two of those three school sites that were sold by the previous Liberal government to Banyule City Council, and we have not seen the community facilities being built or the return of those services to the community when the council chose to play the land speculator card with ratepayers funds and build more properties.

So I am interested in the latest draft of the Bellfield master plan in relation to the 3081 community not only because it incorporates significant landholdings on Oriel Road and Banksia Street and the community centre in Bellfield, where I was previously on the committee of management going back, but also because of the Royal District Nursing Service site, the HiCity site and the old Banksia secondary college site. It will be very interesting to see the community's reaction to some of the height proposals from Banyule City Council in relation to that land and the not great track record of delivering the community services, along with residential development, when the council seeks to play the land speculator card with ratepayers funds. That is a story to be continued.

Mr CRISP (Mildura) (16:47) — I rise to make a contribution on the Sale of Land Amendment Bill 2018. The purpose of the bill is to amend the Sale of Land Act 1962, to provide for restrictions on the use of sunset clauses in certain off-the-plan contracts, to prohibit the use of certain types of terms contracts and rent-to-buy arrangements, to regulate money paid in respect of options to purchase land under the land banking schemes and to make consequential and other amendments. It also amends the ANZAC Day Act 1958 to impose restrictions on public auctions on Anzac Day and amends the Estate Agents Act 1980 in respect of payments made from the Victorian Property Fund.

There are a number of aspects to this bill that are important, particularly in relation to residential off-the-plan contracts and sunset clauses and the power of vendors to rescind residential off-the-plan contracts

under a sunset clause, and also there is information that needs to be involved in the sunset clause. But firstly in order to get to a sale of land there needs to be a supply of land. What I would like to see in this legislation, which has some of those words in there, is that it takes up the issue of first home buyers and families wanting to build their own homes. Again, as I said, it is about the supply of land.

Mildura has a planning scheme where they have broadly zoned a great deal of land that can be developed for housing. The Mildura economy is strong; however, what we do have is some issues with local government in delivering that zoned land through the process to be ready for the market. As I said, Mildura's economy is strong, and that is supported by the Victorian skills commissioner's report that is now nearly a year old. The skills commissioner reported that the workforce demand for the Mallee, which is Mildura and Swan Hill, will be 'between 2900 and 4400 new workers from 2017 to 2020'. This is starting to show through because there are already some shortages occurring in the Mildura economy.

All these people are going to need somewhere to live, but first: what are the sectors that are going to employ these people? They are horticulture, hospitality and tourism, construction, manufacturing, transport and logistics, retail trade, health care and social assistance. That is a pretty broad spectrum of job opportunities for those who come to Mildura, but again they do need the opportunity to not only take up that job but also take up a house. There are some supply issues that have occurred with the Mildura Rural City Council. They need to be busy in the good times to take advantage of them and help us build a stronger economy. As I said before, there is plenty of land to be zoned up but the process of subdividing and approvals is one that is frustrating developers and is certainly frustrating the market.

They have had quite a bit of notice on this because the *Sunraysia Daily* back in June reported, 'It's fruitful for property', which is a good pun for Mildura. The article states:

> Valuation firm Herron Todd White upgraded houses in Mildura to a 'rising market' in its latest property report.
>
> The firm each month publishes a 'property clock' to indicate what stage of the cycle different housing markets around the country are at.
>
> Mildura has moved up from 'start of recovery' to 'rising market'.

PRD Nationwide sales executive Gary Castleman said:

> … buyers were weighing up the increased cost of land to build on against finding an existing property and choosing the latter.
>
> The extended period of historic low interest rates and home owners electing to renovate rather than trade up were also considered factors.

He said:

> It's supply and demand … buyer inquiry hasn't dropped off …

I think that is a real estate agent's dream — that there are still 20 people coming to open for inspections — but instead of doing four or five opens they are only doing two and that has pushed the prices up. So there has been strong demand there in Mildura. Just for the record, according to the Real Estate Institute of Victoria, Mildura's median house price had risen $10 000 in the first half of this year. So we have that strong demand, and we need to work out where the bottlenecks are and do our best to overcome those.

The process of subdividing and approvals is complex, and one example of how the whole system can grind to a halt is that around Telstra provisioning. If you are doing a subdivision, you are required to put the pits and pipes in for all the services, and then the services are installed in those pits and pipes. This is where Mildura council is a little different to some municipalities. They will not release the land to go to the titles office, to then have something to be sold, until Telstra actually put the cable in the pipe. Now Telstra assure me that if someone wants a fixed line, they will have it there by the time the house is built, but doing it at an early stage, and particularly as so many homes are not having fixed lines anymore, they are not able or willing to put a cable in a trench or in the pits and pipes very early in the process when there is not even a land title and the prospect of a customer for Telstra is probably a year away.

So I think Mildura Rural City Council needs to grasp the moment. Mildura council needs to streamline their processes so that the bill we are debating here today has some relevance to the sale of land and methods by which land can be sold are being delivered. Also, Mildura council do have, they tell me, some financial problems and that they are struggling to provide the services that they need to. But there is also a need to spread the rate burden around, and the opportunity to have more houses equals the opportunity for more rate notices. You would think, too, that that would be a driving force for the council to move quickly through, particularly when the market is strong, as I evidenced earlier.

We need to get confidence back into that system, because the confidence is strong out there. There are people wanting to buy and people wanting to build. I have discussed this with the mayor, and it was with some frustration that he even made the comment to me that he was tired of hearing from people that, 'It's easier over the river'. Mildura is a border town, and there is a different state and a different local government on the other side of the river, and there has been frustration expressed to me and obviously to the mayor that it is a whole lot easier to take the housing over the river. That will eventually also impact on some of the jobs.

There is an opportunity right now for us to take advantage of what are very strong times in the Mildura economy. There are many jobs listed by the skills commissioner to be filled in our economy. We need to bring people to Mildura to fill those jobs, and we need them to live in Mildura. I do not want Mildura to become a fly-in, fly-out town; that is not my vision for the future for Mildura. We have a strong economy that does need workers. We are running out of the alternatives to make sure that we can meet that strong demand over the next few years before, perhaps, as Herron Todd White said, the cycle turns on us, or we will then see a flood of real estate development on the other side of the river. That does have some benefits to Mildura, I concede that, but these are things that naturally, being parochial, I am looking to see occur in Victoria, not across the river from Mildura. With those words, The Nationals are not opposing this bill.

Mr PEARSON (Essendon) (16:56) — I am delighted to make a contribution on the Sale of Land Amendment Bill 2018. What has been described to me is that Australians' relationship to land ownership is a bit like the Americans' relationship to gun ownership: it is something that is near and dear to many of our hearts.

A bill like this is fundamentally important because it is seeking to address systemic market failure in particular areas of activity. Now we can try to educate people, we can all try and encourage people to, for example, read Scott Pape's regular column in the *Sunday Herald Sun* about becoming more informed and better advised about finances and purchasing. But invariably there will be a failure, where people will not be able to necessarily read it, grasp it, understand it or be across it, and there is always the risk that people will be prone to certain scams or unconscionable conduct by people in the field. That is why a bill like this is so important; it seeks to provide a better, more certain, regulatory environment.

One aspect of the bill relates to rescinding the ability for developers to use sunset clauses when property prices increase. An example of this is that someone buys a property off the plan, puts down their money — it might be, say, a half-million-dollar dwelling, apartment or unit — and the property value increases, so they might be sitting on a paper profit of, say, $50 000 or $100 000. There is the capacity for the developer to rescind that contract of sale and basically capture that value that has been created over the passage of time. What the bill is seeking to do is basically ensure that that can no longer be the case.

These contracts are longstanding. They can certainly go the other way. I recall that 333 Collins Street, which is a magnificent building in Collins Street, was actually financed by the Bank of South Australia in the late 1980s. I think it might have been Becton that were the developers. They had a contract in place for that particular building where the Bank of South Australia agreed to purchase the property at a certain price. The problem for the Bank of South Australia at that stage was that when that contract matured it was at the time of the recession — I think it was the early part of the recession, so it might have been 1990, 1991 — and Becton exercised that option for the Bank of South Australia to buy that asset, and it sent the bank broke. That is an example of, on the other side, where you can have a contract that is enforceable and that can lead to these outcomes.

I think it is very important that if there is an uplift in value it is captured by the person who has bought a property off the plan. Certainly in my electorate there has been a significant increase in population growth. There has been a significant level of residential infill, and for younger Victorians the ability to be able to purchase an apartment rather than a house is becoming more common, particularly in built-up inner urban areas. That becomes their first purchase. I suspect that you will find increasingly with people in their 20s and early 30s that if they start a family, have a couple of children, and they get promoted and progress through their careers they might then sell that apartment and buy a house. I think we will start to see more of that occurring over the course of the next decade or so.

That also means that you will see more of these sorts of developments come to the fore. You will see a higher rate of apartment living being chosen by people, and there is a greater risk, I suppose, that in the event that you see a continued increase in property values, because the population is growing so significantly, people might miss out. If you have got the capacity for people to capitalise on that uplift and increase their equity in their home just through the passage of time, I think that is a very good thing.

The bill also looks at trying to stamp out rent-to-buy arrangements. One of the challenges with rent-to-buy arrangements is that people rent a place and they pay a premium on top of that rental in order to then build up a nest egg to ultimately buy the property. The problem that has been exposed by these initiatives is the fact that often there is no real capacity or way for people to ever be able to purchase the home because of the way in which these schemes are constructed. Certainly if you are the financier, if you are pushing this financial instrument, you are getting effectively an annuity payment on a fortnightly or monthly basis as the rent cheque arrives. But it is taking money out of the hands of people who are probably vulnerable — people who might be struggling to try and save up sufficient funds — when those people could be saving it themselves. I think you will probably find that with most of these sorts of financial instruments someone is clipping the ticket every step along the way. The problem with that of course is that that is a real transfer of money from working people back to the financiers. As we have seen with the banking royal commission, you do potentially end up in a situation where there are fees being paid for no service and it is not realised.

The bill also looks at trying to address some of these unregulated and challenging land banking schemes. I think land banking schemes have been going on for a very long time. They have certainly been around for a long period of time. Where they are properly run and properly managed they can be quite profitable to the members of a particular syndicate. As I think we have seen over the last 15 to 20 years there have been plenty of examples where someone has said, 'Look, I've got this scheme, give me your money and we're going to buy some land on the fringe, we're going to develop it, you're going to make a fortune', and often that does not happen.

Not far from my electorate — I think it was in the electorate of Footscray — Westpoint went broke around the time of the global financial crisis. That was an example where the proponent of that scheme was out there trying to encourage people to invest in his land banking options and it was frankly nothing more than a scam. I think that is a real problem, a real challenge and I think it is incumbent upon us to make sure that there is the ability to ensure these things do not happen.

The other point I would like to make is around strengthening the existing offence of fraudulently concealing material facts about a property for sale. I suspect that where there has been, for example, a homicide that has occurred in a property, it is probably reasonable to expect that someone might be able to find out about that through their normal due diligence, but it is not always the case. I know that not far from where I live there was a house that was the scene of a double homicide not that long ago and that house was vacant for a long period of time before it was sold. Clearly where you have got an incident where a particularly gruesome or violent crime has occurred that will have, all things being equal, a deleterious impact upon the value of the property and therefore there is a need to make sure that that information is communicated. Sometimes it might be in the public domain but often it is not, so making sure it is a requirement that that is communicated is important.

The thing that concerns me more is where you are looking at drug labs that have been built in homes, because if there is a police raid and they find a meth lab in a particular house, you would not necessarily know that that is the case. You would not have that visibility and you would not be aware of it. I think we have seen in recent times that there have been plenty of examples where the levels of toxicity in these homes where there were meth labs has been quite significant. That can have a huge impact on the tenants and it can also have a significant impact on the landowner or the landlord because they have to then potentially demolish the house to make it safe.

The bill is a very good piece of legislation. It seeks to address some of these failures that I have identified so far and it is also about making sure that there is a restriction on public auctions of land being conducted before 1.00 p.m. on Anzac Day. I think that is an important step and I think that is appropriate. On that note, I commend the bill to the house.

Ms THOMAS (Macedon) (17:06) — I am very pleased to rise today to speak on the Sale of Land Amendment Bill 2018. This bill makes amendments to prevent developers from unfairly rescinding signed residential off-the-plan contracts under sunset clauses in order to take advantage of increased property prices that would otherwise benefit the purchasers. It addresses predatory contact in the alternative housing finance sector by prohibiting unaffordable and high-risk terms in contracts for lower value residential properties and rent-to-buy arrangements with some exceptions, and it closes the regulatory gap that has enabled unregulated, problematic land banking schemes to flourish.

As you have also noted, Acting Speaker Pearson, the bill strengthens the existing offence of fraudulently concealing material facts about a property for sale with the intention of inducing another person to buy that property, and it provides for the making of guidelines to assist vendors and estate agents to understand what is a

material fact; and to restrict public auctions of land from being conducted before 1.00 p.m. on Anzac Day.

This bill is fundamentally about fairness. It is about ensuring that people seeking to make what is, for most people, the largest single financial investment in their lifetimes are properly protected by legislation against unfair and unscrupulous acts by others. I might say that this is a bill that I think very nicely complements this government's comprehensive Homes for Victorians package.

Homes for Victorians is a piece of work that I am particularly proud to have seen this government deliver. As I have said, this is the first time in this state we have seen such a comprehensive package put in place to really address the issues of housing insecurity and housing affordability and of course recognising and addressing the very real concerns being faced by renters. We have a two-tiered housing system where people who rent have historically been treated very poorly and have not really been able to treat their houses as their homes in the same way that those of us who are lucky enough to have been able to get loans and purchase homes have been able to do.

We have made some really significant reforms in this sector and this is a bill that complements those. The primary objective of the bill, as I said, is about fairness and about protecting consumers from unscrupulous developers and financiers who, the unfortunate truth is, are out there and are willing to prey on people when they are at their most vulnerable or indeed when they are, as I have said, seeking to make an investment in what will be their pride and joy — that is, the family home.

The detriment that consumers are experiencing has arisen as a result of off-the-plan developers unfairly terminating purchasers' contracts using sunset clauses; terms, contracts and rent-to-buy arrangements for residential land being broken in circumstances where the contractor arrangement is highly unlikely to succeed; and certain land banking schemes' promoters selling unsophisticated investors options to purchase land in schemes which never materialise and then spending investors' money — in other words, absolute shonks operating in the market to exploit the vulnerable. The bill in particular addresses this in relation to sunset clauses. Off-the-plan contracts commonly include provisions giving the vendor-developer the right to end the contract if a plan of subdivision for the development has not been registered by a specific date. These clauses are known as sunset clauses.

This government, with the Minister for Consumer Affairs, Gaming and Liquor Regulation at the table, undertook a review of these practices. During that review it received much correspondence from Victorians who have bought properties off-the-plan and whose contracts appear likely to be terminated by developers under sunset clauses. In many cases people have seen development of their properties stall for unknown reasons in circumstances where their requests for updates from developers have been ignored. In some of these cases purchasers' contracts have been terminated only for the developer to subsequently register the plan of subdivision and offer the property for sale at a higher price. Developers have also threatened to use sunset clauses to terminate signed contracts unless purchasers pay additional sums representing the growth in property prices since their contracts were signed. Purchasers confronted with this scenario may be able to take legal action against the developer. However, taking such action is often beyond the means or risk appetite of most Victorians.

The bill therefore amends the Sale of Land Act 1962 to prevent a residential off-the-plan contract from being terminated by a vendor pursuant to a sunset clause without either, A, the purchaser's written consent or, B, an order of the Supreme Court of Victoria. In determining whether to make an order permitting the rescission the Supreme Court must consider a wide range of factors, including whether the vendor has acted unreasonably or in bad faith and the reason for the delay in registering the plan of subdivision. These amendments are significant. The state does not normally interfere in private contractual arrangements, and generally a purchaser wishing to challenge a contractual term benefiting a vendor to which the purchaser has agreed would be required to take legal action. However, the extent of consumer detriment caused by developer misuse of sunset clauses and its impact on Victorians' confidence in the off-the-plan market warrants a legislative solution. We know that New South Wales has enacted similar reforms, and in the three years since the passage of that legislation the New South Wales Supreme Court has only considered three vendor applications for orders committing the rescission of their contracts. What this suggests is that the New South Wales legislation has served its intended purpose of creating a strong incentive for developers to use best endeavours to complete their projects.

The amendments, other than an offence provision, will commence on the day after the day on which the bill receives royal assent and will apply to, A, existing residential off-the-plan contracts entered into and enforced immediately before commencement, and B, new residential off-the-plan contracts. In this way the

reforms not only benefit future off-the-plan purchasers but also purchasers whose existing contracts could potentially be terminated by developers using sunset clauses.

To prevent developers from rushing to rescind existing off-the-plan contracts before the bill passes in an attempt to ensure that they are not subject to the sunset clause reforms, the Andrews government in this legislation has made it clear that a vendor's rescission of a contract under a sunset clause after the date on which the bill was second-read in Parliament will be ineffective unless it occurs with the purchaser's consent. Purchasers also have a contractual right to terminate if a plan has not been registered by a certain date, and in the absence of contractual rights the Sale of Land Act gives purchasers statutory termination rights and the amendments made by the bill will not affect these rights.

The bill also prohibits certain contracts and rent-to-buy arrangements by, A, introducing a prohibition on selling residential land other than agriculture land under a terms contract where the sale price of the land is less than the prescribed amount, and B, a prohibition on selling residential land under a rent-to-buy arrangement, with certain exceptions.

As I said at the beginning of my contribution, this is a comprehensive bill. It addresses a number of activities in the development sector. It particularly impacts people in the growth regions of our state. I note the member for Yan Yean is in the house, and I am sure she will be talking about how this impacts her constituents in particular. Within my own electorate of course we enacted that the Macedon Ranges shire be declared a distinctive area and landscape by the Minister for Planning, and of course it is subject to its own planning restrictions. I am very proud of that piece of legislation. It works to protect the Macedon Ranges shire, which has many unique environmental and cultural characteristics, and the traditional owners' history and cultural contribution.

We need to protect that shire against inappropriate developments, so I do not see that this bill will particularly apply in my electorate. However, it is one that is targeted at more vulnerable people in our community — people who are at risk of being ripped off. It is an excellent piece of legislation. I really commend the Minister for Consumer Affairs, Gaming and Liquor Regulation for bringing it to the house. As I said, the bill complements our comprehensive Homes for Victorians package, and I commend it.

Ms GREEN (Yan Yean) (17:16) — I have great pleasure in joining the debate on the Sale of Land Amendment Bill 2018, and I am pleased to acknowledge the presence at the table of the Minister for Consumer Affairs, Gaming and Liquor Regulation, who introduced this bill and has led the work in this area. I know that like me she represents a rapidly growing electorate where there is a high volume of contracts of sale and particularly new home sales.

On the details of the proposal before the house, the bill will amend the Sale of Land Act 1962 to prevent developers from unfairly rescinding signed residential off-the-plan contracts under sunset clauses in order to take advantage of increased property prices that would otherwise benefit purchasers. This is the most significant part of this bill before the house that I would like to address in my comments, and I will come back to this point. The next part of the bill before the house seeks to address predatory conduct in the alternative housing finance sector by prohibiting unaffordable and high-risk term contracts for lower value residential properties and rent-to-buy arrangements, with some exceptions. It will close the regulatory gap that has enabled unregulated and problematic land banking schemes to flourish; strengthen the existing offence of fraudulently concealing material facts about a property for sale with the intention of inducing another person to buy that property; and provide for the making of guidelines to assist vendors and estate agents to understand what is a 'material fact'. Finally, the bill includes amendments to restrict public auctions of land from being conducted before 1.00 p.m. on that most sacred of days when we should all be pausing and remembering those that have served our country and those that have served New Zealand, and that is Anzac Day.

On the first point, I was very pleased to read an article in the *Whittlesea Leader*, which welcomed the introduction of the bill. Under a headline of 'Sun sets on dodgy practices: push for contract changes successful' this article states:

> Whittlesea council is celebrating a win for homebuyers after it successfully lobbied consumer affairs minister Marlene Kairouz to end practices used to rip some buyers off.
>
> On 22 August, the minister announced sunset clauses, which allowed developers to delay projects in order to terminate signed contracts and resell properties at a higher price, would be restricted.
>
> Under the Sale of Land Amendment bill, off-the-plan contracts with sunset clauses can only be terminated with the buyer's consent or by order of the Supreme Court.
>
> The new law was in line with NSW and Queensland sunset clause rules.

Cr Tom Joseph, who put a motion to the council to request the minister make changes in June, said he was pleased with the outcome.

Cr Joseph said he was aware of a number of cases —

Mr Burgess — Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Ms GREEN — It should not be surprising that those opposite, who have ceased speaking on this bill, would call a quorum, because although they indicated with their one single speaker on this bill that they would not oppose it, we know that they are never in the consumer's corner. I congratulate Cr Tom Joseph and others in the City of Whittlesea for the City of Whittlesea to have backed this change in and to have stood up for the many, many people who are choosing to move into that great municipality. I also want to stand up for the consumers who feel that they have a right to know, and to make sure that there is an offence for fraudulently concealing material facts about a property for sale.

I have numerous people in my neighbourhood who are deeply concerned at the moment that they have been living next to a former goldmine, which has caused at least one family to have to move out of their home. This is despite there being an independent report from 1998 that said this land should never be developed for residential development. I know my opponents have said, 'Oh, I've spoken to the developer' and 'The developer's not a bad person' and 'The council hasn't done anything wrong'. Well, the fact is that somebody has.

We need to strengthen the law so that people do not buy properties without the knowledge that their children could be seriously injured and have their health impacted. Facts like that should be on titles so that people know and so that it is reflected in the price. It also assists consumers to make a decision. A former Nillumbik councillor sold one of those properties in Fraser Street, and he is an engineer so he ought to have known better. He would have known what council officers knew: that that site at 50 Fraser Street posed a risk to health. This development, which began in 1988, is actually the estate that I live in. I am fortunate that I am only a renter, but I am concerned for everyone in the neighbourhood because they have had information kept from them that has now placed their families at risk.

I am proud to nail my colours to the mast and to speak on this bill, unlike those opposite. They have only had one speaker who, in a mealy-mouthed way, is backing in the rights of consumers in purchasing a home. We are giving a great lifestyle to people living in the north, and we are providing infrastructure for them. Not only do we want to make sure they have got neighbourhoods to live in with great schools but we also want to make sure that when they put their money down for a deposit that money is not going to be held while they are led up the garden path for months and months and maybe years, and after which a sunset clause is used to say, 'Sorry, you might've thought you were about to purchase a home in your dream estate. Well, now you're not'. We in government will stand up for those consumers buying homes. We will also close the regulatory gap that has enabled unregulated and problematic land banking schemes to flourish in places like the outer suburbs.

Those opposite are led by a former planning minister who oversaw rampant urban development without fair clauses in contracts and also, fundamentally, no investment in infrastructure, zero dollars invested in arterial roads and cuts to public transport. That is what those opposite do, but we on this side are always concerned about fairness. We will be on the side of people ahead of corporations. If those opposite get in, they will be about cuts and looking after their mates in big corporations. We will always stand up for people living in the suburbs. We will look after their money and look after their greatest investment by supporting development in new estates. I commend the Minister for Consumer Affairs, Gaming and Liquor Regulation, who is at the table. I thank the public servants who have worked on the bill, and I commend the bill to the house.

Ms HALFPENNY (Thomastown) (17:26) — I rise also to speak briefly on the Sale of Land Amendment Bill 2018. This bill amends the Sale of Land Act 1962, and it is to implement the key findings of a public review of Victoria's sale of land and business legislation that was conducted through the government's consumer property law review. I note that the minister responsible for this area around consumer law is in the house, and I commend her for her work.

What this review found was that there was ongoing unfairness for consumers in the Victorian property market due to the predatory conduct of developers, unfair finance schemes that targeted Victorians and regulatory loopholes in the current act. The reforms proposed in this bill reinforce the current protections provided to Victorian consumers in the property market. They also attempt to fix up loopholes and strengthen the law when it comes to the protection of consumers, particularly when it comes to the purchase of land.

One of the most significant and important reforms that this bill seeks to make is to restrict the use of sunset clauses without a purchaser's consent. I was actually shocked to find out that there have been a number of residents in the Thomastown electorate, in the new growth areas of Wollert and North Epping, who have been disadvantaged by this loophole that developers have used. It has caused them all sorts of hardship. A sunset clause allows a vendor, as the owner or the person selling some land, the option to end an off-the-plan contract if that plan of subdivision is not registered by a specific date or if an occupancy permit has not been issued by a specific time. Therefore purchasers can lose the contract and the vendor can resell that property. In cases in the Thomastown electorate they were selling them for much higher prices. When I am talking about developers, these were very small developers, not the well-known, well-established developers in the area that have certainly not, as far as I know, been engaged in this practice. In fact they have also condemned this practice.

What these small developers — fly-by-nighters, I guess you would call them — were doing was selling a parcel or block of land to a person who wants to own a home. That person would pay a deposit to the vendor, and who knows what was done with that money in the meantime. When it got to the point where the rest of the money was to be paid and the ownership changed to the person buying the land to build their house, the contract was cancelled. Yes, the deposit was given back, but then it was found that the same block of land would be sold to somebody else. Because prices had gone up so much within that 12 or 18 months, there was an extra windfall to the vendor. They might be getting an extra $50 000, $60 000 or $80 000 for that land by selling it to somebody else. This created some huge disadvantages for some of the residents of the Thomastown electorate.

A number of them had actually relocated their families from Sydney to Melbourne, particularly to live in the area of North Epping and Wollert. In particular many from the Australian-Pakistani community were moving to the area to live specifically in North Epping or Wollert because of Al Siraat College, which was established in the area. This is an Islamic college that I would have to say is a really fantastic institution of education. It is so involved in the community. It does so much work within the community. It has a real social conscience, I guess you would say. It has become a very popular school for a number of residents of Thomastown, particularly those of Pakistani-Australian background. When these residents were unable to secure the land that they originally thought they had purchased to relocate there, they had a problem whereby the land was so expensive that they could not afford to purchase a new block of land, and they are continuing to rent.

This was brought to my attention, and it has been an issue that has gone around and has been happening in many of the high-growth areas in the outer suburbs of Melbourne. I am really proud to be here as a member of the Labor government to see legislation such as this being introduced and debated in the Parliament. Of course we are in our last sitting of the Parliament for this term, but I think it is still important to be debating these bills. I am sure that if the Labor government is re-elected, this legislation will be implemented — as long as we can get it through the upper house of course.

One of the problems is that when there is legislation as important and as urgent as this that protects people from incredibly shonky others, we want to get this legislation passed, but in the upper house we have got the opposition just filibustering and holding things up. They are deliberately delaying stuff so the legislative agenda of the government is frustrated to the point where people are missing out on their rights because legislation is not getting through the upper house. The opposition might be too gutless to oppose legislation in the upper house that is good for Victorians and consumers, so they just say nothing about it and make sure that it drags on and on and on and that we cannot get it through in a timely manner.

When talking about this problem of the sunset clause, I would like to make particular mention of a resident, Mr Rana Shahid, who was very actively advocating and lobbying for, I think, something like 14 or 15 potential homebuyers who had suffered the issue of the sunset clause being abused. He was very effective in getting those people together. We were able to get all the details, and we sent them all through to the office of the Minister for Consumer Affairs, Gaming and Liquor Regulation. These were good examples and case studies that could be used to show where this legislation was not being used in the proper manner. Of course there may be a need in some cases for sunset clauses where a developer or property owner is unable to develop land for whatever particular reason and therefore the sale has to fall through, but this was deliberately constructed in order to make an extra windfall. It was really ripping off the people who were buying the land.

This legislation is another example of the Andrews Labor government standing up for Victorians and making sure that consumers are protected and that potential home owners — people who want to buy land and build their home — are protected. I am very sorry

to see that in this term at least it will not be able to get through this house as well as the upper house in order to be something that people can celebrate before the election in November of this year. I hope that at least the residents of Thomastown will see that the government is very much committed to reforms of this manner. I am sure and I hope that if we are re-elected this legislation will get through with retrospectivity.

Ms GRALEY (Narre Warren South) (17:35) — I have the unexpected pleasure of speaking on this bill this afternoon, the Sale of Land Amendment Bill 2018. In contemplating that task I was thinking about buying and selling property. It really is one of the most challenging responsibilities people undertake in their lives. When buying that new house or apartment and selling that house or apartment, you really need to know what you are doing in this space, I believe. Too often you hear of ghastly stories about people who have been taken down or who have been left with a less than satisfying experience from partaking in the real estate market. I know it is a very stressful time because I recall reading not so long ago that buying and selling property — selling your house, packing it up, putting it out to a nerve-racking auction and then relocating — is one of the all-time most stressful events that happens in a person's life. Given that, we do not want to make it more difficult or more stressful for people out there.

We know that the Melbourne property market has been experiencing incredible growth over the last 10 years. Indeed if you are moving in baby boomer circles, talking about one's property, or mostly one's property portfolio, is one of the top dinner party conversations. Sadly it is the case that whilst that may be happening in one segment of the population and in one generation of the population, dinner party conversations that are happening in share houses or conversations between young couples who are getting married are actually about being left out of the property market and not being able to enter it because of the incredible growth that we have had in property values, especially over the last decade. Many people feel as though they cannot enter the property market because it is such a messy, confusing space. This legislation is very important in that it brings to the house some very significant changes to this act so that people can have more confidence in negotiating the buying and selling of property.

During 2016 and 2017 as part of the broader consumer property law review the Andrews Labor government reviewed Victoria's sale of land and business laws. The review led to this package of reforms which are addressing consumer concerns — and that is essentially what we are talking about here — in the Victorian property market. Whilst I have referred to people who feel that they are being left out of the property market, I am sure that many MPs have had in their offices people who have been very badly ripped off in the property market by somebody who said they were going to complete the house or apartment to a certain standard or complete the house or apartment by a certain date. Recently a couple who came into my office said that they had been sold their dream home and the builder had disappeared. They have still got their block of land, thankfully, but they are very, very much damaged by the experience they are having, which, as I said, should be a good one when as a first home buyer you are building your dream home.

The primary objective of this bill is to address substantive and ongoing consumer detriment in the Victorian property market. This detriment has arisen as a result of off-the-plan developers unfairly terminating purchasers' contracts using sunset clauses, and I will talk a little bit more about sunset clauses in a minute; term contracts and rent-to-buy arrangements for residential land being brokered in circumstances where the contract or arrangement is highly unlikely to succeed; and certain land banking scheme promoters selling unsophisticated investors options to purchase land in the scheme, which never materialises — I mean, how corrupt is that — and then spending investors money. These are very, very sad circumstances for consumers if they have been taken down by such a person or company.

The bill also addresses two key issues of community concern in relation to material facts about properties, such as a property's past use as an illicit drug laboratory being concealed from prospective purchasers, and public auctions being held on Anzac Day. I think most Victorians revere Anzac Day, and it is entirely appropriate that public auctions do not happen on Anzac Day.

I refer to an *Age* article from 26 August:

> This man didn't know he was living in a meth-ridden house.

I was attracted to this article because of an experience I had at the previous election. Whilst I was out doorknocking I did actually come across a meth-ridden house, I suppose one would call it, or a meth operation. I have got to say that the people who answered the door did not have a clue what I was talking about. I quickly assessed the situation — thankfully I had one of my electorate officers with me, not on their working time, I must admit, but on their day off — and we made a quick exit out of there and let the local authorities know that something was going on in that house. I realise that often these houses are then busted by the police and the

rental agent or the person that owns it refits the house and tries to sell it as a nice place to live, but I know that in this case the owner was a man with three children who was unaware that the house he was renting out was contaminated with methamphetamine residue. Tests the owner paid for found that the house was uninhabitable, so you can just imagine what went on in that property.

The article contains Victoria Police statistics regarding clandestine drug labs found in residential dwellings in the 2017–18 period and from 1 July 2012 to 30 June 2017. They are out there. They are happening. The statistics show us this. So it is very, very important that the reforms in this bill relating to concealing material facts from a purchaser are supported by the Parliament.

I would just like to finish by drawing the house's attention to the royal commission that has just been announced in Canberra by the Morrison government. I note that they are compiling their list of guiding principles for the royal commission. I would have to say, from the experiences I have had in 12 years as a local MP, one of the biggest issues that has continually come into my office relates to people's concerns about the operations of retirement villages, whether it be about repairs to properties, whether it be about the value at which they bought the property and the value that their children were then proposing to sell it for or whether it be about the fact that they cannot have a dog or they cannot access certain facilities on the property because of the lack of adequate infrastructure. It is a really big issue out there.

I really implore the federal government, hopefully with the support of the Labor opposition, to make sure that an investigation into the operations of retirement villages is included in the work of the royal commission. It is a ghastly end to a person's life when they feel they are being ripped off in what is probably their last property investment. Without further ado, I commend the minister for bringing this bill forward and wish it a speedy passage sometime in the future.

Ms WARD (Eltham) (17:45) — It is delightful to see you here on this last Tuesday of this term, Acting Speaker Pearson. I am sure that we are all very glad to be here, but I am glad to see you in the chair. I happily rise to speak on this legislation which will amend the Sale of Land Act 1962.

Acting Speaker, I know that you and I probably have a shared history when it comes to property purchases. You have a home and I have a home, and it took some effort for us to buy those homes. It is hard to buy your first house. It is not something that comes easily to many of us, especially those on this side of the house who do not have inherited wealth for the most part but who do have parents that have worked incredibly hard to give us advantages. My grandmother, for example, never owned a home. She was married to somebody who was not able to provide for her and who left her with three children under four. My nan had to make her own way in the world with the support of her parents. But she was never able to own her own home despite working hard when she needed to and also spending time raising her girls.

I know that you too, Acting Speaker, understand these stories. You know, with the public housing that you have in your electorate, how difficult that journey can be for many people in this community, not through a lack of working hard and not through a lack of trying hard. But they do find that journey towards buying their first home, regardless of what that home might be, very difficult. Legislation like this helps to provide safeguards for people and helps them on that journey. It helps them to not be ripped off, which is so incredibly easy to do when they are desperate to get that first home, when they are desperate to have their own space, to have their own front door key that is theirs alone and to own that property. Sometimes you will go for deals that to an outsider might seem shonky but to you seem to be your one pathway to getting the home that you want. That is something that often happens with off-the-plan contracts. They look fantastic, the price looks attainable and it looks like you can actually get that home that you have always wanted, but then there is a catch. There is the thing that can trip you up. There is a part of that that can prevent you from getting that home that you have wanted.

I am sure that, Acting Speaker, like me you have seen those little booths that get set up that look like shipping containers that are all kitted out and just look amazing. People walk in and look at these off-the-plan designs and can see themselves in these houses and imagine themselves occupying the space, owning it and being a proud homeowner. I cannot imagine anything more heartbreaking than going into your estate agent or going into the developer to pay the deposit, to have a continual conversation and to deal with the paperwork and the rest of it with whoever it is that has sold the property to you, only then to have a sunset clause kick in whereupon all of those dreams that you have had, that paperwork, that insurance, those bank headaches and all those millions of phone calls and emails that you had to deal with to get the funding for this are cancelled. Suddenly a sunset clause kicks and you are told, 'No, I'm going to stop this. You can't buy this property because I think I can get more money from somebody else. The amount of time it has taken us to realise this development has meant that I can make

even more profit on the property itself and its proposal so I'm going to cancel your dream. I'm going to cut that out and I'm going to make as much money from this development as I can'. For us to change that, to stop that heartbreak happening for people, I think is good legislation. It is a good amendment and I am glad that this government is responding in this way. New South Wales has similar laws and I am glad that we are following suit.

Another thing that has concerned me, and I am very glad that this government is doing something about it, is the rent-to-buy arrangement. I am sure, Acting Speaker, you are probably with me. Some nights you have come home and you have seen the ad on TV in our youth where it would be Rent A Vision, I think — and I am not using this company as an example — with messages such as 'Rent now, buy later' and you would have all these amazing things on your screen, stuff that you could buy that you know when you look at it will cost someone so much more than the product is worth. Fridges that are worth $300 end up costing someone $3000. This is what we can also see with rent-to-buy properties where someone just keeps paying rent thinking that they are getting themselves to a point where they will actually own the home that they are in. They are in the home, they have made it their own space and they think that they could actually get to own it and have their own name not on the lease but actually on the paperwork as the owner. To take that away as well is a very good thing. To protect people and make sure that in their desperation to get their home they are not being ripped off is really good legislation, and I am glad that we are making these changes.

I am surprised that those opposite are not speaking on this legislation and that we are seeing so many people from our side of politics —

Ms Green interjected.

Ms WARD — I share with you, member for Yan Yean, that we should not be surprised, nor was I surprised to see you get shut down for expressing that surprise because it would seem that those opposite really do not respond well to the voices of women.

It is really good that we are stopping public auctions of land before 1.00 p.m. on Anzac Day. Who wants to subject communities to that? Who wants people who have just come back from an Anzac Day march, who have been commemorating this very solemn day, to suddenly hear people go, 'Sold!', banging the gavel and yelling out across the street. No-one wants that, and it is great that we are actually legislating to stop that from happening. I am surprised that those opposite have not put in the work to actually talk about this issue and talk about their support for it, because I would have thought that Anzac Day would be something that would be important to them, that the seriousness of Anzac Day and the sanctity of Anzac Day would be something that they would want to talk about and that they would be supportive of something that actually stops auctions happening of a morning on Anzac Day. But it is not to be.

I suppose this is just an example of the work ethic of those opposite — that they do not really pay a lot of attention to legislation, that they do not stand up and are heard to speak about bills and put forward views on why a bill is good or bad, that they just sit around and do not get a lot done. We saw that for the four years that they were in government and we have seen it for the four years that they have been in opposition. It is very disappointing that their constituencies are time and time again let down by the very lazy Liberal and National parties.

I think it is also incredibly important that in this amendment bill work has been done to make sure that homeowners or prospective homeowners actually know the history of a house. I join with the member for Narre Warren South, who also read the article that I read about the man who had a property that his children lived in that had been a meth lab and the amount of chemicals and pollutants that were in his children's systems. That is terrifying. It is terrifying to think that you could, in trying to provide a safe place for your family, inadvertently subject them to this kind of chemical influence on their lives. It is the last thing that you would want to do and it is very unscrupulous of real estate agents and developers to not explain this to people when they are putting a property up for rent or sale. It is not just whether it has been a meth lab, but it is also whether somebody has, for example, died in a house. You would want to know the circumstances around that as well and again what potential pollutants could have been involved in that death. I am glad that this amendment will stop real estate agents from being categorised as fraudulent and instead talk about their knowingly withholding information. I think this is a very important change to make in this legislation.

It is important for real estate agents to understand that they cannot knowingly withhold. They may not have a desire to be fraudulent, but if they have deliberately not told somebody about something that they know could affect their decision-making around that property, they will be held accountable.

I congratulate the minister for putting these changes into the act. This is a good bill. It is another example of

Labor responding to the needs of our community, of getting out there, of getting things done and of continuing to work hard over the last four years, making sure that things happen, making sure that this community is looked after and making sure that we get it right. I applaud the minister for this legislation.

Mr HOWARD (Buninyong) (17:55) — I am also pleased to add some words in regard to the Sale of Land Amendment Bill 2018, which is before the house at the moment. As other members have said, and as we all know, the purchase of a property involves people's dreams. It certainly involves a lot of their financial resources and commits them to funding their dream in terms of the purchase. We want to ensure as much as possible that, through good governance, when people buy a property they get what they understood they were buying and that there are no hidden surprises for them that end up making a wonderful decision they have made a disastrous one.

This bill involves a review of the Sale of Land Act 1962 to update it and take into account a number of issues that have been drawn to the attention of the minister that will improve the act. The bill puts in place a lot of safeguards. It sets in place how to treat a deposit or a bond in regard to the purchase of a house. It provides for mandatory precontractual vendor disclosures, as people would know, and it regulates public auctions, among other things. It puts in place a number of safeguards so that, as much as possible, when people want to buy a property and see a property they like, they can get the full information about the costs of that property in terms of its rates and a range of issues associated with its history. Hopefully through appropriate conveyancing they can then get the full detail of that property.

Reflecting upon this bill, I remember the first property I bought. When I first settled in Ballarat in 1983, I went to buy my first home. I was about to marry and so my fiancée and I looked for houses in Ballarat. We were very pleased after looking around in 1983 to find a house for the total sum of $24 000. We managed to find a beautiful four-bedroom weatherboard house that we then lived in for the following 15 years. It is pretty amazing when you reflect on the price of a house in Ballarat at that time. Certainly more recently I bought a block of land that I paid nearly 10 times as much for compared to the full price of the house I paid earlier on.

In going through that process I took it upon myself to do my own conveyancing, which was very interesting, because this was one of the older chain of land titles. I found that in fact the house was owned by the person selling it but the land was not. The land was still on a leasehold arrangement because it was an old mining tenement site set at the time. The land was still Crown land that was being offered back to people who owned the houses on them through interest-free payments over 20 years. I think there was still $300 to be paid on the land when I bought it. At least I learned all that working through the process of the purchase of the land. I learned a great deal in doing my own conveyancing at the time. I was pleased that it all went smoothly in the end and that I was able to own that property and enjoy living in Ballarat East for many years after that. I then subsequently bought my farm property out at Waubra, which I still own and enjoy. Again, I found that it was one where I have still got the full chain of titles document on that property dating back to the 1850s when the house was first built. It is lovely to be able to have those. We do not have the same system any more of course. With Torrens titles you do not get the actual title anymore; it is all electronically dealt with.

These are interesting processes that give you an appreciation of the issue of buying a home. You also learn of some of the pitfalls through that process, and as a member of Parliament I have met with a number of people who have been frustrated when they have bought land to find either they cannot build on it and were not aware of those issues beforehand or they have found that what they were buying was not quite what they thought they were buying. In Ballarat the other thing to be aware of is that your house is not built over a mineshaft. That issue has arisen in Ballarat over the years. In fact part of my next door neighbour's house had a mineshaft under it. They could in fact throw their rubbish down through a hole in the floor, I understand, into the mineshaft. I would not have liked to have lived in that house, but the house is still standing I note. So they obviously did something to cap the mineshaft and it did not cause further problems for the owner.

We need to make sure that people know what they are buying. We also need to know that developers do not do the wrong thing, and are not allowed to do the wrong thing, by landholders. One of the particular changes in the bill, as we have heard, relates to sunset clauses on land. Often when people buy off the plan they have 18 months in which to complete the contract, otherwise the contract can be rescinded. What we have found is that sometimes the developer takes advantage of that and delays the availability of the property so that the contract will be rescinded. This is because the value of the property has gone up in the meantime and they then can rescind the sale of the property, even though the purchaser wanted to go ahead with it. This bill does away with that and means that the contract will only be rescinded after 18 months if the purchaser agrees. That is an opportunity they have so they will

not find that they have been waiting nearly 18 months, it is not ready in time and the developer simply says, 'Sorry, you've missed the chance. I'll give you your deposit back, but I'm selling the property at a greater price to someone else'. We need to protect against that.

One of the other issues is finance. We know that when people buy their homes they more often than not need to borrow. Sometimes they might be offered finance on very good terms by people involved in the sale of the property and then find that their borrowings were not as they expected. We need to protect vulnerable consumers from those predatory types of finance arrangements. This bill also sets in place some clearer guidelines to protect people in such cases.

A number of sensible changes are being proposed in this legislation. If they do not go through in the term of this Parliament, I hope that they will be followed through early in the term of the new Parliament so that those sensible changes which have been drafted after a full review will be enacted to ensure that there are further safeguards for people who are taking that big step in purchasing a property so that they are not going to be duped and they are not going to be misled by dishonest or misleading vendors. They will know that they can trust the state government to have set in place the right framework to ensure that they are safeguarded in their decisions.

I am very pleased that this bill has now been worked through by the Minister for Consumer Affairs, Gaming and Liquor Regulation after due consultation to ensure that when somebody buys a property, whether at auction or by direct sale, they know that what they are buying is what they wanted to buy, they know their finance is going to be fair when they have agreed to it and they know that there are not going to be any surprises that are going to lead to the dream that they have set around their new property not coming to fruition, and particularly that vulnerable people who are entering into purchase arrangements are going to be soundly protected through the enactment of this legislation.

I am very pleased to have spoken on this legislation. I thank the whip for offering me the opportunity to speak, and I trust the outcome of this legislation will be that we will see many people supported in the future.

Mr RICHARDSON (Mordialloc) (18:05) — It is a pleasure to rise and speak on the Sale of Land Amendment Bill 2018. It makes really important amendments after a wideranging consultation process and work has been undertaken. It is Tuesday and it is 18 September; we have less than three sitting days to go now. I am looking over at the other side and it looks like the opposition has put the cue in the rack. They have offered up one speaker on this bill. On substantial and important legislation they have had one speaker and then they have tapped the mat. There is barely anyone there. If anyone is looking at the widescreen on the telly back in their office, they will see that there is barely an opposition representative here. The member for Warrandyte and the member for Mornington are doing the hard yards, but who else is going to speak on this? This is really important work about fairness, about protecting people in the sale of land and about the purchase of property, and they have tapped the mat. There is hardly a person here. Maybe they are back in their offices writing some emails. I think how much you care about a piece of legislation is shown by the number of speakers who speak on a particular bill. To not have any opposition speakers left after one is really disappointing.

We will get on with the hard work of governing and the hard work of supporting and passing legislation. These are really key reforms. The sale of any land and the purchase of any property are really important outcomes and they are dreams for many Victorians and in fact any Australian who wants to own property and that patch of land. There has been a change in the mix over decades. Now we see people in apartments and the density in our cities and country areas is growing and we are wanting to support that. I am in the position of never having had the opportunity to purchase and own a property. A lot in my generation will struggle to make that property purchase probably into middle age given the price of property in Melbourne and Victoria now. It does not look like it is going to cool off any time soon. In fact just a few years ago in one of my suburbs, Chelsea, the median purchase price for a house was $650 000. Now it is over $1 million. So it is getting harder to achieve home ownership.

People are having to make choices based on what they can get in the market. That may be on a greenfield site or on land that is surplus to government requirements. People are having to make choices about opportunities and decide between renting or purchasing property and then linking that in with their place of employment and how far they have to travel. We are seeing people buying out on the urban fringes and having to travel further for work, which means less time with their families and their loved ones.

In that desire, ambition, hope and drive to own property, to support their family and raise their children in their community, sometimes that desperation in that quest to own property means there is an unequal relationship between developer and purchaser. We see a

number of good developers, the bigger developers, who are doing some great work in their contribution to community through developer contribution charges and who are building the communities of tomorrow. The postcodes that do not exist just yet are being built for tomorrow and are just around the corner. Sadly, there are players in the market who take it upon themselves not only to make a quid but who go further and are predators and take away the opportunity for others.

This leads to one of the key pillars of this bill: the sunset clauses and the misuse by property developers. The notion that you would threaten someone with the cancelling of a contract unless they pay more money is absolutely disgusting. It is exploitative and it should be illegal. The notion that we would let our contract law, the legal system and the courts deal with this when there is already an uneven relationship and there is already power in a developer who is looking to exploit a purchaser is a real shame. The work that needs to be done to phase this out is very critical and is addressed in this bill.

While the bill might not be passed by the upper house in this sitting, I know that it will be a priority of the Andrews Labor government, if re-elected, to put this on the table and take it to the upper house. I cannot be so certain about that if the coalition comes to government. Given that there has been only one opposition speaker on this bill, that goes to the values and the heart of what they put forward and prioritise in the community. Having a lead speaker is a requirement when a bill is being debated, so effectively not one member on the coalition side has prioritised this bill, prioritised getting rid of exploitative practices that harm would-be property purchasers. Those people who have not chosen to speak on this should be ashamed. This is really important for communities. Any member of Parliament representing a peri-urban or interface council area should be speaking on this bill because it is their communities and their people who are suffering under these arrangements.

Also really important in this bill is the prohibiting of certain term contracts and rent-to-buy arrangements. When I was reading through these notes I actually wrote 'What the?'. You can actually have a rental agreement for a property that just trips along on the ambition of then having an option to purchase the property at a later time — just stringing someone along, exploiting someone and dragging them along when they do not have an opportunity to purchase that property. The stats are just astonishing. The amount of financial hardship and stress and grief that this brings to individuals is very concerning. I looked at that and thought, 'This is really important work that this bill aims to address, to square the ledger and bring fairness back'.

I note that in the minister's notes that I am using there is a point about the notion that courts are generally the place where this is debated, that generally it is left to our legal system for these matters to be discussed and debated in the adversarial system. Given the inequity in this relationship between developer and contract purchaser, we just have to take action in this space and we have to ensure that this exploitation cannot be carried on.

The other key point in this bill is the discouraging of unregulated land banking schemes. This on the green wedges, and also in precinct structure plans (PSPs), is also very critical. We hear locally about particular land parcels where there is no prospect to develop. I know of one particular part just outside my electorate where you could never develop this land due to Melbourne Water requirements and overlays. It will flood in a 1-in-100-year event completely, and that parcel of land is set aside — this unused land — for the very purpose of flood mitigation. It will never be developed, yet we have heard stories of syndicates owning this land and trading on the notion of the urban growth boundary moving, and then people purchasing and buying and trading between each other with the land value going up. That land is worth nothing. It has got water weeds through it, it will never be developed and the notion that that has been traded and the syndicate keeps going up for people who think they might one day be able to own a bit of land, or be able to put a house on there or be able to realise their development opportunity is extraordinary.

These syndicates are like a pyramid in their scheme, where one organisation will take the various revenue to then invest but it then has no prospect ever of being developed. If those syndicates go under then that is it: the money is lost and those people are in financial ruin. I think that work to discourage unregulated land banking schemes is very important, and hearing those stories and the concerns of people is really critical.

There are two other major points. I think everyone respects the notion of one of the most solemn days on a calendar: Anzac Day. Each and every year, particularly through the centenary of Anzac Day, we see an extraordinary response to Anzac Day. We have seen generations coming along to commemorate the work of our service men and women throughout the decades. This is one of the most solemn and most important days on our calendar, and we should be respectful on that day. In talking to some of my local real estate agents they well and truly agree, and in fact some of them

would never put an auction on Anzac Day — some of them have taken that action in their community because they understand and respect how important this is. This is a really important reform, and I commend the bill to the house.

Debate adjourned on motion of Mr WYNNE (Minister for Planning).

Debate adjourned until later this day.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed from 22 August; motion of Mr SCOTT (Minister for Finance).

Mr MORRIS (Mornington) (18:17) — I am pleased to rise to lead for the opposition on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. It is one of those bills where the title of the bill is almost of more substance than the contents of the bill itself. It is a pretty straightforward bill. According to the minister's second-reading speech the bill implements the government's response to the review of the Essential Services Commission Act 2001. I do actually take some exception to that, but that will become more apparent as we move on.

I think it is surprising, mystifying perhaps, as to why it has actually taken the better part of two years to get to this point, because the review the minister refers to in his second-reading speech was required by legislation to be completed by the end of December 2016. This bill was second read on 22 August 2018, so it was 18 months or more from the completion of the review to the second reading, and of course now it is with us again for debate today.

Perhaps it has fared a little bit better than the Financial Management and Constitution Acts Amendment Bill 2017, which has just been postponed. That was second read on 2 November 2017 and the poor thing has sat on the notice paper ever since, and it looks like it is still going to be sitting on the notice paper when the Parliament expires at the end of October. At least this bill has not suffered that fate. Unfortunately this bill has perhaps not done as well as the Treasury and Finance Legislation Amendment Bill 2018, because at least that bill got to the Legislative Council and has been second read.

Members will recall that this is a bill that makes a number of relatively minor changes, but one important change it makes is around the regime for compensation for cyclists injured in incidents which involve a stationary vehicle. As I understand it, as I speak today there is a very real risk that in fact the Treasury and Finance Legislation Amendment Bill will not make it through the Legislative Council before the Parliament rises, and that will be a great pity. At least it is in the Legislative Council, and there is a chance it will be considered this week.

That is not the case, of course, with this bill. The reality is it is like every bill we are debating this week. Sure, they will go to the guillotine at 5.00 p.m. on Thursday, and they may even, as messages, be received by the Legislative Council, if the Council is still sitting, but they certainly will not be debated. They will not see the light of day in terms of the legislative process; we are simply going through the motions here.

The member for Mordialloc in the context of the Sale of Land Amendment Bill 2018 was speaking at great length about how hopeless the opposition was because we were not fully participating in a debate on that bill. Frankly, no matter what the merits are of that bill or this one, there is very little point in participating fully in a debate, in devoting your time and devoting your energy to considering the detail of legislation, when you know damn well it is going to simply go off the end of the notice paper when the Parliament is finished at the end of the term. Unfortunately, as I said, this bill, like the Sale of Land Amendment Bill and the other two that are on the government business program for this week, will suffer that fate.

We are effectively keeping up appearances, so I will do my bit in terms of keeping up appearances and go through the detail of the bill, just so there is no doubt about what the view of the opposition is on this particular piece of legislation. Then when I have done that, I might return to the review of the Essential Services Commission (ESC) that was the subject of the minister's reference in the second-reading speech.

Essentially the bill implements three recommendations that came out of that review. There was a recommendation around the appeals process of the Essential Services Commission (ESC), and the changes that were proposed by the commissioner or by the review are included in this bill. There were some changes proposed around the arrangements for

appointing an acting chair of the commission, and those changes are contained in this bill. There are some changes around, or more accurately some changes to clarify, the capacity of the commission to report publicly on particular regulated sectors, and in a very minor way there are some changes in terms of the review. There are also some other changes which were proposed by the review that have not been considered in the context of this bill.

The first change of significance is the change proposed with regard to the review process. There is currently under the Essential Services Commission Act 2001 a capacity to appoint an appeal panel and to, in that manner, consider any applications for a review of decisions or determinations of the commission. What is proposed in this bill is that, rather than persist with that freestanding and I imagine relatively ad hoc process, the intention is to transfer those powers to VCAT and provide VCAT with the capacity to perform that task. Clauses 4 through to 11 deal with that.

When I was, last week, being briefed on the bill — and I should of course thank the minister for making the opportunity for a briefing available and thank his adviser for providing that briefing, which I have got to say was one of the quickest bill briefings I have ever been a party to; it was here and gone and done very, very quickly —

Mr Wynne — It is a relatively straightforward bill.

Mr MORRIS — It is a straightforward bill, as the minister indicates. In saying that it was a very quick briefing, I am not in any way being critical of the briefing; it worked for me. I got the information I needed, and I am sure all the other participants were relatively relaxed about that as well. During the course of that briefing I did raise the issue of whether VCAT would in fact have the expertise amongst its members in order to provide the capacity to deal with these sorts of appeals or these sorts of reviews, as they will now be known. The point was made that there is the capacity in VCAT to appoint effectively a short-term member with expertise in the subject, so as far as the opposition is concerned, we are entirely relaxed about that particular provision.

The second change, as I indicated, relates to the issue around the appointment of an acting chair. Currently the acting chair has to be appointed by the Governor in Council, and while that is not a difficult process, it does take some time to get the paperwork all squared away, get it on the agenda of the executive council and make it all happen, which could potentially have some impact on the operations of the commission. As I am certainly aware from interactions over the last two terms with the Victorian Auditor-General's Office, the lead individual can sometimes become unavailable very unexpectedly, and I think it is desirable to have the capacity to provide an interim replacement. What is proposed with these amendments is to change the process so that it is no longer a Governor in Council appointment; it simply becomes a ministerial appointment.

If there was the capacity within the legislation for the minister to subvert the intent of the act and to appoint someone as the acting chair for an extended period, I would be rather uncomfortable with that. But as the proposal is effectively time limited to six months, again this is a proposal that is probably entirely reasonable.

Clause 13 of the bill also makes a change with regard to the acting chair, and that is to permit any person to be appointed as the acting chair. In other words, they do not need to be a member of the commission to be eligible for appointment. As I read the bill, simply because you are a commissioner does not mean you are excluded; you remain eligible for appointment as the chair. However, if the particular circumstances require expertise which is not immediately available amongst the members of the commission, then the capacity is there for the minister to appoint someone from outside the organisation to act, on a temporary basis, instead of the chair.

Clause 14 of the bill introduces provisions which will allow the commission to publicly report — perhaps 'allow' is the wrong term, but it will certainly confirm the capacity of the commission to publicly report — on the market structure and performance of a regulated industry, subject of course to the relevant acts. In the review the commission noted that there is an issue because public reporting and communications about market structures have over time become a significant role of the commission without it having explicit legislative authority. As they noted in the report, the current legislation does not provide any impediments to reporting, but it does not explicitly recognise the capacity of the commission to do so.

The report made that recommendation. That was one of the recommendations that the government supported, recommendation 5. It supported amending other regulatory powers to, in the words of the government, 'better reflect the commission's increasing role in releasing public reports and communications on market structure'. It is entirely reasonable. As I say, it is not a new power. The first time I read it I thought perhaps it could be considered a new power or an extension of

existing powers, but having done a little more thinking and a little more research, I am quite relaxed that it is in fact something that the commission has historically done for quite some time. It has become an increasing part of their work and it seems entirely reasonable to codify it in terms of the legislation.

The bill makes a range of other changes including clarifying issues around section 51 of the Essential Services Commission Act, largely because some provisions have been repealed. There was some doubt, as I understand it, about whether the necessary confidentiality was able to be maintained, so that is dealt with under clause 15. There is effectively a statute law revision regarding references in the current section 63 to now-repealed sections 44(7) and 51(7), again relatively straightforward. The review that I referred to earlier, a review to be conducted no later than 31 December 2026, is simply updating the current provision which required the review to be completed by December 2016. It is not a response to recommendation 1 of the review. It is very much different to that. It is simply updating the act to ensure that some eight years from now a further review is undertaken.

The final clause with regard to the Essential Services Commission deals with the first chair of the commission, and clearly that is now spent. There are some consequential changes to the Victorian Civil and Administrative Tribunal Act 1998, the Accident Towing Services Act 2007, the Electricity Industry Act 2000, the Grain Handling and Storage Act 1995, the National Electricity (Victoria) Act 2005, the National Gas (Victoria) Act 2008, the Port Management Act 1995 and the Rail Management Act 1996. Of course the usual sunset provisions apply to ensure that this amending bill — if it passes, which of course it is not going to — on the remote chance that it does pass, will expire on 1 August 2020.

That is the substance of the bill, and as I indicated, as far as it goes it is okay. The opposition does not have any particular concerns about it, and when it goes to the guillotine on Thursday we will not be opposing the bill. But I did want to, as I said, in at least some of the time remaining refer to the review that was undertaken and which the minister referred to in his second-reading speech. The review was undertaken by the Department of Treasury and Finance (DTF) and they had the assistance of some outside consultants, NERA Economic Consulting, which undertook some stakeholder consultation, conducted further research and provided some analysis.

It was not what you would call in any way an independent review. It was not required to be, it needs to be said, but it was effectively undertaken by DTF. I think it is also worth looking at the stakeholders who were consulted as part of the review. To a large extent it was very much an inside the tent consultation. Three people from the Department of Environment, Land, Water and Planning were consulted, one from the Department of Economic Development, Jobs, Transport and Resources, two from the Essential Services Commission, two from the ESC appeals panel — that is reasonable; seeing as they were being abolished, I think we needed to talk to them — one from the Environment Protection Authority Victoria, one from DTF legal and one from VicTrack. There were some conversations with representatives of regulated businesses or industries, including the Energy Networks Association, the Victorian Taxi Association, the Water Services Association of Australia and Asciano, together with representatives of consumer organisations, including the Consumer Utilities Advocacy Centre, the energy and water ombudsman, the Consumer Action Law Centre and the Victorian Council of Social Services.

There was no public input whatsoever. Now, you might say it is a body to regulate industries, it is about dealing with those industries and it is all inside the tent stuff. I would contest that, I think. Sure you would not get a lot of public input, but I think the outcomes may well have been enhanced by having at least the opportunity for the public to make a contribution, because after all any statutory body, any government agency really, exists for one purpose and that is to provide some sort of benefit to the public. Now it may be a direct benefit that is provided by the particular agency or it may be that there is a regulatory oversight function to keep other government agencies honest and provide that benefit. Either way, the bottom line is about the public benefit. Otherwise, as the government you would not be doing it and you should not be doing it. So I think this review could perhaps have been enhanced by wider ranging consultation.

The review itself was about whether the objectives of the act were being achieved, whether they are still appropriate and whether the act is effective or needs amendment — and there were some amendments recommended. The review was asked to look at the range of regulated sector advisory issues that come under the ESC, the potential for regulatory reform, the potential for reduction of red tape, appointments of commissioners and panellists and arrangements for repeals, and obviously some of those things have been picked up on in the recommendations. Specifically,

and I think it is worth noting, the rate cap arrangements for local councils were excluded; they are relatively new and were certainly new in 2016. The pricing structure for port users of the port of Melbourne similarly had only just come into effect, so they were excluded as well.

I really want to talk about three issues that are not addressed in the bill but are the subject of the report. Recommendation 1 was around the need for a broad review of the Essential Services Commission. Recommendations 2 and 3 were picked up by the bill. Recommendation 4 was around timetabling and did not require legislative change. Recommendation 5 has been picked up in the bill. Recommendations 6 and 7 were supported by the government but have not been picked up by the bill; they do require legislative change. Recommendations 8 and 9 have been dealt with, and recommendation 10 has been dealt with in the bill as well — it is around timing.

Recommendation 1 was supported in principle by the government but not in the context recommended by the review. The recommendation recognised that there was considerable divergence between stakeholder groups regarding the objective — matters the commission must have regard to — and the extent to which the new functions that are effectively being tasked to the commission are appropriate for an economic regulator to perform. Certainly there was a view that there should be clarity about whether the government's intended role for the commission is its traditional role as an economic regulator or whether it was getting into broader public policy areas, and particularly whether there was a conflict between the long-term interests of consumers on the one hand and objectives based on economic efficiency on the other hand. It all sounds like very dry and boring stuff, but it is in practice pretty important.

The review found that the commission had exercised its powers and processes effectively but that there could be criticism that that objective — as I said, the long-term interests of Victorian consumers — may be inconsistent with economic efficiency, particularly where the concept is applied right across the Victorian economy. The commission gave a couple of examples of what they considered to be representative of this. One was:

> undertaking inquiries or reviews at the request of government into sectors that are not specifically declared in the ESC act and the government is seeking policy advice …

Perhaps local government might fall into that category, in theoretical terms anyway. The report also states that the commission would undertake:

> special inquiries into regulated sectors, where such inquiries include in their terms of reference social or environmental considerations …

Again, these are inquiries divorced from economic efficiency.

The review came up with a couple of alternatives. One was 'refine the status quo', which is effectively, I think, what the government has done in its response. Their final recommendation was to 'undertake a more extensive review, involving wider public consultation', particularly around that issue of the long-term interest of Victorian consumers. Unfortunately the government has decided not to proceed down that path. Of course the second-reading speech has been silent on the reason for that decision. The response to the report simply indicated that the government 'considers that this can be achieved by amending the existing statement of expectations for the commission'. Well, I find that hard to believe.

The second recommendation that has not been picked up in this legislation is around reporting arrangements — basically synchronising the language in the act with the normal parliamentary protocols. That is something that could have been picked up at any time. I am surprised, given that it is more than 18 months down the track since the review was received, but it has not been picked up. I would have thought it was relatively simple, but it is not included in the bill. The fact that it is not included is not the end of the world, but you wonder why it is not in there when the commission made the recommendation and the government accepted the recommendation.

The final recommendation that I want to refer to is around codes of practice. The review made the point that there had been ongoing concerns raised around codes of practice. There were some amendments following the Beale review, which was the earlier review of the commission, to insert codes of practice clauses. The review concluded:

> … the phrasing of section 47 could unintentionally limit the use of part 6 —

which is the creation of codes of practice. The ESC also advised:

> … there are no relevant provisions in industry legislation (e.g. the Electricity Industry Act) …

The government's response was that it agreed that the act should be 'amended to incorporate codes of practice'. They noted that 'to date the commission has not used codes of practice under this part of the act'. In

fact they have developed codes of practice, but as the review found, they have not been developed in conformity with part 6 so they therefore cannot be used. I think the issue, as far as I am concerned, is: despite the government acknowledging in its response the importance of providing clear processes for these things and despite indicating in its response that it supported this recommendation, there is no change proposed in this bill, and the unintended limitations, which again the government identifies in its response, remain unaddressed.

Despite the assertion in the minister's second-reading speech that the bill implements the government's response to the review of the Essential Services Commission Act 2001, clearly the bill has not addressed a number of the review outcomes. Three matters that do require legislation have obviously been addressed. They are the moving of appeals to VCAT, the changes around the acting chair and the capacity to publicly report on regulated markets. Those things are in this bill. But what is not addressed is the issue around the tabling of documents, and that is more a courtesy to the Parliament than anything else. It is not particularly significant, but why not do it when you have the opportunity?

The bill fails entirely to address the issue of codes of practice, and it is entirely unclear to me why the government has responded in the way it has in the report. They have failed to bring in the legislation when they have had the best part of two years to do it. It is not that complicated, I would have thought, to get it right. Finally, and this was explicit in the response, the government has ignored the need for a wideranging review, and that is problematic. That was the number one recommendation of the review panel, and presumably they made it the number one recommendation because they thought it was the most important. Unfortunately the government has chosen to use a form of words which makes it appear as if they are agreeing, but in fact they are not. The opposition will not be opposing the bill.

Mr McGUIRE (Broadmeadows) (18:47) — It is good to hear the opposition will not be opposing this bill, and it does address a number of key propositions. There has been some critique by the opposition lead speaker, the member for Mornington, but I do want to look at the main strategy behind the bill first of all and then drill down into some of the detail.

The proposed changes aim to improve the operation of the Essential Services Commission Act 2001 and the Essential Services Commission (ESC) and implement the government's response to the review of the act. Just to give this some context, the government completed a review of the Essential Services Commission Act 2001 in December 2016. The review and government response were tabled in Parliament on 7 March 2017. The government's response supported a number of governance, procedural and other changes to improve the operation of the act and the commission. So that is the context and how these have come to the Parliament and into this bill.

The proposals in the bill were developed following consultation with various government departments and agencies, including the Essential Services Commission, as well as targeted stakeholder consultation, particularly with participants in regulated industries. So it had widespread consultation with the key stakeholders. And what did it attempt to do? This review is a legislative requirement, so it had to be done. The purpose was to determine whether the objectives of the act and the ESC were being achieved and were still appropriate and whether the ESC act was effective or needed to be amended to further facilitate the objectives of the act and the commission or whether to insert new objectives.

The review concluded that the Essential Services Commission is working well as an economic regulator — that is the first key point — but there is scope to clarify its role and to improve governance, procedural and administrative arrangements. The review made 10 recommendations to address these issues. The government response expressed broad support for the recommendations in the review, supporting nine of these recommendations and supporting in principle one recommendation. To drill down into the detail, four of the recommendations did not require legislative change and hence are not included in the bill.

Recommendation 1 proposed that a more extensive review of the future role of the Essential Services Commission be undertaken. The government supported the intention of this recommendation and proposed to clarify the ESC's role in a statement of expectation, so I hope that addresses some of the concerns raised by the lead speaker for the opposition in his contribution.

Recommendation 4 proposed the ESC publish on its website:

> … a proposed timetable and process … for the review of its charter of consultation and regulatory practice.

The ESC subsequently implemented this recommendation.

Recommendation 6 proposed that the act be amended:

> … to ensure that the timing of the tabling and public release of inquiry reports is consistent with parliamentary protocols.

That is basically standard procedure. The review was concerned that a final report could be released publicly before it has been tabled in Parliament. However, the tabling of documents is not a prerequisite to public release and therefore amendments to the act are not required. So that is where that issue landed.

Recommendation 7 proposed removing 'any unintended limitations to the making of codes of practice' under the ESC act. However, having reviewed the relevant provisions, it is not considered that there are any limitations that would prevent effective new codes of practice being made.

The bill proposes to require another review of the act to be conducted no later than 2026, with the report to be tabled by the first sitting day after 1 July 2027. So that is the next major review.

The bill only addresses the recommendations of the 2016 review and makes a few minor statute law amendments. Measures to address regulatory issues in industries regulated by the ESC, such as gas, electricity and water, will be included in separate, dedicated legislation, so I hope again that answers some of the issues raised by the opposition.

The bill contains a range of minor statute law provisions to tidy up the ESC act that were not proposed by the review. The proposal to abolish the ESC appeals panel arose from the review, and the review noted that this would reduce duplication of resources and continue oversight of the ESC by an independent body. The Victorian Civil and Administrative Tribunal Act 1998 gives the president of VCAT the flexibility to determine the appropriate composition of the relevant VCAT panel, depending on the nature and complexity of the matter. For example, relatively straightforward administrative law and procedural matters will be able to be dealt with by a single member while more complex pricing matters will be able to be addressed by a multiple-member panel with specialised expertise. This will lower costs for applicants for review, improving access to justice, and it is a commonsense way of trying to get the people with the best expertise involved on a case-by-case basis.

The VCAT act allows the Attorney-General to recommend to the Governor the appointment of permanent and sessional members who have special knowledge or experience, including any necessary specialised economic experience. So again that is trying to make sure that there is the right nous and experience in how this is approached to get to the best assessment.

The current scope and grounds for appeal will be retained in the ESC act. Most of the amendments to the VCAT act make equivalent provisions for dealing with procedures such as when a decision of an appeal panel is not unanimous and when a member of an appeal panel becomes unavailable.

In addition, the bill retains existing restrictions on what evidence can be introduced in an appeal to ensure that material before VCAT is limited to the material that was before the ESC at the time of its original decision. The bill retains existing restrictions on the orders that can be made in respect of a final decision and applies them to VCAT.

There is also the proposed inclusion of an explicit reporting power. This again was an issue raised by the opposition. This reflects that the ESC performs an increasingly important role in researching and reporting on the market structure and performance of regulated industries. That is not in the current act but is provided for in other acts and empowering instruments.

Including this function in the ESC act will provide for greater clarity and consistency. It also means that various aspects of the ESC's powers, such as the ability to require information be provided, are explicitly able to be used in support of the preparation of reports.

Summing up, this is a necessary review that had to be undertaken by law. It has occurred. The recommendations are now being implemented. There are some arguments at the margin on this, but we now have a situation where this has been established and there is no direct opposition. I commend the bill to the house.

Mr McCURDY (Ovens Valley) (18:55) — I am delighted to rise and follow the member for Broadmeadows and the member for Mornington in speaking on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. I do not have a lot of time available to me tonight, so I will skip through what I have fairly quickly. This bill amends the Essential Services Commission Act 2001, as we know, and it makes consequential amendments to the Victorian Civil and Administrative Tribunal Act 1998 — the VCAT act — the Accident Towing Services Act 2007, the Electricity Industry Act 2000, the Grain Handling and Storage Act 1995 and of course

the National Electricity (Victoria) Act 2005 and various other acts.

The bill repeals provisions for the commission's specific appeal panels to hear appeals in relation to requirements, decisions and determinations made under the principal act and confers jurisdiction on VCAT to replace the appeals panels. At the same time it allows the minister rather than the Governor in Council to appoint an acting chair of the commission. It also provides for the commission to report on the market structure and performance of regulated industries and provides that the act will be reviewed at the end of 2026.

Certainly the minor changes to the Grain Handling and Storage Act will probably go unnoticed this year. As members would know, the countryside in the Ovens Valley is very dry this year. There will not be very much grain stripped, and what is stripped will come at a premium. Any changes that get made to the Grain Handling and Storage Act will certainly go unnoticed. But my concerns are northern Victoria and the southern Riverina, which are good areas. There is potential there and there is a bit across the Wimmera-Mallee, but at the same time I think we will find ourselves carrying a load for all of Australia, not just the south-east of Australia. We know that East Gippsland is doing it very tough at the moment and there is no end in sight. This will really compromise our dairy industries, along with our beef and our sheep and all who need grain and hay to survive, and that is many of the livestock industries throughout Victoria. The road ahead is long and winding, as we heard in a great song once.

I also want to mention the various changes to the Rail Management Act 1996. Probably it is an opportune time, if we are talking about the Rail Management Act 1996, to remind this government that while they are fixing the Rail Management Act they could also buy some new trains for the north-east line. The 1960 locomotives are tired and broken and the carriages are well past their use-by dates. If we are going to look at the Rail Management Act, maybe those opposite could commit to new trains like the coalition have — $120 million just on the north-east line itself for brand spanking new trains that will be reliable and much faster than what we currently have.

Division 4 of the bill, page 18, talks about and addresses the National Electricity Act 2005. Electricity is a hot topic in Victoria at the moment. Recently I held seminars right across the Ovens Valley with the shadow minister for energy and resources, the member for Caulfield. We covered Cobram, Yarrawonga, Wangaratta, Myrtleford and Bright, and it is clear that the Essential Services Commission has some work to do in this department. We heard of energy increases between 25 per cent and 32 per cent and even greater in some instances.

Some of the concerns I have with the bill are that the bill will amend the Essential Services Commission Act to allow any person to be appointed to act as chair, not just a member of the commission. Another concern I hold is that it allows the commission to publicly report on the market structure and performance of a regulated industry. My concerns are that it is not clear why that power is required.

As I said, the member for Mornington covered this bill very well in his contribution; he is always very thorough. Any opportunities that I have missed I am sure will have been picked up in his contribution, which was very solid. He mentioned that the codes of practice have not been addressed. As he mentioned, we will not be opposing the bill, although we have some concerns about it. There has been consultation throughout the process, and we believe that this bill will go through. Certainly we will not be opposing the bill.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — The question is:

That the house now adjourns.

Orchard Grove Primary School

Mr ANGUS (Forest Hill) (19:00) — (14 986) I raise a matter of importance for the attention of the Minister for Education. The action I seek is for the minister to sort out the power supply situation at Orchard Grove Primary School so that the school no longer needs a diesel generator to generate power to run the school.

Orchard Grove Primary School is a high-achieving, fast-growing local school located in the Forest Hill district. Due to the growth in the school over recent years additional portable classrooms have been required to house extra students. However, due to what appears to be a massive oversight or complete mess-up within the department, the power supply to the school is inadequate to supply power to the additional classrooms.

As a result of this, when the power to the whole school, including the additional buildings, was turned on, houses in nearby streets were being blacked out. The initial solution to this problem was for there to be the almost unbelievable situation of power rationing within the school — that is, for many months, including

during the winter months, there was a timetable in use for staff to know when they could use power in their buildings. For example, the heaters in each block of classrooms would be turned on for a short time to heat the rooms and then be turned off again to enable another part of the school to be heated.

The solution from the department was to provide a so-called temporary diesel generator, which arrived in August 2017. More than a year later the school is still having to put up with this substandard solution. The generator has to be started and shut down each day. With the recent upheaval with school cleaners, I understand that on several occasions the school principal has had to return to the school at night from her home to turn off the generator as the cleaners had forgotten to do so and the neighbours were being disturbed by the noise.

The school has had to spend $10 000 on uninterrupted power supply systems to protect its computer and other equipment from being damaged due to the unstable power supply available. The school was told earlier in the year that the power upgrade would be completed by July 2018. This has not happened, and the almost laughable power situation at the school continues. I have spoken to the school council president about this ridiculous situation, and she, like most parents at the school, finds it almost unbelievable. It proves that in Victoria the so-called 'Education State' is nothing more than a throwaway line on a numberplate. I ask the minister to resolve this situation as a matter of urgency and to advise me when this has been done so that the school can operate like a normal school rather than one located in a Third World country.

Mordialloc freeway

Mr RICHARDSON (Mordialloc) (19:02) — (14 987) My adjournment matter this evening is to the Minister for Roads and Road Safety, and the action I seek is an update from the minister on the progress of the environment effects statement for the much-anticipated and long-awaited Mordialloc freeway.

The Mordialloc freeway is a Labor government project, and it will be delivered by a Labor government. Set aside in the road reserve in 1979, many who have promised to do something about this particular road reserve have come and gone. As our community grows and our suburbs expand, particularly along the bayside area, we need to plan for the future. The Mordialloc freeway is just one part of our solution to get families home safer and sooner. When we think about the fact that the economics of this project are a $4 return for a dollar invested, you wonder why this project took so long to get underway. In the last budget we confirmed that the 9-kilometre road reserve would be a freeway with no traffic lights all the way from the Mornington Peninsula Freeway up to the Dingley bypass. Excitingly, Chelsea Heights and Chelsea residents will be included in that Mordialloc freeway now, with on and off ramps at Thames Promenade.

This is in addition to our work to transform our state. We can look at the level crossing removals in our community: 13 have been removed out of 30 on the Frankston train line. We can look at the Melbourne Metro rail tunnel. I was up there the other day to see those early works and planning get underway. We will be digging this out of the ground next year, 40 metres below the ground and under the city loop. One of the deepest rail tunnels in the world is being built by the Andrews Labor government. That is the solution to our population growth. We can continue to grow, but we have got to manage those priorities and manage livability in our communities.

And then the additional policy of the Suburban Rail Loop will transform our communities, the way we work and the way we live. Excitingly, that happens in the bayside community of Cheltenham. It will start under Cheltenham and run all the way to Box Hill — a 25-kilometre rail tunnel that will connect Monash, connect the Dandenong and Cranbourne train lines, go all the way up to Box Hill and even visit Burwood on the way up there at Deakin University, where I was a graduate. It is exciting, it is visionary and it is bold, and that is exactly what we need in our state in our future. The Mordialloc freeway is just a part of that broader strategy and those broader works to get people home safer and sooner. So I ask the minister for roads to update my community on the progress of the environment effects statement for this wonderful local project.

Victorian Energy Compare

Mr McCURDY (Ovens Valley) (19:05) — (14 988) My adjournment matter is for the Minister for Energy, Environment and Climate Change, and the action that I seek is that the minister resolve the $50 rebate debacle that is causing so much grief for individuals, including pensioners and our most vulnerable Victorians who need the rebate the most.

The minister for energy has tried to hoodwink the Victorian public by setting up another sham process for Victorians to shop around and get better power prices for their homes. A $50 rebate was offered — and personally I do not know anyone who would not want a

free 50 bucks — but constituents are telling me that they cannot access the website. Some do not have the internet, some do not have the skills to go to a library and search and many have just given up after three or four attempts. The minister needs to admit that this is a stunt and has only built up hope for so many and delivered so little for most. Like most of Labor's stunts, this one has backfired on them again.

The action required is that the minister explain to Victorians how she will fix this monumental stuff-up and deliver the rebates she promised.

Kingfield Galvanizing, Somerton

Ms SPENCE (Yuroke) (19:06) — (14 989) My adjournment matter is for the Minister for Industry and Employment, and the action I seek is that the minister join me on a visit to Kingfield Galvanizing in Somerton. Recently the Minister for Energy, Environment and Climate Change toured this local business with me. The business won one of the 2017 Premier's Sustainability Awards for their automated galvanising plant, which produces some of the lowest emissions of any such plant in the Southern Hemisphere. Kingfield Galvanizing have also benefited from being a recipient of one of the Andrews Labor government's Boosting Business Productivity grants. I am sure the minister would be interested in seeing Kingfield Galvanizing's innovative work in action and of course hearing about how they are growing local jobs, and I look forward to him joining me for a visit soon.

Black Rock seawall protection

Mr THOMPSON (Sandringham) (19:07) — (14 990) I wish to raise a matter for the attention of the Minister for Energy, Environment and Climate Change, and the action I seek is that there be a stalling in relation to proposed works to build a rock revetment wall of some 440 metres or so in Black Rock.

I am familiar with a number of foreshore works over the last 30 years which have seen the rebuilding of Hampton beach; the redevelopment of the Sandringham Yacht Club, a very successful project; and sand transported from a Bacchus Marsh quarry to the Edward Street beach. At Sandringham beach there was originally a proposal to build a rock revetment wall, but this move was opposed by the local community owing to concerns regarding the foreshore. The plans were completely changed, and a different proposal was developed to use sand replenishment and the installation of some groynes.

Then a number of years ago there was a proposal by the department to replenish sand at Half Moon Bay. The local lifesaving club had not sought it. The local anglers had not sought it. The local member had not been consulted, and when sand was placed on the foreshore I was grateful for the great work of the former Minister for Environment and Climate Change, the member for Warrandyte, in making an order to remove the sand that was placed there. According to a world expert, Dr Eric Bird, Half Moon Bay saw the natural reticulation of sand within the precinct and no further sand was necessary, and concerns that the boat launch ramp would be jammed did not eventuate.

Moving along the coast, there were sand replenishment works at Mentone. As a result of the channel deepening works we have seen disasters eventuate down near Point Nepean, the loss of beaches and the sandbagging of beaches.

Mr Nardella — Rubbish.

Mr THOMPSON — If the member for Melton was to go on a picnic down there today and aim to sit on the beach, he would not find a beach to sit on.

There have been ongoing problems, and the science of coastal geomorphology is not always an exact science. I urge the minister to cease the works and to engage in worthy consultation with the many earnest and intelligent local stakeholders who want to engage more actively to ensure that other treatments are considered to protect the seawall, to protect the coastline and to enable the precinct to be used by future generations of local residents and in fact all the people of Melbourne — including the member for Melton, should he wish.

Planning buffer zones

Mr NOONAN (Williamstown) (19:10) — (14 991) Tonight I wish to raise a matter for the Minister for Planning. The action I seek from the minister is that he implement the recommendations from his independent planning committee's report on major hazard facilities.

In raising this adjournment matter tonight, I wish to pay tribute to the Save Williamstown group and in particular Charmian Gaud. They have worked tirelessly to put this issue on the minister's agenda. The group are long-time advocates for ensuring that safe distances are kept between new residential developments and major hazard facilities. They worked very hard during the long-running considerations over the woollen mills development in Williamstown and really helped shaped Labor's election policy in the run-up to the 2014 election.

The advisory committee was appointed by the minister to provide advice on land use buffers around major hazard facilities, and really this has in my view gathered the best evidence available because the committee received submissions from right across the community, local government and obviously operators of major hazard facilities and arrived at a report and recommendations which were delivered to the minister in mid-2016. One of the committee's key findings was that there had been an inconsistent approach to considering rezoning of land near major hazard facilities and that greater certainty and consistency was required in this area in the future.

Therefore the action I seek from the minister is that he enact the recommendations from that review and in particular implement a new ministerial direction which would require a planning authority to refer all rezoning applications within the vicinity of a major hazard facility to both WorkSafe Victoria and the Minister for Industry and Employment, who has joined us in the chamber tonight, as part of that decision-making process.

Consumer scams

Mr NARDELLA (Melton) (19:12) — (14 992) My adjournment matter is for the Minister for Consumer Affairs, Gaming and Liquor Regulation. The action I seek is that her department oversight and if necessary investigate, and further if necessary take action, regarding Stop Rent Properties and its principal, Mr John Zadunaisky. This Mr Zadunaisky has changed his name. He was originally called Mr Zadunajsky and was the principal of the deregistered Zadun Homes. Zadun Homes was closed down in 2011, its ABN was cancelled on 11 February 2013 and the company was deregistered on 23 June 2013 because these people were ripping off people and not completing the houses they were building. They were destroying people and these families' lives. They operated rent-to-buy home schemes that ripped off people, took money from them and destroyed their lives. They did not conform to the applicable building codes and constructed shonky homes, many of which they never fully completed.

This Mr Zadunaisky is now back in business after being suspended for three years. He is working in the western suburbs doing this rent-to-buy home scheme again. I personally know families that have been ripped off by this Mr Zadunaisky and who have still not recovered from being ripped off. I warn people contemplating rent-to-buy schemes to consider these schemes in a negative light and not be ripped off by these shonks. This bloke has form and has used a number of entities: Stop Rent Housing operated between 9 December 2005 and 9 December 2011, Zadun Homes operated between 18 January 2000 and 24 February 2008, and Ournuhome operated between 15 February 2006 and 15 February 2009. He has a slick website under the name of Stop Rent Properties, and the department can have a look at this and see the same business model is being utilised by Mr Zadunaisky.

It is important to protect Victorian families, especially with their most expensive purchase. This purchase should set them up for the rest of their lives, but in the past with this character it has been an absolute disaster and has destroyed these people's lives. I will provide the names to Hansard. I ask the minister to keep an eye on this character. I personally know of people who have lost their life savings to this man, and he is operating in the western suburbs.

Roy Dore Reserve, Carrum

Ms KILKENNY (Carrum) (19:15) — (14 993) My adjournment matter is for the Minister for Sport. The action I seek is for the minister to fund the redevelopment of Roy Dore Reserve in Carrum. Roy Dore Reserve is situated in the very heart of Carrum and the pavilion and sports facilities are used all year round by players, affiliate club members and members of the public.

With more than 1400 active members, the Carrum Sports Club at the Roy Dore Reserve is one of the busiest and most community-minded and community-focused facilities in the area. However, they need more space and more changing rooms. Recently the council had to install portable changing rooms just to accommodate overlaps in game fixtures between the junior boys, junior girls and over-35 super rules. I am delighted that Kingston City Council has now allocated $4 million for stage 1 of the Roy Dore Reserve upgrade. However, this is not quite enough. The council still needs some more funding if this project is to get underway, so they applied for state government funding through the Community Sports Infrastructure Fund in the major facilities category.

I absolutely and wholeheartedly support the Roy Dore Reserve upgrade, and I have been advocating for the upgrade for some time. The council's designs for the Roy Dore Reserve upgrade are exciting. They are well thought-out and practical and will enable the clubs to grow, particularly among girls and women — something the club is actively promoting. The plans also offer excellent scope for future staging. I am so very proud to support the project to upgrade Roy Dore Reserve, and I look forward to being able to celebrate the start of the project to upgrade Roy Dore Reserve with the local community. With state government

funding, the upgrade at Roy Dore Reserve will become a reality.

AGL Crib Point gas terminal

Mr PAYNTER (Bass) (19:16) — (14 994) My adjournment matter is for the Minister for Planning. The action that I seek is for the minister to order a full environment effects statement for AGL's proposed gas import plant at Crib Point and the APA Group pipeline between Crib Point and Pakenham. This project has raised significant concern throughout the community due to its likelihood of threatening both Western Port Bay's high natural values and our highly valued farmland, including highly productive market gardens and farming properties along the pipeline route. The community expects, given the scale of this project and the sensitive environment in which it is to be located, the minister to require a full environment effects statement for the floating storage and regasification unit and pipeline.

The risk to Western Port's unique tidal bay and Ramsar wetland is significant and any damage to this valuable ecosystem would affect many local businesses who rely on the health of the bay. It is essential that this project is assessed to the highest environmental standard. In addition to the issues for Western Port Bay there are significant issues for landowners along the pipeline route. I have discussed these issues at length with AGL, APA and departmental staff. Despite the landowners' protests, all parties have refused to show genuine concern.

Maribyrnong River native fish revival project

Mr PEARSON (Essendon) (19:18) — (14 995) I direct my adjournment matter to the Minister for Agriculture in the other place. The action I seek is for the Essendon Fish Protection Society & Anglers Club to meet with the Victorian Fisheries Authority (VFA) to discuss the Maribyrnong River native fish revival project. Recently the Andrews Labor government made an announcement about improving the environment in the Maribyrnong River and specifically conducting fish habitat and population surveys, installing up to 30 woody fish habitat reefs, stocking up to 300 000 native estuary perch and improving land-based fishing access as well as conducting a study of the early fishing history of the Maribyrnong River to traditional owners and our early settlers. I know that Martin Corkhill from the Essendon anglers would most welcome the opportunity to meet with the VFA to discuss this project in more detail.

Responses

Mr CARROLL (Minister for Industry and Employment) (19:18) — I have pleasure in responding to the member for Yuroke on her adjournment matter. It would be my pleasure to come out and visit Kingfield Galvanizing in Somerton to see firsthand why they won the Premier's Sustainability Award for their automated galvanising plant and to support the member in her endeavours to support local manufacturers. I know the member for Yuroke has been a great supporter of the Dulux factory in her electorate and D'Orsogna, the smallgoods meatworks. I would also like to take the opportunity to congratulate Sussex Taps, also in Somerton, on being part of our Victorian Made campaign.

Ms NEVILLE (Minister for Police) (19:19) — A range of members have raised a number of matters for different ministers, and I will pass those issues on.

The DEPUTY SPEAKER — Order! The house now stands adjourned.

House adjourned 7.20 p.m.

Wednesday, 19 September 2018

The SPEAKER (Hon. Colin Brooks) took the chair at 9.33 a.m. and read the prayer.

PETITIONS

Following petitions presented to house:

Canterbury Road, Heathmont

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house that the Canterbury Road, Heathmont, railway bridge needs better pedestrian protection.

Since the Andrews Labor government narrowed Mountain Highway in Bayswater, traffic (especially truck traffic) on Canterbury Road in Heathmont has increased dramatically.

Bad accidents are occurring and the fencing panels, meant to protect pedestrians on the bridge above the rail lines, are constantly destroyed.

The petitioners therefore request that the Legislative Assembly of Victoria calls on state government to have VicRoads urgently replace the fence with something much stronger and safer.

By Ms VICTORIA (Bayswater) (398 signatures).

Destination Queenscliff

To the Legislative Assembly of Victoria in relation to Queenscliffe borough council's proposal for commercial development of Queenscliff's southern headland and the recreation reserve:

We the undersigned residents of Queenscliffe and Victoria submit this petition. We request that the Victorian state government withholds any funding towards the proposed 10 tourist lodgings and the 40-seat cafe/kiosk components of the 'Destination Queenscliff project'. Our reasons for this request include:

The 2014 council-sponsored local community survey overwhelmingly rejected such a proposal in favour of landscaping and low-key improvements sensitive to this iconic headland overlooking Port Phillip Heads.

The proposal is against consistent heritage and environmental advice for the area.

The proposal by using taxpayer and ratepayer monies is demonstrably unfair to the current local hospitality and accommodation businesses.

Genuine and widespread community consultation is required to determine more appropriate uses of the funding.

By Ms NEVILLE (Bellarine) (1080 signatures).

Retirement housing sector

To the Legislative Assembly of Victoria:

The petition of residents of Burnside Retirement Village, Burnside, Victoria, 3023, residents of The Lakes estate, Taylors Lakes, Victoria, 3038, residents of Taylors Hill Village, Taylors Hill, Victoria, 3037, residents of Wantirna Village, Wantirna, Victoria, 3152, residents of Vermont Retirement Village, Vermont South, Victoria, 3133, residents of Cameron Close Village, Burwood, Victoria, 3125 and residents of Knox Village, Wantirna South, Victoria, 3152, draws to the attention of the house the growing issues within the retirement living and assisted care industry. As current residents residing in the above retirement villages we want to know that we can live without fear or worry when something goes wrong and the village owner/operator will not do what they are required to do under the contract or where the contract is vague and ambiguous. It has significantly contributed to the angst and stress that residents have to endure in their twilight years. We have many examples where an owner/operator has not done the right thing by the retirement village residents. We want to curtail the ability of the owner/operator to continue to behave unconscionably as the owner/operator has the benefit of time as well as the might of a corporation to create a protracted environment for a resident that the owner/operator is in dispute with.

The petitioners therefore request that the Legislative Assembly of Victoria appoint, under the Ombudsman Act 1973, an ombudsman for our retirement living and assisted care industry to oversee and to ensure that the rights of elderly, frail and vulnerable residents are protected and that issues between residents and retirement village operators are resolved expeditiously and in a fair and dignified manner for residents.

By Mr ANGUS (Forest Hill) (892 signatures).

AGL Crib Point gas terminal

We, the undersigned, call on the Legislative Assembly of Victoria to reject AGL's proposal to transport liquid natural gas from all over the world to a floating storage regasification unit (FSRU) moored to the Crib Point jetty on Western Port Bay for the following reasons:

1. The potential risk of a significant and devastating fire/explosion event.

2. The potential for ships under 'flags of convenience'; the transporting the LNG to be poorly maintained; staffed with cheap, foreign labour; and bringing marine pests to a sensitive ecosystem.

3. It risks permanent damage to delicately balanced marine life, birdlife, seagrasses and mangroves in an area that is an internationally recognised Ramsar-listed wetland and UNESCO-designated biosphere reserve.

4. Pollution (air, noise and light) contaminating both the immediate and regional communities.

5. The potential negative impact on local businesses dependent on tourism and fishing.

6. Construction of an approximately 60-kilometre pipeline from Crib Point to Pakenham, disrupting landowners and the environment and with its own inherent risks.

By Mr BURGESS (Hastings) (262 signatures).

Gerangamete groundwater

To the Legislative Assembly of Victoria:

This petition of the residents of south-west Victoria draws to the attention of the house the issue of unsustainable groundwater extraction from the Barwon Downs bore field at Gerangamete, Victoria, Australia.

The petitioners request that the Andrews Labor government immediately intervene and permanently stop groundwater extraction from the Barwon Downs bore field at Gerangamete and that no further licence be issued for this unsustainable practice.

By Mr RIORDAN (Polwarth) (512 signatures).

South Barwon and Geelong police resources

To the Legislative Assembly of Victoria:

This petition of residents of South Barwon and the state of Victoria draws to the attention of the house that Premier Daniel Andrews has failed to commit to providing additional police officers as Victoria grows.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria calls on Premier Daniel Andrews to commit to providing additional police for the South Barwon and Geelong community as a matter of priority.

By Mr KATOS (South Barwon) (2929 signatures).

High Street, Belmont

To the Legislative Assembly of Victoria:

This petition of residents of the state of Victoria draws to the attention of the house that the below signed request the Premier to intervene and redirect the proposed bike lanes on High Street, Belmont, to an alternative route.

The present proposal will remove on-street parking, which will adversely impact businesses and local residents' amenity shopping in the precinct.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria call on the Andrews government to reconsider the proposal for bike lanes on High Street, Belmont, saving car parking and ease of access to shops and facilities.

By Mr KATOS (South Barwon) (418 signatures).

Ballarat rail line level crossings

To the Legislative Assembly of Victoria:

The petition of residents of Brimbank draws to the attention of the house the greatly increased numbers of trains and commuter traffic at the Ballarat rail line level crossings at Robinsons Road, Deer Park, Station Road, Deer Park, and Fitzgerald Road, Sunshine West, which is leading to boom gates being down for much of the morning peak, causing havoc on surrounding roads and putting the safety of drivers, pedestrians and commuters at risk.

The petitioners therefore request that the Legislative Assembly of Victoria fast-track the removal of these three dangerous, congested level crossings.

By Ms SULEYMAN (St Albans) (4711 signatures).

Mickleham Road duplication

To the Legislative Assembly of Victoria:

The petition of certain citizens of Greenvale draws to the attention of the house issues relating to the need to duplicate Mickleham Road from Somerton Road to Craigieburn Road. The current road does not meet the needs of the volume of traffic utilising it and is a safety concern.

The petitioners therefore request that the Legislative Assembly of Victoria begin the process of putting into place the planning for and construction of the road.

By Ms SPENCE (Yuroke) (71 signatures).

Tabled.

Ordered that petition presented by member for St Albans be considered next day on motion of Ms SULEYMAN (St Albans).

Ordered that petition presented by member for Hastings be considered next day on motion of Mr BURGESS (Hastings).

Ordered that petition presented by member for Bellarine be considered next day on motion of Ms COUZENS (Geelong).

Ordered that petition presented by member for Bayswater be considered next day on motion of Ms VICTORIA (Bayswater).

Ordered that petition presented by member for Forest Hill be considered next day on motion of Mr ANGUS (Forest Hill).

Ordered that petitions presented by member for South Barwon be considered next day on motion of Mr KATOS (South Barwon).

Ordered that petition presented by member for Polwarth be considered next day on motion of Mr RIORDAN (Polwarth).

PARLIAMENTARY DEPARTMENTS

Report 2017–18

Ms THOMSON (Footscray), by leave, presented reports of Department of the Legislative Assembly and Department of Parliamentary Services.

Tabled.

DOCUMENTS

Tabled by Acting Clerk:

Auditor-General:

Delivering Local Government Services — Ordered to be published

Managing the Environmental Impacts of Domestic Wastewater — Ordered to be published

Security and Privacy of Surveillance Technologies in Public Places — Ordered to be published

Ombudsman — Report 2017–2018 — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 119

Victorian Law Reform Commission — Review of the *Victims of Crime Assistance Act 1996* — Ordered to be published.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the house dated 24 February 2015:

Prevention of Family Violence Act 2018 — Whole Act — 4 October 2018 *(Gazette S433, 18 September 2018).*

JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

MEMBERS STATEMENTS

Albert Park electorate infrastructure

Mr FOLEY (Albert Park) (09:39) — As this will be the last opportunity in this Parliament, subject to the will of the people of Albert Park, I just want to take this opportunity to reflect on the amazing, successful investments that this government has undertaken in my community: two brand-new schools, noting of course that four had been closed in the Kennett years; record investment in at least 11 other education programs in my community; ambulance and response standards in the South Melbourne ambulance station up to record high levels; reinvestment in health in the Alfred hospital with nurses, doctors and any number of assistant support services; record investment in trams, including 40 new E-class trams; and the Melbourne Metro Anzac station in my community.

And of course we have had record investment in police and support services; the rolling out of CCTV in three different areas in St Kilda for the very first time ever; the investment of $15 million in the Pride Centre as the hub of revitalising Fitzroy Street; the wonderful $20 million-plus reinvestment in the Palais Theatre to bring it back to its former glory; and of course particularly at the western end of the electorate the efforts to undo the mess that those opposite left us at Fishermans Bend and making sure that the investment there delivers the kind of things that Victorians expect from their government — that is, clear opportunities for future growth in jobs, education and health.

Car sharing

Mr HODGETT (Croydon) (09:41) — With Melbourne's population continuing to grow rapidly, in turn resulting in more vehicles on our roads and worsening congestion, new and innovative ideas are needed right now to ensure people can continue to move efficiently across the city, thus reducing the risk of a looming urban mobility crisis. To this end I was pleased to recently meet with Car2go, the mobility arm of Mercedes, who are looking to invest significantly in Victoria, and whose plan to introduce a new concept of free-floating car sharing in Melbourne could hold an important key to tackling some of our city's biggest congestion challenges.

Free-floating car sharing is an innovative technology with a smart operating model that improves cities by enabling users to pick up and drop off vehicles at any location. This would offer Melbourne a transport alternative to supplement existing transport systems and reduce inner-urban vehicle congestion. Free-floating car sharing also offers a good opportunity for a practical pathway into a sustainable, low-emission urban mobility future through the accelerated uptake of electric vehicles.

This is an initiative which should be encouraged and supported by government. If the Premier was serious about reducing congestion on our roads, he would foster an environment to facilitate car sharing through the creation of relevant regulatory frameworks, such as

issuing relevant exemptions or permits, and work with all stakeholders and levels of government to ensure its fruition. Enactment of these reforms would support stated commitments to reduce our state's emissions, reinforce Victoria's status as an innovation hub and enable the effective deployment of free-floating car sharing in Victoria as part of an integrated and equitable world-class transport system.

South Croydon Football Club

Mr HODGETT — On another note, I wish the South Croydon Football Club all the best for the reserves and seniors grand finals of the Eastern Football League division 1 at Bayswater Oval this Saturday — go the South Croydon Bulldogs!

Melton Highway, Sydenham, level crossing

Ms HUTCHINS (Minister for Aboriginal Affairs) (09:42) — I rise to say how proud I am that the Andrews Labor government has delivered the removal of the Melton Highway level crossing in my electorate of Sydenham. The level crossing used to slow down about 100 trains and add about 30 minutes of travel in peak times to the almost 40 000 cars that use the level crossing every day. My community and I campaigned over many years to have this crossing removed because it was such a danger to our local schoolkids, and I am excited that the project is almost complete.

Work on the new six-lane road bridge over the Sunbury and Bendigo rail lines is almost complete, with two lanes in each direction currently operating. We have also added bike lanes, footpaths, lighting and artwork. This project has created many jobs. I thank BMD Constructions for the hard work and commitment of all the construction workers involved, who, by the way, used Australian steel and recycled bricks from the Melton area to create an earth wall.

I would also like to thank the stakeholder liaison group, a group of committed local residents who used their voices to help deliver this project and raise community questions and suggestions. I thank the Minister for Public Transport and the Level Crossing Removal Authority for their prompt delivery of this project. And to all the commuters who patiently travelled through and around this level crossing during construction, I thank you for your patience, and I look forward to celebrating on 6 October on our community day.

Benalla roads

Ms RYAN (Euroa) (09:44) — I call on the Andrews government this morning to invest in the infrastructure that we need to support the increase in traffic and activity in and around Benalla as a result of the Lima South precast concrete plant. Williams Road, which connects the Midland Highway to the Lima South Quarry, will be seeing 140 trucks travelling up and down every day, and local residents are already feeling the wear and tear as a consequence of that. There are also significant concerns about the safety of the intersection of the Midland Highway and Williams Road and the intersection of Murrays Road and the Yarrawonga road closer to the plant. The government also needs to do everything it can to ensure that those jobs are filled locally, and there is some concern at the moment that that is not happening.

Ray Cronin

Ms RYAN — I am delighted this morning to offer my congratulations to Ray Cronin of Mangalore, who was recently awarded the Col Pay Award for a Lifetime of Service to General Aviation. Ray started flying in 1976 and is a very well respected member of Australia's helicopter industry and a much-loved member of the Mangalore community. Ray has been chief flying instructor and managing director of Kestrel Aviation, based at Mangalore Airport in my electorate, for more than 30 years. He and his wife, Eleanor, are active and generous members of our community, and this award is extremely well deserved.

Euroa electorate roadside vegetation

Ms RYAN — I am also calling on the government to manage roadside vegetation along major roads, which farmers, motorists and landholders in my electorate are very concerned about.

Bob Pearman

Mr NOONAN (Williamstown) (09:45) — I rise today to pay tribute to one of Williamstown's most loyal and committed servants, Bob Pearman, who last week passed away peacefully in his sleep. Most of Williamstown would be familiar with Bob's smiling presence at local sporting events, but what many would be unfamiliar with are the decades of dedication Bob poured into his beloved community.

Bob was a proud member of the Williamstown Football Club for almost half a century. A fiercely loyal clubman, Bob laced up the boots and played wherever his club needed him, and his voluntary roles included team manager, club secretary, board member and committee member. His dedication to the club saw him immortalised as a life member.

Bob was also a strong supporter of our local veterans community, acting as an office-bearer for the Williamstown RSL. It was in this capacity that I had the great pleasure of getting to know Bob personally. After the Williamstown RSL was forced to close its doors, Bob was among a core group of people who rallied together to ensure that a dawn service continued to occur on Anzac Day.

Until his passing, Bob had been an active member in a very small steering group that was working to revive an RSL presence in Williamstown, and I was proud to work with him in this capacity. Above all, Bob was a friendly, loyal and decent man. As much as anyone could, Bob loved his community, and his community certainly loved him. Vale, Bob Pearman.

Brighton electorate traffic management

Ms ASHER (Brighton) (09:46) — I wish to draw to the house's attention the increasing negative impact of housing development construction on the general public. In Brighton streets and sections of streets are completely blocked off to enable vehicles used by private construction companies to do what they want to do. I clearly support the private sector — I am a member of the Liberal Party; private enterprise makes the world go around — but in previous times private construction companies bore the cost of their own construction and would wait for the streets to be clear of traffic before entering. Now it is the general public who are bearing the cost of construction by being slowed down, diverted or completely blocked off. This is not just for a one-off concrete pour, which I think the public would understand; this is ongoing daily blockage of roads, inconveniencing the public on an ongoing basis. Councils should not be giving permits to allow it, and it should be stopped.

Solar homes package

Ms ASHER — I want to make reference to a recent government announcement I saw in a newspaper regarding the government's intention to protect solar panels from an encroachment of sunlight. It strikes me as very odd that the government will allow construction right up to the fence line so human beings lose their sunlight, but they will protect solar panels. We are living in a world where solar panels have more rights to sunlight than humans do.

2018 Macedon Ranges Youth Awards

Ms THOMAS (Macedon) (09:48) — Congratulations to Kyneton firefighter Jessica Cockerill-Wright on taking out the community leadership award at the 2018 Macedon Ranges Youth Awards. A bushfire that threatened her house as a child inspired Jess to join the Kyneton fire brigade in 2008 as a junior, where she has worked her way through the ranks. This year Jess became the Kyneton fire brigade's first female officer in its 134-year history, being promoted to lieutenant after 10 years of service with the brigade and the most highly ranked of Kyneton's 13 female members. Jess is a high achiever, having previously been named the 4th Year Apprenticeship Electrician of the Year at Bendigo TAFE.

Congratulations to Romsey's Janelle Spinks for collecting the award for individual academic excellence. Janelle graduated from Kyneton Secondary College in 2017 with an Australian tertiary admission rank (ATAR) score of 94 and numerous outstanding excellence awards, before being accepted into a bachelor of science degree at Melbourne University. Another outstanding female role model, Janelle is now an inspiring mentor to countless students within the traditionally male-dominated field of science.

Congratulations to the other award winners: Ties Urie, Shaylyn Blyth, Jackson O'Neill, Hayden Muir, Shannon Dawson, Alex Hanlon, Tamika Stanley, Kyle Stores, the Cowboys and Angels Dance Academy, Kenny and Mitch, the Kyneton community soup kitchen and the Gisborne Secondary College year 7 girls netball team.

Maddy Stewart

Ms THOMAS — Congratulations to champion netballer Maddy Stewart on winning the Bendigo netball league's best and fairest award, the Betty Thompson Medal, and all the best to you and the Gisborne team in the grand final against Sandhurst this Saturday. Go Bulldogs!

Vermont Primary School

Mr ANGUS (Forest Hill) (09:50) — Last Friday I was delighted to be joined by the Leader of the Parliamentary Liberal Party at Vermont Primary School to announce that an elected Guy government will commit $4.8 million towards the much-needed rebuilding of the central administrative and classroom buildings at the school. At the 2014 state election the previous Liberal government committed $4.5 million in funding for this high-achieving school. In 2015 the newly elected Andrews Labor government refused to honour that commitment, and students and staff have had to put up with deteriorating facilities.

Orchard Grove Primary School

Mr ANGUS — Recently I had the great pleasure, together with the shadow Minister for Education, of attending Orchard Grove Primary School to announce that a Matthew Guy-led Liberal-Nationals government will commit $2.3 million to upgrade staff and administrative facilities at the school, as well as improve the toilet facilities for students and staff. Despite my having raised this issue with the Minister for Education in Parliament on several occasions and petitioning for the infrastructure improvements, the Andrews Labor government has not addressed the needs of the school.

Bronwyn Fooks

Mr ANGUS — I was delighted to attend a morning tea at Benwerrin Kindergarten recently to celebrate the amazing milestone of 30 years service for kinder teacher Bronwyn Fooks. It was a great celebration, and I congratulate and thank Bronwyn for her outstanding service, during which time she has taught an estimated 2000 children.

The Avenue Neighbourhood House

Mr ANGUS — I was delighted to attend the 35th anniversary celebrations for The Avenue Neighbourhood House at Eley last week. Congratulations to everyone involved in the house over that time.

Eastmont Preschool

Mr ANGUS — I was delighted to attend the 50th anniversary celebrations for Eastmont Preschool on the weekend. Congratulations to everyone involved in the preschool over that time.

St James Primary School, Vermont

Mr ANGUS — I was pleased to attend the St James Primary School art show recently. The art on display was outstanding, and I congratulate the students on their work and the teachers involved in organising this tremendous event. I also congratulate the school choir on its excellent performance at the official opening.

Hazel Glen College

Ms GREEN (Yan Yean) (09:51) — Last week I got to be a guest judge at the Hazel Glen College junior school house performing arts day, together with founding principal, now retired, Daryl 'Furzy' Furze and acting school principal Anthony Stockwell. The junior school has over 1100 students, and each and every one of those students from prep to grade 4 was involved in an outstanding day of music, fun and frivolity.

The houses competing were Chang House, Beachley House, Goodes House, Stynes House, McGrath House and Wood House. Each of the houses covered a decade of music, either the 1950s, 60s, 70s, 80s, 90s or 2000s. The overall winner was Goodes House, which did a fabulous performance from the 70s. Every student participated, and it was outstanding. Each of the houses had staff participation, but my outstanding favourite was Anthony Palazzolo for Goodes House. He was dressed as a mirror ball — an outstanding effort. Best costume design went to Goodes House, best props to Beachley House, best hair and make-up to Stynes House, and best teacher performance to Beachley. Thank you to Anthea Jamieson, the junior school principal, and Jarrod McGough, who organised such a great event.

Mernda Central College

Ms GREEN — Last week I also attended Mernda Central College for R U OK? Day. This is an outstanding school that is looking out for the mental health and wellbeing of all its students, especially LGBTIQ students, and I urge those opposite to —

The SPEAKER — The member for Northcote.

Northcote electorate

Ms THORPE (Northcote) (09:53) — In this final week of the 58th Parliament of Victoria I want to take the opportunity to thank the people of Northcote for putting their trust in me as their local member. With this privilege I have worked hard to represent our values and stand up for the issues that matter. We have had highs and lows. I was disgusted by the so-called progressive Labor government's introduction of mandatory sentencing and racially vilifying 'tough on crime' laws — so regressive. I also found it really tough as an Aboriginal person to be in the chamber while MPs from both major parties voted against recognising Aboriginal sovereignty in the treaty legislation.

But I am honoured that I have had the chance to use this platform to support residents and grassroots communities to organise and have their voices heard on local issues such as school underfunding, poor planning, the public housing sell-off, proper sports facilities for women, renters rights and lack of community consultation on transport projects.

I am also so grateful that I have been able to have Aboriginal voices amplified on crucial issues, including

treaty, where elders are finally being heard; compensation to the stolen generation, where survivors are again finding the strength to speak out; and on child removals, where I am supporting grandmas to organise to change the system. I am proud to have achieved these things, and I am determined to continue this work in the next Parliament.

Felicitations

Mr J. BULL (Sunbury) (09:54) — We are a government that gets things done. We are a government that puts people first and delivers for all Victorians, but none of those many significant announcements and achievements over the past four years would have been possible without the hard work of so many. I would like to take this opportunity to acknowledge the incredible leadership of the Premier, the Deputy Premier, the Leader of the House in this house and the Leader of the Government in the other place, cabinet ministers, caucus colleagues, ministerial and Premier's staff, as well as electorate office staff right across the state.

I would also like to thank Jarrod, Adam, Mik, Jules and Almendra from my office, who have worked very hard over the past four years, and the team at headquarters: Sam, Kos, Stephen, Nicola, Kareem, Simon and Jas. I would also like to acknowledge the countless supporters and volunteers, including Brad, Spiro, Cheryl, Sharon, Peter, Doug, Jordan, Andrew, Shannon, Matt, Matthew, Lachlan, Sam, Kylie, Ryan, Justin, Paul, Tim, Ross, Peter H., Josh, Ann, Catherine, Phil, Peter J. and so many more. Without the work that all of these supporters have done in our local community, none of the significant announcements and achievements would have been possible.

I would also like to thank everybody in this house who makes the Parliament tick: Hansard, the clerks, the attendants, catering and library staff, and security. I would also like to thank my family and friends for their wonderful support over the past four years. Mum and Dad, you are both an inspiration to me. And Jas, thank you for being there every step of the way.

Labor-Greens coalition

Mr McCURDY (Ovens Valley) (09:56) — As the 58th Parliament draws to a close I request the Premier tell the Parliament if he plans to go into a coalition with the Greens party should he not win enough seats in the lower house to form government. Victorians should be reminded that the Premier looked down the barrel of the camera on the eve of the last election and promised Victorians that there would be no new taxes, and he has broken that promise and deceived Victorians. So I ask the Premier: will he or will he not negotiate government with the Greens? If the answer is no, will he commit this position to paper as a legal binding contract? Victorians can never trust Labor again after the deceit that has taken place under this corrupt government, and I request the Premier to commit to his decision in writing.

Ovens Valley electorate football and netball clubs

Mr McCURDY — Congratulations to all football and netball clubs in the Ovens Valley electorate as the 2018 season draws to an end. Some made finals, some did not, but the main thing is that our volunteers, sports heroes and everyday mums and dads and local people have worked tirelessly to ensure that we continue to have local sport in our larger and smaller regional communities. I particularly want to congratulate the new inductees to the Ovens & King Football Netball League hall of fame and life members.

Ovens Valley electorate

Mr McCURDY — The Ovens Valley region will thrive if the Liberal-Nationals form government at the upcoming election. My commitments to our towns and communities include Yarrawonga Health, Wangaratta High School and community sporting needs, a new Country Fire Authority station in Myrtleford, soccer clubrooms in Cobram and a whole host of other announcements to support the scouting movement, and there will be more to come. Labor has thumbed its nose at regional Victoria, unless of course you live in Bendigo, Ballarat or Geelong. The rest of Victoria wants its fair share and will only get that from a Liberal-Nationals government, not a Labor-Greens government — #LaborMustGo.

Rugby League centre of excellence

Mr McGUIRE (Broadmeadows) (09:57) — Melbourne Storm's field of dreams is Broadmeadows. Under a landmark deal the Andrews Labor government will invest $12 million to build a Rugby League centre of excellence in a community that loves its league and has already produced a star for Melbourne Storm. The centre will include new playing fields, high-performance facilities and an administrative base for National Rugby League (NRL) Victoria. It will provide Victoria with a new hub for Rugby League programs and a venue for training and camps at a national and state level.

I also want to congratulate the federal Labor leader, Bill Shorten, who this week announced a further commitment of $1.1 million to this centre. It is because

Rugby League in Victoria has experienced enormous growth over the past decade, with participation rates increasing by more than 300 per cent. This investment by hopefully a federal Labor government will also help the women's facilities because this has prevented them from bidding for an NRL women's licence this season. This facility will remove that roadblock.

This comes at a great time. I wish Melbourne Storm all the best in their attempts to win another championship — a fitting farewell to one of the game's all-time greats, Billy Slater. I also look forward to the captain, Cameron Smith — who has already travelled through schools in Broadmeadows with me — again being out there inspiring the next generation of boys and girls to be the best players and world champions in the field of dreams in Broadmeadows.

Tallangatta and district football and netball finals

Mr TILLEY (Benambra) (09:59) — September in Benambra district is finals time. Last Saturday took me to Sandy Creek for the Tallangatta and district footy and netball deciders. Four grades of footy and six grades of netball saw a spread of winners — from Yackandandah in the under-13s netball to the Wahgunyah Lions in the junior football. In A-grade netball Tallangatta levelled the scores with just 6 seconds to go and then drew away in extra time to beat Kiewa Sandy Creek. There was some consolation for the Hawks in the footy: they dominated to win by more than six goals. As good as the games were, it is the crowd that impresses me every year, with huge numbers all around the boundary.

There were also big turnouts at soccer and hockey finals. Wodonga Diamonds and Twin City took cup titles in the Albury-Wodonga Football Association, but Wodonga had a lean time at the hockey, beaten in three finals, while the Corowa-Rutherglen United side won division 2 and the under-16 boys. It was a great celebration of grassroots sport.

It also reminds me of the inequity in this government's approach to sport. This rorting Labor government gifted a quarter of a billion dollars to the AFL for a ballroom but asks community sporting clubs to take out a loan. That will not happen under a government led by the Leader of the Opposition.

Geelong electorate office opening

Ms COUZENS (Geelong) (10:00) — I want to thank my community of Geelong, the Premier, Corrina Eccles, Norm Stanley and the Deadly Dancers for their participation in my official office opening on Friday evening. Over 150 people came along and had the privilege of watching the significance of the smoking ceremony, the welcome to country and traditional dance. I was honoured to have them share their culture with all of us on the night. My new office is now officially open.

Carbon Revolution

Ms COUZENS — Last Friday I had the pleasure of joining the Premier and the Minister for Industry and Employment at Carbon Revolution in Waurn Ponds to announce the company's $100 million expansion, which will create 500 new jobs and cement Victoria as a manufacturing powerhouse. The project will almost triple Carbon Revolution's existing workforce and increase production capacity from 10 000 to more than 150 000 wheels a year. Carbon Revolution manufactures one-piece carbon fibre wheels, which are lighter, reduce noise and vibration and improve acceleration compared to metal wheels. The company is the first manufacturer in the world of a commercialised one-piece carbon fibre wheel, and its new facility will allow it to scale up production to meet global demand, including supplying wheels for Ferrari.

The Premier also used the visit to launch the Labor government's new Made in Victoria campaign, which will promote Victoria's manufacturing industry and urge Victorians to buy locally made to support local jobs. This is a massive vote of confidence in Geelong. These are high-tech, secure jobs that will help the local economy continue to prosper.

East–west link

Mr WATT (Burwood) (10:01) — Recently we passed the fourth anniversary of the most expensive lie in history. Four years ago the Premier relied on so-called high-level legal advice regarding the east–west link contract. He claimed the east–west link contract was not worth the paper it was written on. That cost Victorian taxpayers $1.3 billion, the most expensive lie in Victoria's history. Only a Liberal government will build both the east–west link and the north-east link to get Victoria moving.

Parkhill Primary School

Mr WATT — It was great to attend the Parkhill Primary School concert *The Little School on the Hill*. I am proud to have played a part in the true story of the school rebuild that inspired the performance. Thanks to the member for Nepean, who assisted with the

commitment of funding for this project. Wonderful kids, a wonderful concert, a wonderful school.

Democratic government

Mr WATT — Sometimes we forget that in many other countries governments are not able to be changed by people or a change of government can lead to disaster for their populations. Sometimes individuals' differences of opinion are not even able to be openly expressed. Sir Robert Menzies stated in 1940:

> In a democratic country there is no source of power which equals the popular will, and there is no leadership so effective as that which has the express backing of a popular majority.

As a participant in our democratic process I can attest to these words, and at the same time I also can attest to the vibrancy and success of our democratic system of government. That we can come together and fully debate issues which we are passionate about without resorting to repression or violence is a reflection of the health of our political system.

Bentleigh electorate

Mr STAIKOS (Bentleigh) (10:03) — As this is the final sitting week before the election, I wanted to take this opportunity to reflect on some of the significant achievements in the Bentleigh electorate over the last four years. We removed level crossings at Bentleigh, McKinnon and Ormond and rebuilt the stations. We invested more than $60 million in upgrading schools in the electorate, and we will build a second campus for McKinnon Secondary College. We have made massive investments in local sport. There are too many different individual projects to list, but we are particularly focused on making sure that our sports facilities can accommodate female participation — and we are proud of it.

We expanded the Moorabbin Hospital to be able to care for an extra 50 000 patients each and every year. We built Southland station and have funded a new 627 bus route, due to start in 2019. We are building a much-needed hydrotherapy pool for local people who need it, to be located at Moorabbin Reserve, the home of St Kilda Football Club — and we also brought the Saints back to Moorabbin. We have introduced mandatory height limits in Bentleigh. We have rebuilt Holmesglen TAFE Moorabbin and invested heavily in skills.

I want to take this opportunity to thank my staff for their hard work in serving the people of Bentleigh — Robyn Dale, Edward Broadbent, Tobi Rosengarten and Pam Cupples — and also to wish all retiring members all the very best for the future.

Public land use

Ms STALEY (Ripon) (10:04) — Last Sunday I attended the Prospectors and Miners Association of Victoria's annual general meeting in Beaufort. Despite repeated requests from that group, neither the Labor candidate nor the Greens candidate for Ripon was there. It is clear that the Pyrenees community does not support the establishment of either the Pyrenees national park or the Mount Buangor national park, which are recommended in the draft Victorian Environmental Assessment Council report. This is because of their impact on local bush users. The Liberal-Nationals do not support the creation of these two parks given the view of the community. It is imperative that any investigation to change the management of Crown land appropriately considers the economic and social impacts on the local community. These impacts need to be considered in addition to the cultural and environmental values of public land.

In respect of that report, what we have got recommended is a reduction from 33 000 to 10 000 hectares of state forest. That is a 68 per cent reduction that would remove hunting, forestry, dog walking, prospecting and some horseriding, and it would restrict apiculture. These are core activities for so many people who live around the Pyrenees region and who visit the Pyrenees region. In fact they are a core part of the economy there.

Victorian Multicultural Awards for Excellence

Ms GRALEY (Narre Warren South) (10:06) — Melbourne truly is a city of migrants, with some 2 million living in our city and millions more who are of course the children of migrants. It is a story that many Victorians share. I myself am a descendent of migrants who came to this country from Mauritius seeking a better life for their family.

Magor Hailu, a man from my electorate, knows this story all too well. He faced years of abuse in his home country of Eritrea and faced even worse conditions after fleeing to a refugee camp in Ethiopia where he received multiple death threats. Thankfully I was able to help Magor secure a visa that would allow him to move to Australia and ensure that his future children will have a better life. After Magor had moved here I received a card from him informing me that he had found a job, bought a car and was finishing his certificate IV in disability. I was so glad to see that he

was finally safe and happy and was making the most of his new life. He was grateful.

I was very fortunate to be able to attend the 2018 Victorian Multicultural Awards for Excellence last week and was very impressed by the hard work and achievements of all who ensure our state remains welcoming to newcomers, and inclusive and harmonious for all. Victoria is widely known for its successful brand of multiculturalism and how it is commonplace in our lives. But this does not happen on its own; it takes the commitment and collective goodwill of many.

Congratulations to our local recipients: Naureen Choudhry for her dedication to intercultural and interfaith understanding; Nurten Kim Hasan for her work as president of the Hampton Park Turkish seniors group — I also make a special mention of Nurten's husband, Geoff; and to the Australian Hazara Women's Friendship Network for its work towards integrating Hazara women into the Australian community through English literacy and life administration programs. To all newcomers to Victoria, I say welcome — wominjeka.

Bass electorate

Mr PAYNTER (Bass) (10:07) — It has been my honour to serve as the member for Bass over the past four years, and I am hoping to get the opportunity to serve the good people of Bass for another four years after the election on 24 November. I have been advocating strongly and delivering big projects such as the Wonthaggi Hospital, the new secondary school and basketball courts at Wonthaggi, the duplication of Pakenham–Koo Wee Rup Road, roundabouts at Woolamai Beach Road and the road to Smiths Beach, traffic lights in Wonthaggi and for John Henry secondary school and getting a commitment for the duplication of the McGregor Road level crossing, new ramps for the Princes Freeway, new police and Country Fire Authority stations at Clyde North, the removal of the roundabout at the intersection of Bald Hill and Racecourse roads in Pakenham and the Clyde railway line extension.

Equally it has been the smaller projects that have been so important to local people that have made this job so rewarding to me and have meant so much, such as helping Walter at Wonthaggi recycling get his licence reinstated, getting the school speed zone reduced outside Bass Valley Primary School, getting a new surf lifesaving tower at Smiths Beach, getting a new men's shed at Inverloch, getting the multimedia screens replaced at Koo Wee Rup Primary School, helping the Sikh community in Pakenham find a new home and getting the Parliament White Ribbon accredited. I have enjoyed every moment in this privileged position, and I look forward to continuing in the role.

Felicitations

Mr PEARSON (Essendon) (10:09) — It is an absolute joy to be here on the penultimate sitting day of the 58th Parliament. It is wonderful to be here on the Treasury bench side as a member of the Andrews Labor government, delivering good, progressive government to the state of Victoria.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2018–19 and end-of-term report

Mr MORRIS (Mornington) (10:09) — I rise this morning to make some comments on the budget estimates 2018–19 report from the Public Accounts and Estimates Committee, which was tabled yesterday, and with the chair's indulgence, some comments on the end-of-term report, which was also tabled yesterday. With regard to the estimates report, it contained 21 recommendations. While I accept that committee recommendations are not top of mind for most members at this point in the parliamentary cycle, I do commend them to the members of the next Parliament.

There is also a minority report that I want to refer to in more depth. As members are aware, the Andrews government failed to meet its election commitment to introduce a Senate-style estimates process. The committee, however, did change the manner of questioning from strict rotation to blocks of time, but that change in questioning pattern was not accompanied by a change to time limits because of the constraints on the committee timetable. Senate hearings are conducted without time limitations and that provides a significant advantage, because ministers or senior public servants do not have the opportunity to filibuster or run down the clock without actually answering the questions or providing the information sought. In this year's hearings there were numerous examples of that tactic being applied. While I do not advocate a significant expansion to the scale of the Senate estimates in terms of time — that is not warranted — it would be helpful to have more flexibility around this.

Another issue around time limits is that they provide an opportunity for some members to run down the clock by raising frivolous points of order or by interjecting loudly in an attempt to disrupt hearings, thereby requiring the chair to interrupt witnesses in order to

regain control of the hearing. Those tactics do raise the level of aggression in the room, and they also diminish the opportunity for the committee to undertake its work effectively. The application of the Assembly standing orders does not enable those issues to be addressed. I know from my experience on both sides of the chair that they just do not allow those issues to be addressed, so I think consideration should be given to developing a separate set of standing orders for public hearings of parliamentary committees. These are known issues, and I am sure they could be dealt with effectively.

Another matter I want to raise with regard to the estimates relates to responses to questions on notice. Most ministers endeavoured to provide the information that they promised at the hearings. Some did not provide full information, but when they were asked to be more fulsome, they did so. The Minister for Regional Development, however, was asked to provide an estimate of grant funding unallocated as at 30 June 2018. The minister responded that the grants allocated would be outlined in Regional Development Victoria's (RDV) annual report. That level of detail has not been provided in the past in RDV's annual report, and in any case the annual report is published months after the committee has concluded its work. I think it is important that the committee is able to undertake its duties unencumbered and that the level of scrutiny required by the Parliament is achieved. I would advocate for some change in that area as well.

With regard to the general work of the committee, it held 201 public hearings and 73 committee hearings. There is no accounting for hours, and I do not really want to see the figure; it would be frightening. Sixteen reports were tabled, including the outcomes reports. Of course I have spoken before about the public hearings with regard to those, and I commend a continuation of those public hearings for future committees.

In addition to the usual work, the committee made recommendations for the appointment of an Auditor-General, which was unanticipated, and an inaugural Parliamentary Budget Officer (PBO). I congratulate Andrew Greaves on the work he has done with the Victorian Auditor-General's Office. He had a big task, and I think he has acquitted it exceptionally well. With regard to the PBO, that is a contested space, but I want to acknowledge Anthony Close. I think he has vindicated the choice of the committee, and I certainly wish him well.

There was also a significant change to the manner in which the committee secretariat operates. It is very different now to that which existed at the start of the term, and I congratulate Dr Caroline Williams on the work she has done. It is very much now a fit-for-purpose secretariat, and I want to acknowledge that. I also acknowledge Phil Mithen, a former Clerk of this house, who stepped up as acting executive officer and acquitted himself exceptionally well.

In the remaining time I have available I acknowledge the other members of the committee from both sides of the house. It is, as I said, a contested space. It can be fairly aggressive, but despite the theatrics of the estimates hearings, we have managed to discharge our duties as effectively as the Parliament would want. I particularly acknowledge the chair of the committee for the manner in which he has conducted the hearings.

Public Accounts and Estimates Committee: budget estimates 2018–19 and end-of-term report

Mr PEARSON (Essendon) (10:14) — I too rise to speak on the *Report on the 2018–19 Budget Estimates* and also on the end-of-term report for the 58th Parliament. I think the member for Mornington and I will agree on some things and disagree on other things in terms of the reforms that have been instituted in budget estimates.

Certainly I think the way in which estimates hearings are conducted with the introduction of an allotment of time for the taking of evidence is a vast improvement on what was previously the case. I would disagree with the member for Mornington: I would say that this acquits our election commitment. I note the member's indication that in the case of Senate estimates hearings there are no time limits, and that is indeed correct. What I would say in response to the member for Mornington, however, is that this year we had, I think, just shy of 60 hours of hearings, or thereabouts. The size of the Victorian budget is about one-tenth of the size of the commonwealth budget, so if you think about this in a proportional sense, we have got 60 hours of hearings to scrutinise our budget. If you were to have a similar level of scrutiny applied to the commonwealth budget, you would be looking at 600 hours. I do not know how long their hearings go in Senate estimates, but I do not think it would be 600 hours. So I would say that in a proportional sense it is certainly the case that there is more scrutiny in a dollar sense here than federally.

I take the point the member made about points of order. This is not a reflection on the member for Mornington, because despite the member for Mornington and I disagreeing from time to time, there is no doubt that he is a very hardworking member. He always comes to committee hearings well prepared, and the thing about the member for Mornington, I have learned, is that he

has got the capacity to think on his feet and he has got the capacity to ask a series of questions and prosecute a line of questioning. I think if you look at the transcripts, the number of times where points of order were raised against the member for Mornington and were sustained was quite small.

That is not always the case with other members of the opposition. There were certainly other members of the opposition who were not particularly well prepared for hearings, who are not particularly quick on their feet, who are not able to respond to a line of questioning and who are not able to really prosecute a line of thought and reasoning. That would be my observation as the chair of the committee. Obviously where you have instances where members are doggedly pursuing a line of inquiry in a way that is not particularly nuanced or sophisticated — again, I make the point that this is not the case for the member for Mornington — then invariably points of order will be raised and they will be sustained. I guess if you want to be a member of the Public Accounts and Estimates Committee, if you want to participate in estimates hearings, you have got to bring your A game for every hearing. It would be my observation that over the course of the 58th Parliament that was not always the case for members of the opposition.

In the brief time I have got left, members will note that the *Report on the 2018–19 Budget Estimates* is a slimmed down version of previous reports. That is partly because of time. We had to try and get this report tabled because of the upcoming prorogouing of Parliament. I think I would make a few observations. What this report demonstrates is that over the course of the last four years the state Labor government has had a very firm handle on the economic tiller of the state. You have got strong revenue, you have got appropriate levels of expenditure and you have got solid levels of investment occurring in a capital sense, which is providing the level of confidence for the private sector to come to Victoria and to invest in major projects. What you see from that is unemployment trending down, gross state product increasing significantly and the economy trekking along extremely well. Again, I think this demonstrates that you have had very strong economic stewardship, not only under this Labor government but under the previous Labor government. Indeed I think the last time a Labor Treasurer in the state of Victoria presided over a budget deficit it would have been Tony Sheehan in 1991–92. I think this report demonstrates the strength of the economy and the very strong handling of the economy by the state government. It is a beautiful set of numbers, and I commend the report.

Economic, Education, Jobs and Skills Committee: career advice activities in Victorian schools

Mr CRISP (Mildura) (10:19) — I rise to make a contribution on the *Inquiry into Career Advice Activities in Victorian Schools* report. The inquiry took evidence in Mildura, and that evidence in Mildura was very much based on the Victorian skills commissioner's report into Mildura. The background to that report is that the task force estimated the future workforce demand for Mildura to be between 2900 and 4400 new workers from 2017 to 2020. That is both to support growth and replace anticipated retirements. The growth in the sector will be in horticulture and some other areas: agriculture; hospitality and tourism; construction; manufacturing; transport, logistics and automotive; the retail trade; health care and social assistance.

There is also some very good data around from our schools, because we know the enrolments and we know the post-secondary school destinations of our students. We know about the school leavers in the Mildura region, and I thank the Northern Mallee Local Learning and Employment Network (LLEN), particularly Ron Broadhead, for their work in this area. We know the numbers of years 10, 11 and 12 students in the system, and we know where they are likely to go in our region. These are 15-year-old to 19-year-old students, and there are about 3500 of them in the system. We know that 46 per cent of them go to university, 5 per cent go to certificate 4 courses and above and 10 per cent will go into apprenticeships. In all, that still leaves us with a shortfall of around 1300 people for those 2900 to 4400 jobs. Since the report in 2016, there have been other opportunities that have arisen in the economy.

What we do know about our economy is where those opportunities need to be. There has been a lot of discussion around that, and it is supported by recommendation 18 from the report. I will read that into *Hansard*, because I think it is extremely important for the Mildura region:

> That the Department of Education and Training fund each local learning and employment network to employ a secondary school career development coordinator to:
>
> > support all young people aged 12–21 within the network's catchment …
> >
> > provide add-on support to career practitioners …
> >
> > deliver career development workshops …
> >
> > coordinate industry, employers, higher education providers and schools to run presentations and taster and immersion days for local secondary students …

I think this is very important. There are others, but what we need to do — and this is what recommendation 18 is about — is widen the view of careers development coordinators in our schools. There are huge changes in Mildura's agricultural economy and other areas in the Mildura economy, and there are opportunities that may not be visible to the schools in an insulated environment, where an academic environment is having to look very deeply into the local economy. The LLENs are extremely well connected in my electorate to view that local economy. We can make a difference for these students and for their continuing strength in our local economy.

Another area that was raised during the inquiry has also received some support. Caitlyn Morgan from the *Sunraysia Daily* wrote an article based on the committee's visit to Mildura. Local tradesmen came forward to say that they were already feeling the shortage in the Mildura region and that they want to find the tradespeople they need to drive the economy, and some of those new skills may not be visible to the schools.

This is an important report. I know it comes at the sunset of this Parliament, but I think there is still time to act, in particular on recommendation 18, so that we can make the opportunities visible to those school students, so that they can see the careers that are on offer in their local community and they can make decisions about what their passions are and how they can best pursue those passions within our education system. For 46 per cent of our young people, that is going to uni. For the 54 per cent left, there are wonderful options out there that I think are not visible enough to them. Recommendation 18 should be supported.

Public Accounts and Estimates Committee: budget estimates 2017–18

Mr McGUIRE (Broadmeadows) (10:24) — I refer to the Public Accounts and Estimates Committee's inquiry into the budget estimates and particularly to the contribution by the Minister for Industry and Employment, who referred to how working in collaboration presents an opportunity to drive strategic results. I want to continue my contribution on how this can best be achieved and how we can get these results in the public interest and in the national interest, not just within the Victorian government but also in collaboration with the Australian government, because there are some issues of national significance, like terrorism, that we need to address with this united approach.

I want to also connect that to the launch of the 2018–21 counterterrorism strategy, which focuses on early prevention as a key focus for Victoria Police in the fight against terrorism. I think this is really important. It goes to some of the themes that I have raised previously in the Parliament, including the delivery of early intervention programs, support for community rehabilitation and reintegration programs, continued engagement with industry, government and international partners, and the maintenance of strong intelligence collection and investigative capabilities. I want to draw these down into my electorate of Broadmeadows and the opportunity that that provides. I am looking for a unity ticket with the Australian government on how we address this.

The proposal that I will be sending to the federal Minister for Home Affairs relates to an occasion when Tony Abbott was Prime Minister of Australia and he had a photo opportunity with the Australian Security Intelligence Organisation where they highlighted the terrorist recruitment hotspots. The media focused in, and one of the hotspots was Campbellfield. Of course that is where the Ford Motor Company was, and this was before Ford closed. I have asked the Australian government what they are actually doing for these communities. How are we connecting the disconnected, how are we providing jobs, what are the opportunities to be part of the Australian community and not feel isolated and marginalised? I tracked down an unspent $1.324 billion in the automotive transformation scheme, but could not get the Australian government to reinvest one dollar out of that into this community which had been identified in this way. I will continue to push for a reconsideration of what the partnerships are for jobs and growth where they are needed most, which the federal government should be delivering for these communities.

The other proposition that I will be raising with the Minister for Home Affairs is that under his portfolio there was a budget allocation for Broadmeadows. It did get a mention. There was $25 million to build a hardened detention centre for convicted paedophiles, drug traffickers and members of outlaw bikie gangs. Where were they going to put this? Right in the complex of the Maygar Barracks. My argument is that there is an administrative way in which we can address this. I have put that in a submission to the Australian government. We do not need to do that. A much better investment in the national interest, in the public interest and for counterterrorism would be to look at the barracks as a base for the Special Air Service Regiment. Why don't we place them in the Maygar Barracks and have it as a strategically placed location that would be of significance? We could coordinate that with the Victoria Police and the Victorian government

and say: this is a much higher and better use of that land and its strategic location not far from our curfew-free international airport. It has got CSL across the road, which is where we make our life-saving blood products and exports. I think it would have a really good effect and impact in this community. That is one part of it.

The second part of it could also be to look at what we do for returning servicemen and servicewomen from the war in Iraq and the slaughter in Syria. There is obviously a huge issue with post-traumatic stress and how those people reconnect back into the Australian community. You can have a centre there as well — a wellness centre or a centre to help people who have served Australia so gallantly in these wars. Why would that be appropriate? It would be appropriate because the Maygar Barracks was where the diggers, the light horseman and the Victoria Cross winners were trained and dispatched to fight at Gallipoli and on the Western Front a century ago. This is the history and heritage of the area. Today it is where we still have the centre for taking care of logistics for natural disasters, including the Black Saturday bushfires. I think this is a really wonderful opportunity to have a coordinated strategy and to deliver in the best interests of the public.

Independent Broad-Based Anti-Corruption Commission Committee: external oversight of police corruption and misconduct in Victoria

Mr WELLS (Rowville) (10:29) — I would like to speak on the IBAC committee's report into the external oversight of police corruption and misconduct in Victoria. As chair of the Independent Broad-based Anti-Corruption Commission Committee, I am pleased to speak on its sixth report, *Inquiry into the External Oversight of Police Corruption and Misconduct in Victoria*. The IBAC committee was established in 2012 and has the responsibility of monitoring and reviewing the performance of IBAC and the Victorian Inspectorate. IBAC has the principal responsibility for the external oversight of Victoria Police, including its handling and investigation of complaints about police. IBAC can also handle and investigate complaints about Victoria Police itself.

The job of a police officer, as we would all say in this house, is a demanding one. They are called on to make split-second decisions in complex, stressful and dangerous circumstances. In order to do their jobs effectively they are given distinctive powers to arrest, detain, search and use force against individuals. While the use of these powers is strictly governed by the law, and the majority of officers do an incredible job, the maintenance of public confidence in police depends significantly on how officers who do the wrong thing are then held to account. That is why an effective system for handling complaints, including whistleblower complaints, about the police is absolutely vital.

At the start of 2016 the committee identified in its report, *Strengthening Victoria's Key Anti-corruption Agencies*, which was tabled in Parliament, that there were concerns amongst some stakeholders over the impartiality and effectiveness of the current police complaints handling and oversight system in Victoria. The main complaints around this included that IBAC was not investigating a sufficient number of complaints about police and was referring the vast majority of complaints back to Victoria Police to investigate. This was of concern. When you look at the figures, only about 2 per cent of all complaints about police were being investigated by IBAC itself, and the rest were being referred back to Victoria Police. The complaints referred back included cases of serious police misconduct. IBAC was not formally receiving and reviewing all complaints, so there was a risk that serious misconduct was being classified as merely a customer service matter. Some stakeholders called for the creation of an entirely new body to receive, handle and investigate all complaints along the lines of the Police Ombudsman for Northern Ireland, which is shortened to PONI. In light of these and other concerns, the committee determined to self-reference an inquiry into the external oversight of police corruption and misconduct in Victoria. The last significant inquiry into the police complaints systems, the Beach inquiry, published its report more than 40 years ago.

In its work, the committee carried out wideranging research into Australian and international inquiries to identify the key themes and lessons. It examined a range of best practice models, including some from the USA, Canada and Northern Ireland. The committee found that Victoria's mixed civilian review system — in which IBAC and Victoria Police share responsibilities for receiving, handling and investigating complaints — is a robust one that can, with significant improvement, meet best practice principles. Therefore, the committee did not recommend the creation of a new body to exclusively handle and investigate complaints along the lines of PONI. Both Victoria Police and IBAC should retain important roles within the system. However, the committee found that, if the Victorian system is to meet best practice principles, 69 recommendations to improve transparency, impartiality, effectiveness and efficiency should be implemented.

I thank the committee members for their cooperation and their bipartisan approach to the preparation of this

report. It was not easy. I thank the member for Footscray, who did an outstanding job as deputy chair, the Greens member for Prahran, the National Party member for Gippsland South, Simon Ramsay in the upper house, the member for Mordialloc and Jaclyn Symes, a Labor Party member in the upper house.

I also thank the secretariat for their hard work: Sandy Cook, the executive officer; Dr Stephen James, who was a research officer and did a brilliant job; and Justine Donohue, the administrative officer. I commend this significant report to the Parliament.

Public Accounts and Estimates Committee: budget estimates 2017–18

Ms WARD (Eltham) (10:34) — Like the member for Essendon, I rise to speak on the report on the 2017–18 budget. I would like to talk to the Minister for Planning's contribution on our green wedges and suburban development, but before I go down that path I would like to say that I have enjoyed being on Public Accounts and Estimates Committee (PAEC) — sometimes. I thank the chair, who is here with us, for his leadership of PAEC. He has been a terrific chair. He has been incredibly balanced in how he has conducted the last four years of hearings. His leadership, friendship and support have been fantastic. I really and genuinely thank him for that.

Mr Noonan — He's a great bloke.

Ms WARD — I agree, member for Williamstown, he is a great bloke. He no longer has a mullet, for which we are all very grateful, but he has got his Wednesday blue on, which I am also very grateful for, because I love that suit.

I also thank my fellow committee members and the secretariat who have offered a great deal of support. We have been well looked after by all members of the secretariat over the past four years. They have been fantastic people. The people that I have served with on PAEC have been people of varying degrees of fantastic. Some are more fantastic than others, I think it is safe to say, and some have got a better sense of humour than others as well. It has been a very interesting journey and I have absolutely enjoyed it and learned a lot. As a new member of Parliament, being on PAEC is a very good learning experience.

I want to go back to the purpose of my speaking on this report today, which is around the Minister for Planning acknowledging during a hearing that under the Andrews government we have ensured that we have better planning models than our predecessors did. These include that for properties between 400 and 500 square metres the minimum garden size will be 25 per cent; properties between 501 and 560 square metres require 30 per cent garden space; and for properties above 650 square metres 35 per cent open space is required. That is garden space. Garden space does not include driveways, for example. It has to be permeable. Rain has to be able to go through it and get into the ground.

Acting Speaker Spence, as somebody who grew up in my community — a good girl from Montmorency, despite the fact that you barrack for Collingwood, which we are all a bit sad about — you know that green spaces are really important in my community. They are very important in my community.

What we are doing is in contrast to what the previous government did, and its planning minister who allowed rampant development and properties to be squeezed in close to each other, not letting any daylight in between them. Now we have the opposition leader wanting to immediately release nearly 300 000 lots on Melbourne's fringes if he becomes Premier — the man who created the expensive Ventnor disaster and the extremely expensive disaster at Fishermans Bend. He says he will be an interventionist Premier if he is successful. This is exactly what we fear. It was his interventions that were such disasters when he was planning minister — and guess what, the Liberal candidate for Eltham was his right-hand man.

Coupled with the Liberal mayor of Nillumbik, who wants to flog off council-owned land at every opportunity, the Liberals in power in this state would be a disaster for my community, for our community overall and for the state of Victoria. The Leader of the Opposition cannot release lots of land of that amount without cutting into the urban growth boundary or, as I suspect, the green wedge. This is absolutely what they will do — they will chip away at the urban growth boundary — and the pressures that are on my community now, the pressures that people who live around the north-east currently experience through infrastructure problems with traffic, will be even worse. We know that those opposite are not committed to the north-east link. We know that they want to tinker with it and we know that it will be delayed. He wants to get into government and immediately release land. It will be outside the urban growth boundary and create even more pressure on roads and public transport in my community.

The things that really concern us are in quotes we have got from the *Age* talking about developers and landowners who have tipped thousands of dollars into

Liberal Party coffers and who were among the big winners from the then planning minister's opening of green wedge areas and farmland to development on Melbourne's fringe in 2012. This is exactly what we would see were the Leader of the Opposition to be elected Premier of this state: his mates would help him carve up the green wedge, carve up elements of my community in Eltham and reduce the quality of life that we hold very, very dear. We have beautiful landscapes in my community. We have beautiful treed streets —

Ms Allan interjected.

Ms WARD — I thank the Minister for Public Transport; I appreciate that. We have a beautiful community in Eltham and I want it to be preserved.

BUSINESS OF THE HOUSE

Standing and sessional orders

Ms ALLAN (Minister for Public Transport) (10:39) — I move:

> That so much of standing and sessional orders be suspended on Thursday, 20 September 2018, to allow:
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> (1) Business to be interrupted at 12.00 noon;
>
> (2) Valedictory statements from retiring members for up to 15 minutes each; and
>
> (3) Any business under discussion at the time of interruption and not completed to be resumed immediately after the statements and any member speaking at the time of the interruption to continue their speech.

I will speak briefly to the motion that has been moved and was obviously foreshadowed during the course of the day yesterday. We have a current tally of 13 members of the Legislative Assembly who have signalled their intention to retire at the end of this term of the Parliament or not to recontest — retirement or not recontesting, depending on your frame of mind, member for Footscray. It has become customary with the introduction of fixed four-year terms for those members retiring or not recontesting to have the opportunity to address the Parliament.

The manager of opposition business and I have been in discussion on this matter for the last couple of weeks. I appreciate the assistance of the manager of opposition business, because we have both come to this task with a shared commitment and desire for those retiring members to have the appropriate recognition and respect of the chamber. Whether you have served one year or 21 years in this place, it is a great opportunity to mark that period of service. I am really pleased that we have been able to accommodate this in this way during the course of this term of Parliament.

We look forward to hearing the contributions from those members over the course of the day tomorrow. I think it will also be an appropriate opportunity for members to show their respect to every member who is making their contribution, because no matter what side of the Parliament you are on, giving a display of respect as people are heading off to the next stage of their journey in life is the right and appropriate thing to do. With those few comments I commend the motion to the house.

Mr CLARK (Box Hill) (10:42) — The Liberal and National parties support this motion. As the Leader of the House has indicated, it has over recent years become the practice to have an organised session for valedictory remarks by those members who have indicated their intention not to recontest at the next election.

It is a strange business in this house that some leave at a time of their own choosing while others leave at a time of the electorate's choosing. For those of us who have not elected to depart at the forthcoming election it is always and appropriately a time of some uncertainty for each and every one of us as to what the future may hold, because we are all accountable for our conduct to the electorate and we all have to reapply for our jobs every four years. But for those members who have been able to make the conscious decision of their own volition not to recontest at the forthcoming election, it is an appropriate opportunity for them to express some reflections on their period of service in this house.

On one view it may be considered that 15 minutes is not a long time for a member to discuss their contribution to the house and make reflections on their entire period of service in office, be it on their own contributions or their observations on changes and highs and lows over that period, but on the other hand a 15-minute allowance of time will encourage people to focus on the essentials and on the big picture. It will allow them to place their reflections on record for posterity in general, for their families, friends and descendants, as well as for the community that has chosen to send them to this place, as part of their accountability. So we are moving towards a situation where, for those members who do depart from this place of their own volition, what they say in their valedictory remarks will come to bookend what they have said in their inaugural speeches in this place.

It is pleasing that in working with the Leader of the House we have been able to come to the arrangements that have been proposed in this motion. We also

express our thanks for the understanding of the Speaker and what we believe will be his willingness to ensure that every member is able to make their contribution to this house without being interrupted by the luncheon break, so that a number of our departing members will be able to make their contributions before the lunch hour and the remainder after that period. I hope I speak for all members of the house in saying that we very much look forward to hearing those respective contributions.

Motion agreed to.

Standing orders

Ms ALLAN (Minister for Public Transport) (10:45) — I move:

(1) The following new standing order be inserted after standing order 233 —

'234 Rebroadcasting

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

(1) The material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:

(a) satire or ridicule; or

(b) commercial sponsorship or commercial advertising.

(2) Broadcast material must not be digitally manipulated.

(3) Excerpts of proceedings are to be placed in context so as to avoid any misrepresentation.

(4) Remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.';

(2) Sessional order 15 be deleted; and

(3) These changes are to come into operation with immediate effect.

Again I will only speak for a couple of moments on this motion. The practice that we are putting into the standing orders has been part of our sessional orders for the last couple of years. It demonstrates how modern technology is being brought to the floor of the Assembly, and we can now take our contributions to the wider world should we choose to do that.

It is appropriate that we have in place standing orders to govern the provision of how this material is to be republished in its electronic form. Based on the experience that we have had over the past couple of years in how it has been adopted, some members more than others have enthusiastically adopted the use of this technology. We are now, by placing it into the standing orders, giving some certainty back to the Parliament so Hansard and others can make the necessary investments and changes so that this can become a permanent feature of our processes in the Parliament. Again I would like to thank the manager of opposition business for his assistance in working through this cooperatively, and I commend the motion to the house.

Mr CLARK (Box Hill) (10:48) — The Liberal and National parties support this motion. As the Leader of the House has indicated, it is intended to place into standing orders the provisions about the rebroadcasting of official broadcasts that have been in our sessional orders for some time. The purpose of placing these provisions in standing orders at this time is to give some certainty, as we understand it, to the Hansard staff of the Parliament who are responsible for the mechanisms that govern the internal broadcast and recording of our proceedings so that they can undertake some expenditure on new equipment with some certainty that a similar regime will continue in the new Parliament and therefore that their expenditure will have been well directed towards that.

The current provisions on rebroadcasting that are in the sessional orders have not been in operation for a particularly long time. The normal practice has been to allow a fuller period for innovative measures such as these to operate before they are transferred from sessional orders to standing orders. Nonetheless, in the circumstances that I have referred to it seems appropriate to insert these provisions into standing orders at this time.

The Parliament is often slowly, and sometimes more expeditiously, moving to adapt our procedures to reflect the opportunities being made available by new and improving technologies. The opportunity to rebroadcast the official recordings and broadcasts that are made of this house is a way in which, if properly used, members can better communicate with their constituents about what is happening in this house. As the Leader of the House has indicated, some members have taken this up quickly and other members less so.

It is probably fair to say that there are a range of views about the merits and the popularity of Facebook posts and other broadcasts of what we have to say in this place. Sometimes we may perhaps be more enthusiastic about the importance of what we have said here than the general community may be, and the viewing statistics on the posts of our learned words on Facebook would perhaps give us some interesting feedback about exactly what our constituents think about our remarks

and how much attention they pay to them. Nonetheless, it is a channel through which communication can be improved, and we certainly should make those opportunities available.

I might observe by way of analogy that since the web-based broadcasts of proceedings in this house and the other place have commenced, they seem to have been made very good use of — probably not by ordinary citizens spending their days at home for hours on end watching what we say in this house —

Mr Scott — Some.

Mr CLARK — With some notable exceptions, as the Minister for Finance interjects. But certainly it is very valuable for stakeholders — professionals, community groups and others who have a strong interest in particular legislation before this house — instead of having to troop in here and perhaps spend quite a few fruitless hours in the gallery waiting for their matter to come on, to be able to instead sit at their desk or in their home and get on with doing other things while keeping an eye on the internet broadcast in the background and then focus in on it when the broadcast of their item comes up.

There have been very valuable ways in which technology has been used to improve the operation of this Parliament, and I dare say that there are other ways that we could explore on a future occasion and in a new Parliament. I have previously said by way of suggestion on the issue, 'Why don't we allow for the use of PowerPoint presentations in conjunction with our remarks that we make to this house?'. One may not be all that enthusiastic about the ubiquitous PowerPoint presentation, but we perhaps should just imagine how the dynamics of this house would operate if there were screens on either side of the chamber and members making a presentation could reinforce what they had to say by the use of PowerPoint and other visuals.

I place that on record simply as a thought starter, and to demonstrate the fact that the core way in which this chamber and Westminster parliaments around the world have operated has probably not altered for centuries. We are standing up and communicating our ideas and our opinions to one another and to the broader community in exactly the same way that our predecessors were doing in the 15th, 16th or 17th century at the Palace of Westminster. There may well be other opportunities for us to effectively use new and emerging technologies to better engage with the electorate and to provide for a more democratic and hopefully effective operation of this Parliament on behalf of the community.

In terms of the motion before us and the proposed amendments to standing orders, it is appropriate that we place them in the standing orders at this point. I do, however, make the caveat that this is still an emerging use of the rebroadcast and an emerging use of the words that specify what we can and cannot do. While these words seem to have worked reasonably satisfactorily to date, we should perhaps keep open the possibility of revisiting the ways in which the official broadcasts can be used for rebroadcast in the light of experience, to make sure that they are operating as intended, that they are being used appropriately, effectively, fairly and accurately in terms of informing the community about what is happening here, and that there are not any unintended misuses or abuses of what is being permitted by the sessional orders and now the standing orders. If that becomes apparent in light of further experience, we might need to revisit the precise wording of these standing orders.

For the moment, as I indicated at the outset, the Liberal Party and The Nationals support this motion to include these provisions in the standing orders so that the practice around rebroadcast, which has generally been successful to date, can continue in the new Parliament, and so that officials of the Parliament can put in place the technology that they need to support that practice.

Mr HIBBINS (Prahran) (10:55) — I rise to speak in support of this motion to ensure that rebroadcasting of Parliament is going to be put in the standing orders and made permanent, and to give some surety that that is going to occur in the next Parliament. Certainly rebroadcasting of parliamentary proceedings, speeches, members statements and whatnot has been something that we were very keen to see happen from the get-go, and it is really great that this house will do that and that the technology will be made available by Parliamentary Services.

Certainly it is important for a couple of reasons. One, from an MP's perspective, is to put out what you are saying in Parliament and get that to as wide an audience as possible. As much as I would like to think that people are logging onto my website and reading the transcripts of what I was saying — and I am sure those community groups that I sent the transcripts out to appreciated those — no doubt we are getting a wider reach through putting them up on Facebook. Even though with the way that Facebook is disseminating our posts now the natural reach of those posts seems to be declining a bit, and you might have to put a few dollars behind them to get the reach that they might once have had, I think it is really important to make sure that our constituents know what we are putting on the record in

Parliament and to make sure they are seeing our speeches in Parliament.

The second reason of course is to just get a bit more transparency and accountability as to what actually occurs in here. The rebroadcasting of proceedings I think is an important part of that. It probably has not gone quite towards fulfilling a wish that it might improve the conduct and bring perhaps a bit more civility to proceedings, but there is still time. It is interesting when one does go back and look at some of the exchanges during question time on video, perhaps in the heat of the moment in the theatre of question time when there is a bit of back and forth, some of the responses can appear combative. They can appear the right thing at the time, but when you take the heat out of that, some of the responses probably come across as a bit petty. Question time is obviously a hallmark of Westminster proceedings, and I think if we go back and look at the videos of those proceedings perhaps we can move towards a bit more civility in question time. That is what the public see and I think it can come across a bit better.

We are certainly keen to see the rebroadcasting of Parliament continue into the next Parliament, and I am glad this change is being made permanent.

Motion agreed to.

Business interrupted under sessional orders.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Electorate office staffing

Mr GUY (Leader of the Opposition) (11:01) — My question is to the Premier. I refer to page 51 of the Ombudsman's annual report tabled today, that shows her office has incurred expenses of $879 000, comprising $134 000 for external legal fees and $745 000 for staff costs, excluding the costs of the solicitor-general, to investigate your party's theft from red shirts rorting.

Premier, having previously told this Parliament that these costs would be minimal and now finding the true costs to be enormous, will you now reveal the total staff cost to the Victorian government in attempting to cover up this theft, or will you continue to hide the true cost of this theft and the costs incurred to cover it up?

Mr ANDREWS (Premier) (11:02) — There are a couple of points I would make to the Leader of the Opposition. The first point is that any expenses incurred in this investigation are a direct result of a motion moved in the other place with the full support of the Leader of the Opposition, a motion —

Honourable members interjecting.

Mr ANDREWS — It seems they have woken up. They were asleep yesterday, but they have woken up.

Honourable members interjecting.

The SPEAKER — Order! I warn members that that level of noise is unacceptable. Members will be asked to leave the chamber without warning.

Mr ANDREWS — As I was saying, there was a referral that was made by the other place with the full support of the Leader of the Opposition, a referral that conveniently prohibited the Ombudsman from looking at any other political party.

Honourable members interjecting.

The SPEAKER — The member for Lowan!

Mr ANDREWS — Very convenient that. My answer to the Leader of the Opposition is: did he really think the referral would come at no cost at all to the office of the Ombudsman? We have increased resources to the Ombudsman each year we have been in office, and we have been pleased to do so.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Lowan again. I have provided a warning to the house that members will be removed from the chamber without warning.

Mr Clark — On a point of order, Speaker, the Premier is engaging in victim blaming and debating the issue. I ask you to bring him back to answering the question as asked.

The SPEAKER — Order! The Premier is being responsive to the question asked.

Mr ANDREWS — I thank the member for Box Hill for his point of order. The reference of course made by the other place meant the Ombudsman incurred additional expenses, as she will no doubt incur when having a very close look at the member for Lowan and her printing bills and at the 53 invoices involved in the proven criminal conduct of Damien Mantach — and potentially plenty over there.

Honourable members interjecting.

The SPEAKER (11:04) — Order! The members for Kew and Rowville can leave the chamber for the period of 1 hour.

Honourable members for Kew and Rowville withdrew from chamber.

Supplementary question

Mr GUY (Leader of the Opposition) (11:04) — Premier, the party you lead stole hundreds of thousands of dollars from Victorians. There has been over $1 million spent to cover it up and fight the investigation. By repaying the money rorted you admitted guilt. Now that the Ombudsman has today revealed the true cost of your cover-up, will you pay that money back as well?

Mr ANDREWS (Premier) (11:04) — As I said in my substantive answer, the Leader of the Opposition seems to think that you can refer these matters to the Ombudsman and it will all be done free of charge, it will all be done at no cost. What fantasy land are you in? The Leader of the Opposition likes to talk about paybacks —

Honourable members interjecting.

The SPEAKER (11:04) — Order! The member for Hawthorn can leave the chamber for the period of 1 hour.

Honourable member for Hawthorn withdrew from chamber.

Mr ANDREWS — The Leader of the Opposition likes to talk about paybacks. The only payback he should be talking about is the $3.5 million of hush money that he paid out on the courthouse steps to save his pathetic skin.

Ministers statements: employment

Mr ANDREWS (Premier) (11:05) — I am delighted to rise to update the house that in the last four years 370 100 jobs have been created in the great state of Victoria — 371 100 — because this government gets things done. This government has a go. This government delivers on the commitments it has made in delivering the biggest infrastructure agenda our nation has ever seen, as well as investing in hospitals and schools, supporting industry to grow, halving payroll tax in regional Victoria and delivering the best and most significant housing affordability package the nation has ever seen. The list goes on and on. Speaking of infrastructure, we have 7000 new jobs on the Metro Tunnel — opposed by those opposite — and 10 000 new jobs ready to go under the north-east link. The reference design is out. The procurement process will be out to the market within 100 days if the Victorian community give us that greatest of gifts — a second term in office. There will be 6000 jobs on the West Gate tunnel, again opposed by those opposite, and 4500 jobs to remove level crossings.

How many of those have been opposed by those opposite? Just about all of them in one way or another. Is it any wonder that those who get on and get things done and build infrastructure, as opposed to those who oppose it, can talk about it. I could stand here today and talk about the fact that unemployment is down to 4.8 per cent. It went up from 4.8 per cent to 6.7 per cent during the miserable time that this lot was in charge. We are the jobs engine room of this nation — the strongest economy in this nation — building the biggest infrastructure agenda this nation has ever seen, and if given the chance, there will be no letting up at all.

Election commitments

Mr M. O'BRIEN (Malvern) (11:07) — My question is to the Premier. Premier, almost four years ago you stood on the steps of this Parliament and in an interview with Peter Mitchell on Seven News you promised every single Victorian that you would not increase taxes or introduce any new taxes. Since then you have introduced new taxes or increased taxes on no fewer than 12 times. Premier, I ask: will you now rule out introducing any further new taxes or further increasing taxes on Victorians — yes or no?

Mr ANDREWS (Premier) (11:08) — It is always yes or no with the member for Malvern. As he moves around his party room he wants them to say, 'Yes or no: will you make me leader? Yes or no?'. He is all about black-and-white answers over there — all about the black and the white. The perhaps soon-to-be Leader of the Opposition asked me about taxes. Well, no commitment was made.

Honourable members interjecting.

Mr ANDREWS — You jumped the gun there a bit. No commitment was made to halve regional payroll tax, and yet that was delivered. No commitment was made to slash stamp duty for first home buyers. Here he is: the auditioner.

Mr M. O'Brien — On a point of order, Speaker, I am very happy to table the extract from the interview on Seven News with Peter Mitchell, who asked:

> Daniel Andrews, all the polls say you will be Victoria's next Premier. If you are, do you promise Victorians here tonight that you will not increase taxes or introduce any new taxes?

Premier, you said:

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

The SPEAKER — Order! There is no point of order.

Mr ANDREWS — That was a great performance, might I say. That was a great performance. There is a certain panache there, isn't there — a certain style. The cut of his jib is so attractive. Maybe that is why the whiteboard has got more in his column than the other fellow over there. The government will —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat.

Mr M. O'Brien — On a point of order, Speaker, and it is pretty obvious, I would ask you to draw the Premier back to answering the question. Will he rule out further new taxes or further increasing taxes?

Mr Richardson interjected.

The SPEAKER (11:10) — Order! The member for Mordialloc can leave the chamber for the period of 1 hour.

Honourable member for Mordialloc withdrew from chamber.

The SPEAKER — I do ask the Premier to come back to answering the question.

Mr ANDREWS — I thank the shadow minister for gravitas for his point of order.

The SPEAKER — Order! The Premier will use correct titles.

Mr ANDREWS — He is looking pretty good on the issue of —

Mr R. Smith — Grow up!

Mr ANDREWS — Fancy getting lectures about growing up from the member for Warrandyte. He is still here. It is 10 past the hour, and you are still here.

Honourable members interjecting.

The SPEAKER — Order! There is too much shouting across the chamber. I ask the Premier to come back to answering the question.

Mr ANDREWS — As I was saying, the government has cut many taxes and the government makes absolutely no apology, for instance, for introducing higher taxes for those overseas residents who purchase properties here in Victoria, acknowledging that they do not pay income tax, they do not pay GST and they do not pay many of the other taxes that make Victoria such an attractive place to live, work and invest.

The government will lay out its positive plan for the Victorian community before 24 November, and the Victorian community can make their judgement about whether they would support some who would cut —

The SPEAKER (11:11) — The member for Mornington can leave the chamber for the period of 1 hour.

Honourable member for Mornington withdrew from chamber.

Mr ANDREWS — and close and cuddle up to big corporations or those who have run for these last four years the strongest economy in the nation, the biggest employment boost our state has ever seen and the biggest infrastructure agenda this state has ever seen. That will be the choice that Victorians make, and our plan will be laid out fully before 24 November.

Supplementary question

Mr M. O'BRIEN (Malvern) (11:11) — Premier, this morning you and your Treasurer have explicitly refused to rule out hitting Victorians with new taxes, fees and charges should Labor be re-elected. Given your tax increases have already made us the highest taxed state in the country, how much extra will struggling Victorians have to pay if you are re-elected?

Mr ANDREWS (Premier) (11:12) — I do thank the shadow Treasurer for his question. The government has run surplus budgets, the government has invested like no other government has in infrastructure, road, rail, hospitals and schools, the government has delivered a lower debt as a percentage of the economy than that which we inherited — this remains a AAA-rated economy — and all the while things are getting done. It makes you wonder. We have been lectured about tax rates from those opposite who were pretty good at taxing themselves but did nothing with it for four years —

The SPEAKER — Order! The Premier will resume his seat.

Mr Clark — On a point of order, Speaker, the Premier seems to want to talk about anything but his intention regarding future taxes. I do ask you to bring him back to answering that question for the benefit of this house and the entire community.

The SPEAKER — Order! There was a long preamble to this question, and the Premier is being responsive to the question that was asked.

Mr ANDREWS — As I said, the government will lay out for the consideration of the people of Victoria a positive and optimistic plan for our state, and that will be there before 24 November. Victorians will be able to choose between more infrastructure and more jobs or cuts and closures from this one opposite.

Mr M. O'Brien — On a point of order, Speaker, the Premier lied before the last election. We just want to get the truth out of him now.

The SPEAKER — Order! The member for Malvern will resume his seat. The member for Malvern knows he is using unparliamentary language, and I warn the member for Malvern.

Ministers statements: employment

Mr PALLAS (Treasurer) (11:13) — I am proud to update the house on the achievements of this government in delivering jobs for Victorians. As the Premier has already advised the house, since we were elected the Victorian economy has been able to produce some 370 000 new jobs. That includes 247 000 full-time jobs, more than six times as many as those opposite created in their four miserable, dour years. It means that there are 370 000 additional people that are utilising their skills and that are actually making a contribution to the state, which is a lot more than can be said for those opposite.

Our unemployment rate is now at its lowest level in seven years, at a rate of 4.8 per cent. When we were elected, that rate was 6.7 per cent. We are proud of the record increase in female participation in the labour market at the same time that female participation in the Liberal Party is reaching an all-time low. Since November 2014 the Andrews Labor government is leading the nation for jobs growth. That is something we are very proud of, but we are not blind to the challenges and indeed the uncertainties that face some Victorians.

We know that there are pockets of oversupply in the labour market: former Liberal prime ministers, aspiring leaders of the Victorian Liberal Party. We are committed to ensuring Victorians can find work wherever they are, and we have invested in our infrastructure and in our people. We have the strongest jobs market. We have got the strongest growth of any state, and because of all this, this is a government that is getting things done.

Environmental water

Mr WALSH (Murray Plains) (11:15) — My question is to the Premier. This year North Central Catchment Management Authority is going to release 82 000 megalitres of water into the Gunbower Forest in the middle of a drought. This water would keep more than 80 family dairy farms operating, which would produce something like 200 million litres of milk over summer. Premier, the Gunbower Forest has had similar water allocations over the last four years, but this year in the middle of a drought, with farmers desperate for water, will you intervene to have this water released to these farmers to save their farms and their livelihoods?

The SPEAKER — Order! I ask the Minister for Water not to interject across the table.

Mr ANDREWS (Premier) (11:16) — I thank the Leader of the National Party for his question. As I understand it, the allocation of that water, which might be termed environmental water, is part of a nationally agreed framework. It is not simply a decision for the Victorian government; there is a national agreement in place. Beyond that, I understand that there will be announcements made quite soon in relation to allocations for the future —

Honourable members interjecting.

The SPEAKER — Order! I ask the Premier to answer the question through the Chair and ignore interjections.

Mr ANDREWS — Yes, these are water and dairy farm experts. I think I have milked more cows than the member for Gembrook, just quietly. Listen up, you might learn something. The allocation of water pursuant to a national agreement is very different, I think, to the question the member was putting forward, as if there was some absolute ability —

Honourable members interjecting.

The SPEAKER — Order! I am going to ask the Premier to resume his seat.

Mr Battin interjected.

The SPEAKER — Order! If the member for Gembrook has an issue, he can raise a point of order.

Mr ANDREWS — As I was saying, the issue that the —

Honourable members interjecting.

Mr ANDREWS — One wonders whether those opposite are actually interested in an answer. The allocation of water, as described by the Leader of the National Party, is subject to a national agreement. So his notion that it could be unilaterally determined by one government is simply wrong.

Supplementary question

Mr WALSH (Murray Plains) (11:18) — Premier, on 28 August on ABC radio your water minister welcomed the news that the commonwealth environmental water holder was selling 20 000 megalitres of water to farmers —

Ms Neville interjected.

The SPEAKER — Order! The Minister for Water will come to order.

Mr WALSH — to help them in times of drought. Premier, talk is cheap. If the federal government is prepared to support our farmers in their times of need, why won't you?

Mr ANDREWS (Premier) (11:18) — Again the Leader of the National Party — a bit of a theme in the substantive and supplementary questions — is absolutely mistaken. It would be wrong for him to suggest that the Victorian Environmental Water Holder is not putting water on the market. To suggest that is simply wrong.

Ministers statements: level crossings

Ms ALLAN (Minister for Public Transport) (11:19) — Speaker, I would like to take you back to four years ago. Then the Labor opposition promised to remove 50 level crossings over eight years, and 20 by 2018. Four years ago the then Liberal-National government said it simply could not be done. On 18 June this year the level crossing at Grange Road, Carnegie, was removed. That was the 20th level crossing to be removed. Since then there has been number 21 on Koornang Road in Carnegie, number 22 on Murrumbeena Road in Murrumbeena, number 23 on Poath Road in Hughesdale.

And then there was number 24 on Skye Road in Frankston, number 25 on Thompsons Road in Lyndhurst, number 26 on Kororoit Creek Road in Williamstown and then number 27 on Abbotts Road in Dandenong. And we have not finished. By Grand Final Friday number 28 in Seaford will have been removed and number 29 on Buckley Street in Essendon will also be gone. Some 4500 Victorians have been working on getting rid of these dangerous and congested level crossings, and on behalf of everyone, I am sure, in the Parliament we thank those hardworking Victorians working 24 hours a day, seven days a week, rain, hail or shine, to get rid of these level crossings.

I would expect that on Grand Final Friday the Liberal opposition might be a bit upset. As Victorians get the day off and go to the Grand Final Friday parade, the 29th level crossing will be removed. We have seen in the community, in the media, in the Parliament and even in the courts that those opposite have stopped at nothing to try to block and stop the removal of these level crossings. No excuse was too small, but we were determined to deliver on getting rid of these level crossings.

Mandatory sentencing

Mr GUY (Leader of the Opposition) (11:21) — My question is to the Premier. Jimmy Huang is aged 47. He came to Australia to raise a family and build them a better life. He and his wife opened and run a small convenience store in Dandenong North and, like many Australians, they work long, hard hours. A few weeks ago when at his store at night Jimmy heard his wife screaming. She had been grabbed by two thugs brandishing handguns and was being brutally bashed. Intervening to defend his wife, Jimmy was subsequently violently bashed as well, so badly he was temporarily blinded. Premier, after four years in office, are you prepared to look Jimmy and countless other Victorian victims of crime in the eye and explain to them why you refuse to introduce mandatory minimum jail time for the repeat violent offenders who commit violent crimes that cause so much hurt to hardworking Victorians like Jimmy Huang?

Mr ANDREWS (Premier) (11:22) — Of course we would send our best wishes to Mr Huang and any victim of crime across our state. We do not want people to be injured. We do not want people to be having to deal with the health consequences of violent crimes such as the one listed by the Leader of the Opposition.

Mr Walsh interjected.

Mr ANDREWS — The Leader of the National Party says that people want something to happen. Yes, statutory minimums for intentionally causing serious harm, getting rid of slap-on-the-wrist community correction orders (CCOs) for violent crimes —

something we inherited from those opposite — fixing the baseline sentencing mess that was kicked out by the Court of Appeal and fixing bail, which left to us in a shambles by those opposite. I can go on.

Honourable members interjecting.

Mr ANDREWS — I would say two further things to the Leader of the Opposition: you could have a rise in crime rate and recruit no extra police. That would be an approach. Or you could say no, you get the Chief Commissioner of Police into your office and you say, 'What do you need? Tell me what you need, and I will give it to you'. He says, 'I need —

Mr Guy — On a point of order, Speaker, on relevance, my question was about mandatory minimum jail time.

An honourable member interjected.

Mr Guy — No, it was a question about mandatory minimum jail time. That is the question I asked of the Premier, and I ask you to bring him back to answering that.

The SPEAKER — Order! The Premier is being responsive to the question that was asked.

Mr ANDREWS — The first point was that you could of course not recruit additional police. You could not give police the technology, the equipment, the capability, the resources and the new staffing allocation model to end that boom-and-bust election commitment cycle that is the only barometer or measure of how many police have been recruited. We have ended that. There is an alternative approach, but we have ended that.

The second point I would make in concluding my answer is that I am not entirely sure whether the Leader of the Opposition, who has a lot to say about mandatory sentencing, is in fact offering mandatory sentencing. The member for Hawthorn is not here now, but he rather let the cat out of the bag a while ago when he said 'maybe', 'could be', 'might not be'. I would not be lecturing people about mandatory minimum sentences, because you are not offering them yourself.

We have cleaned up your mess in so many areas, and we will continue to do so not by cutting resources to police but by recruiting more of them, not by having serious violent offenders getting a slap-on-the-wrist CCO but instead making sure that they do jail time.

That is our record, and the Leader of the Opposition needs to get his own policy offering in order. Are you offering mandatory sentencing or not? The answer is, according to your own spokesperson — your own spokesperson confirmed — that you are not. Your grandstanding is duly noted.

Honourable members interjecting.

The SPEAKER — Order! I do ask the member for Bass to cease shouting across the chamber.

Supplementary question

Mr GUY (Leader of the Opposition) (11:25) — Just a few months ago three teenage thugs violently invaded a milk bar also in Dandenong as the owner desperately tried to defend his wife and teenage daughter. These thugs assaulted him so violently that he suffered serious injury and had to be hospitalised.

Premier, with crimes against the person now at record high levels in Victoria and violent assaults now frighteningly commonplace, will you finally apologise to this family and all other victims of crime for the harm and grief they have suffered due to your soft touch, your 'be nice to criminals' policy that has unleashed Victoria's violent crime wave?

Mr ANDREWS (Premier) (11:26) — I don't think there are too many in the criminal element that are happy to see the police academy full. I don't think there are too many in the criminal element that are happy to see the Crime Statistics Agency reporting more arrests than has been the case for a very long time, and that the crime rate is coming down as reported by the independent Crime Statistics Agency. If given the opportunity to take the statistics provided or the pretty aggressive interpretation by the Leader of the Opposition or to look at independent report after report after report from the Crime Statistics Agency, I will choose the latter. The Leader of the Opposition, who cut funding to Victoria Police, is in no position to lecture anybody on crime or punishment, given that his own shadow Attorney-General has let the cat out of the bag. There is nothing mandatory about your so-called 'mandatory sentencing'.

Ministers statements: energy industry

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (11:27) — I am absolutely delighted to update the house on our successful Victorian Renewable Energy Target reverse auction, because through our government's legislation, through our Victorian Renewable Energy Target, which those opposite voted against, we have delivered for Victoria.

The results speak for themselves. Under our government more than 700 megawatts of renewables have been already built in this state and a further 1700 megawatts of renewables are under construction. Through our Australian first and largest auction we have announced 928 megawatts of new projects. There are thousands more wind and solar projects with planning approval waiting for the re-election of this government to actually get them being built.

In a few short years this government is bringing more than twice the capacity of Hazelwood back into the grid; it could not be any clearer than that. When you get the policy right, you get the outcome right. Victoria is reaping the rewards of these efforts. Thousands of workers are employed in this booming industry with thousands more jobs to come.

It is not just me saying this — many stakeholders out there have welcomed our reverse auction. I only have to quote the chief executive of the Victorian Chamber of Commerce and Industry, Mark Stone, when he said in a media release on 11 September this:

> … investment in new energy supply will cut energy bills and grow jobs in the sector while reducing emissions.

The Victorian Chamber of Commerce and Industry is saying that, the Australian Industry Group is saying that, as are many other stakeholders. The jobs are being created in many of the electorates of those opposite who actually voted against renewables. The successful projects alone are producing $1.1 billion of economic investment in the regions and 900 jobs, including 270 apprenticeships and traineeships in Geelong, Mildura, Echuca, Warrnambool, Mortlake and Benalla, and there will be more to come.

Crime

Mr GUY (Leader of the Opposition) (11:29) — My question is to the Premier. Earlier this year Paulo Kele committed an horrific home invasion standing over Indian students, putting a knife to a victim's throat and then stealing their car. Astoundingly he was freed on bail to walk the streets while the victims, terrified, live in fear of his return following this terrifying attack.

Premier, after four years of government, despite all your tough talk, why are violent offenders like Kele still being let out on bail? How can you ever expect any Victorian to trust a word you utter about safety, when for the last four years you have failed so comprehensively to keep the state safe?

Mr ANDREWS (Premier) (11:30) — I thank the Leader of the Opposition, and I will be delighted to check the facts as he has put them to me.

Honourable members interjecting.

Mr ANDREWS — Well, I will be. I will check what he has presented to me because he has demonstrated these last four years that it is worth doing that — checking what he says.

Honourable members interjecting.

The SPEAKER — Order! I ask members to cease shouting across the chamber.

Mr ANDREWS — Beyond that, maybe the Leader of the Opposition doesn't know this, but I think there are more people on remand today than there has been at any point in the state's history. The remand and bail court, the toughest bail laws in our nation — again, all reform that had to be done by this government because of what was left to us by those opposite, who are very good at talking tough, but when it comes to actually getting the job done their record is appalling.

Supplementary question

Mr GUY (Leader of the Opposition) (11:31) — On Monday night four masked offenders invaded a home in Montgomery Street, Ararat, restraining the male and female occupants who were both assaulted, with the male home occupant sustaining serious head injuries. The police association say that frontline police numbers have been cut by 190 since 2013, with your cuts being most acutely felt in growth corridors in country Victoria.

Premier, how can you expect police to stop this shocking crime wave, when you — as the police association say — have cut frontline police numbers, particularly in country Victoria, particularly in Ararat? And is it any wonder that so many Victorians are going to bed in fear at night as violent crime soars across our state?

Honourable members interjecting.

The SPEAKER — Order! The member for Clarinda!

Mr ANDREWS (Premier) (11:32) — That was rather a long members statement, and I expect someone over here intends to scare a lot more people if he gets his chance. Thinking that scaring people into voting for you is somehow leadership — that is what he would

offer up. The issue in relation to frontline police or additional police —

Honourable members interjecting.

The SPEAKER — Order! The member for Ripon!

Mr ANDREWS — There are 1300 additional frontline police across our state.

Honourable members interjecting.

Mr ANDREWS — Well, I consider that specialist family violence police are very much frontline. I consider highway patrol police to be very much frontline. I consider those who are working on investigating sex crimes in our community are very much frontline, so it is on that that I would disagree with the Leader of the Opposition.

The SPEAKER — Order! The Premier will resume his seat.

Mr Guy — On a point of order, Speaker, on relevance, noting the Premier is now disagreeing with the police association in particular and questioning the police association's interpretation of their own police figures, I ask you to bring him back to answering a straightforward question about cutting police numbers, particularly on the frontline, in regional Victoria and why country Victorians are now living in fear as a result.

The SPEAKER — Order! I do not uphold the point of order. The Premier is being responsive to the question.

Mr ANDREWS — As I was saying, the Leader of the Opposition may not regard family violence police as being frontline. I do, and I am proud to call those additional police working in family violence frontline police and to thank them on behalf of all Victorians.

Ministers statements: road infrastructure employment

Mr DONNELLAN (Minister for Roads and Road Safety) (11:33) — It is a pleasure today to be talking about the thousands of jobs that have been created through the biggest road building program this state has ever seen. Tonight on the M80 we will be opening new lanes between Sunshine Avenue and the Calder, and what a great contribution that is going to make. One thousand workers have been onsite improving safety and travel times. But while we are opening these lanes, of course the butcher from Box Hill is out there telling people he wants to cut the wages of construction workers —

Mr Clark — On a point of order, Speaker, not only is the minister acting in an unparliamentary manner, he is misrepresenting me. I ask you to bring him back to compliance with sessional orders.

The SPEAKER — Order! I can assume the minister was referring to a member of this place, and I ask him to use parliamentary language and not refer to members other than by their correct titles.

Mr DONNELLAN — We will not be distracted by this miserly approach to wages. We are very proud of the work we have created. You have only got to look at the north-east link. We have just released the new design for that, and I know 10 000 jobs will be there. We are building this project. We will not be waving the magic lobster claw and hoping Uncle Tony and Uncle Frank will pop out and fix our problems.

There is good news also for country roads, because we have just started Regional Roads Victoria, a record spend — $941 million — and there are 650 jobs for the $333 million we will be spending on maintenance. But we know that the Deputy Leader of the Liberal Party is already out there indicating that he is going to chop Regional Roads Victoria. On the West Gate tunnel, this morning we were out there talking about future disruption. Again this is another issue on which we do not have the full support of the opposition. We ask them to put their big-boy pants on and actually join us in this great project, because we know our suburban upgrades will create 4200 jobs.

Let us be clear: the Premier will be known as the patron saint of jobs in the future — Saint Daniel — because of the amount of work we are doing. We will not be distracted — no peacock parade on this side and no chasing the big boy's chair over there, not like the member for Malvern having high tea, low tea and vote for me tea with everybody who will sit down with him because he needs to put a bit more —

The SPEAKER — Order! The minister has concluded his statement.

CONSTITUENCY QUESTIONS

Hastings electorate

Mr BURGESS (Hastings) (11:37) — (15 000) My question is to the Minister for Energy, Environment and Climate Change. I am seeking information on behalf of my Blind Bight and Warneet communities about the provision of a new public toilet in Warneet. Blind Bight

and Warneet constituents have stated that a new public toilet with facilities for people with disabilities is badly needed on Department of Environment, Land, Water and Planning land at the Warneet boat ramp. The old toilet is unusable. It has no lights, it is too far from the boat ramp and the local council has stated that the area is in fact snake infested. Local residents have stated that on weekends, when over 1000 people visit the town to use the boat ramp, visitors are forced to use the surrounding brush as a makeshift toilet, creating not only a hygiene problem but an embarrassing situation for adults and children alike, while the situation is immeasurably worse for people with a disability.

The City of Casey has stated that the area is foreshore land and therefore the responsibility of the state government. Council has been advocating for the state government to install a toilet in this area for some time — in fact a long time. The exact location of the toilet will be a decision for the state government agency. I am calling on the state government to fix this unsightly and unusable public amenity urgently. Victorians of all abilities should have the right to expect a public toilet in this location.

Essendon electorate

Mr PEARSON (Essendon) (11:38) — (15 001) I direct my constituency question to the Minister for Families and Children in the other place, and I ask: what is the latest information about providing 15 hours of four-year-old kinder for the culturally and linguistically diverse community in the state district of Essendon beyond the expiry of the current national partnership agreement?

Euroa electorate

Ms RYAN (Euroa) (11:39) — (15 002) My question is to the Minister for Public Transport. Will upgrades to the Donnybrook railway station include improvements to the bus stop facilities? On 12 August Merrilyn Sanderson of Seymour was waiting for the 5.03 Seymour train from Donnybrook, but it did not arrive. She told me that Donnybrook is an unmanned station, and there are no screens, signs or recordings to inform passengers of changes in the service. Having waited some time for the train, which she had assumed to be just delayed, she rang V/Line and was told of the change from train to coach. Further questioning revealed that the bus stop is not, as you might imagine, in the railway car park but some distance away on the road. There is no shelter, and there are no seats. Passengers had to stand for 45 minutes in the encroaching dark and biting cold waiting for the coach. Merrilyn is very concerned about this and would like to see the bus stop moved so that it is in closer proximity to the railway station. I have to add that along the line we want to see dramatic improvements to the reliability of the Seymour and north-eastern Shepparton train lines. We have committed to do that with a $240 million investment to replace all of the rolling stock.

Narre Warren South electorate

Ms GRALEY (Narre Warren South) (11:40) — (15 003) My constituency question is for the Minister for Training and Skills and concerns the Berwick Centre for Health. I ask: how will students in Narre Warren South benefit from the new Berwick Centre for Health? The new facility is located at Chisholm TAFE in the heart of Berwick's health and education precinct. The new building will feature specialised training and simulation laboratories, tailored teaching environments and student amenities to meet the increasing demand for health and nursing in this state. As part of our free TAFE program students will be able to access courses like the diploma of nursing, certificate IV in mental health and certificates III and IV in allied health assistance. This will make it easier for more Victorians to get the skills they need for jobs in high-demand industries. I cannot wait to see the Berwick health and education precinct finished, and I know there are plenty of students out there eager to start using these new facilities.

Forest Hill electorate

Mr ANGUS (Forest Hill) (11:41) — (15 004) My constituency question is to the Minister for Education. Minister, when will the government provide adequate toilet facilities for Livingstone Primary School in my electorate of Forest Hill? Livingstone Primary School was built in the 1970s. It is a fast-growing and high-achieving school. The school has total student toilets of 17 girls' cubicles, 12 boys' cubicles, 13 urinals and two disabled toilets. The only addition to these facilities over that time has been five cubicles in the Building the Education Revolution (BER) building, which are included in the aforementioned totals. In 2005 there were 423 students at the school. This year there are 803 students. That represents a staggering 90 per cent increase in students at the school over the last 13 years. However, aside from the additional five BER toilets, over that time the number of toilets available for the students to use has remained unchanged. Additionally, the toilets are now in an unsatisfactory condition. I have been contacted by school parents lamenting the current inadequacy in the condition and number of toilets at the school. Minister, my community wants to know when you will address

this glaring deficiency in the toilet facilities available for Livingstone Primary School students.

Sunbury electorate

Mr J. BULL (Sunbury) (11:42) — (15 005) My question is for the Minister for Public Transport. What is the latest information on construction and design for the 300 new car parking spaces at the Sunbury train station? Residents of my electorate have long called for additional commuter parking, and I was thrilled to announce funding in the last budget to provide over 300 new spaces. For four years those opposite ignored the issue. We have a plan because this government gets things done. I ask the minister for the latest information on design and construction of the new car parking spaces.

Burwood electorate

Mr WATT (Burwood) (11:42) — (15 006) My question is for the Minister for Police. Given the Premier's recent commitment at a Police Association Victoria conference that he would introduce new minimum service standards for the manning of police stations, what are the minimum service standards for the Burwood and Ashburton police stations, which have been closed and downgraded by the current government respectively? What are the minimum service standards for the Burwood and Ashburton police stations given that Burwood was closed in July 2015 by this government and Ashburton was downgraded to two days a week in September 2015 by the Andrews Labor government?

Macedon electorate

Ms THOMAS (Macedon) (11:43) — (15 007) My question is for the Deputy Premier and Minister for Emergency Services. Minister, can you advise when another community open day will be held at the Victorian Emergency Management Institute at Mount Macedon? My constituents will never forget that in 2014 the federal Liberal government announced that it would sell off the Australian Emergency Management Institute, with not a word of protest from the Napthine government or the former Liberal minister. With around 60 jobs lost, and an integral part of our emergency management capability seemingly gone forever, I was of course delighted when the minister announced that an Andrews Labor government would purchase the site and establish Victoria's own emergency management institute. The institute is flourishing and is once again central to developing the skills of our emergency services workers and volunteers. It was a great pleasure to attend the first open day earlier this year to see the fully refurbished facility and the beautiful gardens, as well as learn more about the capability of and vital work performed by our emergency services agencies. I look forward to once again joining thousands of locals and visitors at an open day in the new year.

Sandringham electorate

Mr THOMPSON (Sandringham) (11:44) — (15 008) The coastal integrity of the Black Rock foreshore is of major interest to members on both sides of the house and to people in the gallery as well. There are a wideranging number of respected environmental groups within the Sandringham electorate that have looked after the Ricketts Point Marine Sanctuary area and the Sandringham foreshore, and there are major concerns regarding the merit of current proposals for the development of a rock revetment wall for a distance of over 400 metres along the Sandringham foreshore. There is a concern that there are other options available that will not involve bricking up the foreshore. A number of years ago there was a proposal, which was overturned, to build a revetment wall along the Sandringham foreshore, and on behalf of the local community, I ask the minister whether she will cease the works to enable further consultation to take place to ensure the best community outcome.

The ACTING SPEAKER (**Ms Spence**) — Member for Sandringham, which minister are you referring to?

Mr THOMPSON — The Minister for Energy, Environment and Climate Change.

Ivanhoe electorate

Mr CARBINES (Ivanhoe) (11:45) — (15 009) My constituency question is to the Minister for Roads and Road Safety, and I seek the latest information on the timetable for $4 million of works along Rosanna Road. Those works include new traffic lights at the intersection of Rosanna Road and St James Road, new pedestrian lights at Yarra and Brown streets on Rosanna Road, traffic safety cameras to be installed on Rosanna Road at the Banyule Road and Darebin Road intersections, and electronic 40-kilometre-per-hour signs installed on Rosanna Road between Darebin Street and Banksia Street, helping schoolkids and shoppers to be safe. This is on top of $850 000 worth of traffic safety improvement works that have already been done on the intersection of Lower Plenty Road and Rosanna Road and of course the detailed north-east link design plans which have been released. At Watsonia RSL we had many hundreds of people

through to look at those designs to get 11 000 people a day off Rosanna Road.

OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018

Second reading

Debate resumed from 8 August; motion of Mr PAKULA (Attorney-General).

Mr CLARK (Box Hill) (11:46) — I am pleased to speak to this bill on behalf of the shadow Attorney-General and on behalf of the Liberal and National parties. This is a bill primarily to amend the Open Courts Act 2013 and also to amend the Children, Youth and Families Act 2005 and the Judicial Proceedings Reports Act 1958, principally with a view to strengthening the way in which courts in Victoria are open and accountable to the community for the manner in which proceedings are conducted in them, and the ability of the community to receive reports and accounts through the media or indeed through other channels as to what has transpired in those proceedings.

This is an objective that is certainly strongly supported on this side of the house. Indeed the Open Courts Act 2013 was introduced by the previous Liberal-Nationals government with a view to achieving exactly the objectives that I have referred to. The 2013 act was introduced in circumstances where unfortunately Victorian courts had the very concerning record of being one of the most prolific in the nation in terms of issuing suppression orders. The view that was formed by this side of the house when in government was that that had gone far too far, that while there were appropriate circumstances in which suppression orders or other restrictions on publication could and should apply, those restrictions were being applied far too broadly and far more often than they should. That was a reason why the 2013 act was introduced to set very clear principles for the courts and to establish procedures around the issuing of suppression orders, which hopefully would achieve a better balance and appropriate decisions when suppression orders were to be made.

Unfortunately this area, as in a number of others, is one in which there seems to be a chronic and ongoing divergence between the views and intentions of this Parliament, on behalf of the community, about what the law should be and how it should be applied, and the views of a number of members of the judiciary. When that occurs, which, as I say, unfortunately seems to be occurring far too often in Victoria, it is the responsibility of this Parliament to put the matter beyond doubt — to re-legislate if courts have failed to appreciate the initial intention of this Parliament, so as to put beyond doubt what this Parliament intends on behalf of the community. Of course it is primarily the responsibility of the government of the day to bring the appropriate legislation to Parliament to ensure that occurs.

This bill is one that in the last week of this Parliament comes on for debate seeking to do exactly that. Unfortunately it is a bill that looks destined to lapse when this Parliament is dissolved for the forthcoming election, and presumably it will then be up to a new government and a new Parliament to tackle this issue. While the opposition parties are supportive of the objectives of this legislation and very strongly supportive of the principle of open courts, it is regrettable that it has taken so long for this legislation to reach the Parliament.

The issue of the application and operation of the Open Courts Act has been subject to a number of very well documented and thorough academic expert studies and publications that have demonstrated that the courts, or to be more accurate, many members of the judiciary in various courts, have not taken adequate notice of or applied the provisions of the Open Courts Act in line with what the Parliament intended. Unfortunately a number of the practices that the 2013 act was intended to address have continued. I think the studies overall have shown that there are at least clearer limits operating through court decisions and the application of the act in respect of the duration of suppression orders than was previously the case, but they do continue to be made in circumstances that are far broader than this Parliament, on behalf of the community, thinks is appropriate.

There was a study that was undertaken by the Honourable Frank Vincent, who presented a report on the legislation and its operation with a series of recommendations. The report was commissioned and undertaken during 2016, but unfortunately we are now in late 2018 before this legislation has come before the Parliament. Regrettably, that is emblematic of many of the problems with law and order in this state under the current government. Time and time again the government has failed to play the part that it needs to play in upholding on behalf of the community what the community wants and what Parliament has signalled is its intention on behalf of the community in the legislation that has been passed in this place.

We have seen it with the issue of the operation of community correction orders (CCOs), where regrettably there was a very poorly composed guideline judgement issued by the Court of Appeal. I say that with the greatest of respect to the members of that

Court of Appeal. It was the first guideline judgement issued by the Court of Appeal, but unfortunately it did not form a good precedent in setting guidelines, nor for the operation of CCOs. It was poor in the clarity of expression that it provided for the courts that look to it, and it was also particularly unfortunate in a reference it made to a potential broader scope for community correction orders in very loose and open language. This, which had the consequence that many inferior courts felt under some pressure to grant bail to people who otherwise would not have been bailed, and felt under pressure to grant community correction orders to people who prior to the Court of Appeal's decision would never have been considered appropriate for community correction orders.

This was something that occurred in late 2014, and this side of politics were saying right from that point that action needed to be taken on it or there would be serious consequences for our criminal justice system — that this was an instance where the courts had misapplied the intention of the Parliament and, as is always the case in those circumstances, it is then up to the government of the day to bring legislation to the Parliament to make clear to the courts what this Parliament intends and to get the problem resolved. We on this side of the house had been calling for that constantly since that guideline judgement was handed down, and yet it took months and indeed years to get any sort of response from the current government. Unfortunately, as is so often the case, once the wrong direction is set, once the message gets around that the law is soft, weak and a pushover and that if you are an offender, you can get away with it or your lawyer can get you off with a slap over the wrist, and once that gets into the psyche of would-be offenders and prevails amongst those who are prone to commit crimes, it is very difficult to reverse that perception. That has been a key element of the problems that have led to the explosion of crime, particularly violent crime, in this state over recent years.

Similarly, we have seen with baseline sentences a number of judges of the Court of Appeal finding themselves incapable of understanding what the intention of this Parliament was, which one may consider rather surprising since it did not cause such difficulties to some of their fellow judges. Nonetheless, that was a view of the majority of the Court of Appeal, and they simply refused to apply the law that had been passed by this Parliament. Again that was something that was crying out for the government of the day to take speedy action on, again it was something that this side of the house was calling on the government to act on from the time of that judgement, but they failed to do so. Again that failure to act was a significant undermining of confidence in the law and a significant sending of a message that the law is weak and offenders can get away with it.

It is perhaps also regrettable that that matter was not appealed to the High Court, because many learned members of the legal community are of the view that the High Court may well have taken an entirely different approach to the interpretation of the legislation than did the Court of Appeal. That is academic, given that no decision was made to appeal and, given that no appeal was made, it was incumbent, as I say, on the government of the day to take action to make clear what the intention of the Parliament was.

It should go without saying that under the Westminster system, which we are fortunate to have in this state, it is the primary responsibility of Parliament to legislate on behalf of the community when the common law or the existing statute law is considered to be defective, and it is part of the democracy that we have that the legislative intentions of Parliament have primacy and apply to and bind our courts. It is the responsibility of the appointed judges to apply the law in accordance with the law and in accordance with the intentions of Parliament. That is as it should be because, as Montesquieu specifically pointed out in relation to the separation of powers, if that does not occur, if judges also become legislators, there is a real risk of tyranny. The Westminster system, where the Parliament is the supreme legislator, where the Parliament has the ultimate decision as to the executive of the day and where the judiciary hold office independently and are able without fear or favour to apply the law in accordance with the law, is, out of all the systems of government that have been tried in the course of human history, one of the most successful and is one that we should cherish, protect and uphold.

In relation to this legislation, unfortunately too many members of the judiciary do not seem to be applying the law as was intended by this Parliament, and the bill before us is intended to remedy that. The bill makes a number of alterations that are designed to reinforce the messages that were intended to be conveyed by the 2013 act. It is proposed to insert an additional purpose into the Open Courts Act 2013 to make clear that one of its purposes is to recognise and promote the principle that open justice is a fundamental aspect of the Victorian legal system which maintains the integrity and impartiality of courts and tribunals and strengthens public confidence in the system of justice. That is a sentiment that was certainly laid down in introducing the 2013 legislation. Hopefully having it set out in the purposes of the act will put it absolutely beyond doubt

for all members of the judiciary and everybody else who looks to the act to see what its objective is.

The bill also includes a redrafting of the existing section 4 of the act in relation to the principle of open justice. Again, hopefully that rewording helps put beyond doubt that open justice is intended to have primacy alongside free communication and disclosure of information in determining whether or not to make a suppression order and that a court is required to be satisfied of the special circumstances of the case in order to make a suppression order. There are also a range of mechanical provisions in the bill which in various ways seek to strengthen how it operates.

Separately there are some provisions amending the Children, Youth and Families Act 2005 in order to substitute new restrictions for the existing provisions and restrictions in relation to the publication of proceedings that relate to juveniles. This has been another vexed area of the law. The objective in having greater restrictions on the publication of details about offending by juveniles is to give an opportunity for juveniles who have done the wrong thing but then learn the error of their ways not to have their juvenile transgressions held against them in later life. To a certain extent, that is a reasonable objective. The problem arises when juvenile offenders are given that opportunity but then fail to take it and go on to commit further crimes, often very serious crimes, either as juveniles or as adults. Certainly when an offender shows as an adult that they have not learned the error of their ways and have not turned away from youthful folly or wrongdoing but are continuing in it, the rationale for continuing to prevent the community having knowledge of their prior juvenile offending has gone. That is certainly a view that was taken by the Liberal Party and The Nationals under the previous government, and we announced various commitments and policy intentions in that regard. Unfortunately the provisions of the bill in relation to juvenile offending fall short of what we believe is appropriate and what we have put forward as reforms that we believe should be introduced.

The final area on which I would touch is amendments to the Judicial Proceedings Reports Act 1958 to create a defence to the prohibition against the publication of any matter identifying a person against whom a sexual offence has been committed. The objective of this amendment is to make clear that if the court gives permission either on the application by the victim or on the court's own motion or if the victim themselves is an adult and they give permission, then details can be published. That seems a very sound objective indeed. These laws were put in place in order to protect victims, not to prevent victims from speaking out about what they have suffered when they wish to do so.

This follows on from a parallel reform that was introduced under the previous Liberal-Nationals government to make it clear that victims of family violence should have the right to speak out and tell their story when criminal proceedings against a perpetrator had been concluded because perpetrators should not be allowed to hide behind these provisions. Unfortunately the provisions in relation to family violence as they were originally enacted had that consequence. We were very pleased to bring legislation to this Parliament when we were in government to change that to make sure that victims of family violence had the right to speak out about what they had suffered, and to use that to demonstrate the importance of measures to protect family violence victims.

I give credit to the many victims of family violence who spoke out very strongly in favour of that reform to the law, and it was a reform that we as a government were very pleased and proud to deliver. It is one that I, in particular, as Attorney-General of the day was very pleased to be able to bring to the Parliament on behalf of the government. We welcome the objectives of this parallel provision in relation to victims of sexual offences, and we certainly hope that it operates to achieve its objective of empowering them to speak out about their experience when it is their wish to do so.

In conclusion, the opposition parties do not oppose this bill. We certainly support its objectives of reinforcing the direction that was set under the previous coalition government of making clear to Victorian courts that they should be open and transparent and give primacy to that objective. Our only regret is that, as in so many other areas, it has taken the government far, far too long to bring legislation along these lines to the Parliament. Regrettably it will therefore fall to the government following the election to bring legislation to this Parliament to actually achieve its objectives.

Ms HUTCHINS (Minister for the Prevention of Family Violence) (12:07) — I rise to speak on the Open Courts and Other Acts Amendment Bill 2018 that is before the house. This bill really helps us to make sure that our laws relating to suppression orders are working effectively for all respondents that use our court system. It requires written reasons and provides opportunities for objections which will safeguard the public's right to know. This is extremely important in the space of making sure victims of family violence and victims of sexual assault are able to tell their stories and that there are no adverse effects in place in regard to how these orders are actually operating.

The bill is part of the first stage of the government's response to the report. We acknowledge that there is more work to do. These are some of the simple changes before us today that we can make, but out of the review there were some more complex changes which I look forward to the next government bringing to this house and implementing.

The bill is based on recommendations made by the former Supreme Court and Court of Appeal judge, Frank Vincent, following his independent review of the Open Courts Act 2013. Can I thank Justice Vincent for the careful consideration that he has given in conducting the inquiry and making the recommendations. It was in late 2016 that the government asked the Honourable Frank Vincent to actually have a look at this matter, and as a result of that some of those recommendations are before us today. The final report of the Open Courts Act Review was made public in March this year, and the report made 18 recommendations for improving existing suppression laws. The government has given its support in full or in principle to 17 of the 18 recommendations, and is making considerations around the other.

The report of the review was produced after consultation with around 40 stakeholders in private meetings and through public submission processes. The bill was developed in consultation with key stakeholders such as the courts, the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, the victims of crime commissioner and the Commission for Children and Young People. All of those voices are loudly reflected in the amendments today.

The bill implements in full or in part seven of the 18 recommendations, and I will just run through what they are in a brief summary. It implements the Open Courts Act review to: emphasise the importance of open justice under the Open Courts Act; prevent suppression orders being made under the Open Courts Act when provisions under other legislation apply; require courts and tribunals to give reasons for making suppression orders under the Open Courts Act; enable suppression orders to continue until the determination of an appeal, or unless varied or revoked by the appellate court; enable the publication of relevant juvenile convictions of persons who continue to engage in serious offending as adults, subject to certain safeguards; and enable adult victims of sexual and family violence offences to speak more openly about their experiences. I would like to focus some of my comments on the importance of being able to tell your story as a victim.

We know that in terms of figures of suppression orders that between 1 January 2014 and 31 December 2016 Victorian courts and tribunals made 1594 suppression orders in relation to cases. The review found that this represents relatively few suppression orders in comparison to the overall caseloads of our courts, but unfortunately there are many victims who have come forward and put the case that they were not able to tell their story because of these suppression orders. In fact they outlined how important it was to be able to tell their story in the public domain as a way of healing and as a way of being able to move forward in their lives by being able to make their case public.

I do not think it was ever the intent of suppression orders in the way the laws were drafted back in 2013 and amended along the way to have this implication. In fact the previous speaker indicated that that was something that was not part of the aim of these laws in the past, but it has been a reality to the effect that it has suppressed our victims here in Victoria, particularly victims of sexual assault and family violence, from being able to tell their stories in much broader circumstances.

What these changes do is enable victims of family violence and sexual offences to speak more freely about their experiences. The bill amends existing prohibitions to allow adults who as adults or as children were victims of sexual or family violence offences to opt for disclosure of their identity once the offender has been convicted. The bill also creates a core process to allow the court to make an order authorising disclosure if the victim consents to disclosure and there are no other reasons for the prohibition to apply. This is important for women who want to speak out and allow others to know that they are not alone in those circumstances. We have seen how important this can be in terms of encouraging other women to step forward. There was a very terrible case only a few months ago of a crime that happened, I think about seven years ago — a sexual assault and bashing of a woman who was able to come forward and tell her story, even though there was no conviction at that stage of the offender. What being able to speak out and tell your story does not only assists the police when there has not been a charge or a prosecution but also encourages other women who may have been in the same circumstance of experiencing sexual assault, rape or family violence to come forward and know that they are not alone, that their experience matters and that real change can happen.

The court process under the bill requires a court to be satisfied of the consent of any other victim whose identity would be disclosed before it can make an order enabling a victim of sexual or family violence offences to disclose their identity. As an additional safeguard the

court must also be satisfied that the disclosure of a victim's identity is appropriate in all the circumstances. This has been a topic of debate in recent months around the disclosure of perpetrators and their details. Of course it really is not up to an ad hoc database for that to be put in place, but rather a court system to make the decisions around what the implications of disclosing either a victim's or a perpetrator's identity and what the flow-on effects would be for the immediate family of both those people.

On giving reasons for suppression orders, there is no requirement in the Open Courts Act 2013 that courts and tribunals give reasons for making suppression orders. Recommendation 6 of the Open Courts Act review recommends that Victorian courts and tribunals give written statements of reasons for making each of the suppression orders subject to any redaction or restriction necessary, not to undermine the purpose of the order, and that these reasons be made publicly available. I think that is a really important step forward.

Reasons will not need to be given in limited circumstances, such as when an interim order is made or when giving a statement of reasons would render an order ineffective. The implication of this requirement will be considered in even more detail in further legislation. The reasons for making an order need not be of any particular length, provided they are sufficient to explain and justify the terms of the suppression order.

I guess an important part of all of the amendments that are before us today is that they will make sure that the information that is received by the courts and the decisions that are made are made in a way where victims get the right to tell and share their stories. In conclusion, we are committed to ensuring that our courts are open and transparent and that the laws protect the public's right to information. I recommend the amendments to the house.

Mr CRISP (Mildura) (12:17) — I rise to make a contribution on the Open Courts and Other Acts Amendment Bill 2018. The main purposes of the bill are to amend the Open Courts Act 2013 in relation to the prohibition and restriction of the publication of information in court and tribunal hearings, and to make related amendments to the Children, Youth and Families Act 2005.

I guess there are a number of things in this that relate to access to information from the courts. It emphasises the importance of the principle of open justice and the free communication and disclosure of information in determining whether to make a suppression order, because I do note that Victoria does have a high level of suppression orders, and requires the courts to give reasons when they do make a suppression order and also to include in any criminal proceedings involving sexual or family violence matters a victim or alleged victim of that offence.

This is a bill about our courts, and members have spoken somewhat around these courts. This principle has been around for sometime and has been widely debated. What I do want is to use this bill before the Parliament to talk about the case of Karen Belej, who came from my electorate and certainly from the perspective of the Mildura electorate's mind. The Karen Belej case is one that has caused considerable pain in my community as it has worked its way through a legal system. Brandon Osborn admitted to holding an unregistered handgun loaded with a single bullet to the head of Ms Belej, who was a family violence campaigner. They were in a relationship. He was initially charged with murder, but then accepted a plea bargain to being guilty of manslaughter, and then was sentenced to a maximum of nine years with a non-parole period of six. That is the basis of the court system that delivered that sentence. There was considerable concern in my community about the leniency of the sentence, and similarly, with a petition to the Parliament but also work done by the Director of Public Prosecutions, the case then went to appeal on the sentence.

Earlier this year the judges in the Supreme Court delivered their sentence. It was reported in the *Sunraysia Daily* back in August under the heading '"Somewhat lenient" Brandon Osborn sentence for killing Mildura woman Karen Belej stays'. The report in the newspaper reads:

> The killer of … domestic violence campaigner Karen Belej will not serve more jail time after a push to increase his maximum nine-year sentence was dismissed in the … Court of Appeal this morning.
>
> Thirty-seven-year-old Brandon … Osborn was jailed in September last year to a minimum six years behind bars after admitting to shooting dead Ms Belej at her Cardross home in May 2016.
>
> Two of three … judges rejected the grounds of appeal, saying that while the sentences imposed could be regarded as somewhat lenient, they were not outside the range of sentences available to the sentencing judge.
>
> Dissenting judge … however, concluded that the sentences were manifestly inadequate and would have resentenced Osborn to … 12 years imprisonment with … eight …

That was the result of that appeal. This has been a very public case in Mildura. It has had a huge impact on the family, and the circumstances around that have been deeply felt in Mildura. No family should ever have to go through what the Belej family has.

Last evening the family informed me that it was their view that the Office of Public Prosecutions (OPP) will not be seeking to go to the High Court. That is again today causing some concern for the Belej family, who are not only seeking justice for Karen but do not want any other family to go through this and are seeking justice. Part of their communication with me as to why they wanted to go about this is, from an email from Chris Belej, because their desire as a family has always been to seek justice for Karen but also, and just as importantly, to improve the outcomes for a community when it comes to the review of the law with respect to reckless murder, and to secure improved outcomes for victims of crime generally within existing frameworks, particularly those that do not live within easy reach of Melbourne, and to enhance the plea deal management and review of processes with the OPP. These are justifiable requests of the Parliament, and I think that that is where this now lies. In order to get justice for Karen and for others we need to make sure that no other family has to go through this, and nor should any community have to go through it.

There were two aspects of this criminality. There was of course family violence and domestic violence. My community feel that for the crime the perpetrator has in fact escaped the proper purposes in this, so the family is upset with the law. As was said by the member for Box Hill in his contribution, this has exposed how weak the law is in this matter. We know under the separation of powers — and this is a simple explanation of it — that the Parliament makes the law, the police enforce the law and the court administers the punishment. The Parliament now needs to address matters in this case. What tends to happen with our legal system is that — and there are plenty of examples — the minimum sentence becomes the maximum sentence as we move through a system based on precedent, and in this case what was available to the judges is set in common law. So the Parliament must change the law to rectify this, and we have the means to do that; we are the law-setters. When, as the member for Box Hill said, the judiciary do not uphold the law in the manner that is intended by the Parliament, and the Parliament in turn reflects the expectations of the people, then we need to act. That is something that both sides of this Parliament need to do when we return in the next Parliament: to stiffen up these sentences and push the reset button.

This is someone who managed to plea bargain down from murder to manslaughter and then managed to get almost to the minimum sentence for manslaughter. There was a view amongst the community that there were few extenuating circumstances. When you put a gun to someone's head and pull the trigger that is a very conscious act, and it just goes beyond all of the understandings that we have always had: you never point a gun at anyone whether it is loaded or otherwise — you never do that.

There is an area that we have discussed in this Parliament and passed legislation on recently, and that is the role of victims and parole. In this case the victims, the Belej family, should be notified when parole is applied for. This was a case where he was sentenced to nine years and was given six years non-parole. They should be able to make a submission on parole. I think to meet community expectations the Adult Parole Board of Victoria does need to consider whether letting someone out after a minimum of six years is appropriate. I know the parole board have a lot on their minds, but they also need to have the victims clearly in their minds.

The Belej family have been strong throughout this because they have had to be. They want their strength to be the catalyst for change, and it is change that must occur in this house. They now know that the change has to come from here, and Parliament should now deliver the change, as all the legal options have virtually disappeared for there to be justice for Karen Belej.

Ms WILLIAMS (Dandenong) (12:26) — It is my pleasure to rise in support of the Open Courts and Other Acts Amendment Bill 2018. To start with a bit of background and context to this bill, I want to take the chamber back to late 2016 when the government asked retired Supreme Court of Appeal Justice Frank Vincent to review the suppression order regime here in Victoria. Justice Vincent was asked to review the Open Courts Act 2013 and other Victorian legislation to consider whether the current laws strike the right balance between people's safety and privacy, fair court proceedings and the public's right to know.

The final report, the *Open Courts Act Review*, was made public in March 2018. It makes 18 recommendations for improving existing suppression laws. Fourteen of those were legislative recommendations and the remaining four were non-legislative recommendations. The government has given its support in full or in principle to 17 of the 18 recommendations, and one of those recommendations remains under consideration. The Open Courts and Other Acts Amendment Bill is the first step in implementing the legislative recommendations of the review and, as I have said, it implements seven, either in full or in part, of those recommendations.

The bill amends section 534 of the Children, Youth and Families Act 2005 (CYFA) to ensure that the

prohibition against the publication of the identity of a young offender applies as narrowly as possible to enable free reporting of court proceedings, and this builds on the recommendations of the *Open Courts Act Review*.

To touch on some of the key changes being made by this bill — and I will talk to a few of them in greater depth shortly — of those 18 recommendations of the review, the bill seeks to emphasise the importance of open justice under the Open Courts Act. It also works to prevent suppression orders being made under the Open Courts Act when provisions under other legislation apply. It requires courts and tribunals to give reasons for making suppression orders under the Open Courts Act and it enables suppression orders to continue until the determination of an appeal or unless varied or revoked by an appellate court. It enables the publication of relevant juvenile convictions of persons who continue to engage in serious offending as adults, subject to certain safeguards, and enables adult victims of sexual and family violence offences to speak more openly about their experiences.

That is the summary. In terms of a more detailed analysis of suppression orders, I know it was noted by the previous speaker that there is an expectation that the bill will reduce the number of suppression orders made by the Victorian courts and tribunals as a result of making, in particular, four key changes recommended by the review, which I would like to touch on in a little bit more depth than in my summary. To go to that, the bill implements recommendations 1 and 2 of the review to reinforce the importance of justice and make it clear that suppression orders under the Open Courts Act are only to be made as exceptions to the principle of open justice where necessary. This will ensure that courts do not make suppression orders too easily by applying a mere presumption in favour of openness, which is what the current law allows.

The bill also amends the Open Courts Act to prevent suppression orders being made when a provision in another piece of legislation prohibiting or restricting the publication of information is or may be applicable, which commits to recommendation 3 of the review. An example of a legislative provision is the statutory prohibition against the publication of the identity of a victim or an alleged victim of a sexual offence in the Judicial Proceedings Reports Act 1958. This change will essentially prevent duplication and in doing that will therefore also remove the number of suppression orders.

The bill partially implements recommendation 6 of the review to require courts to give reasons for giving a suppression order under the Open Courts Act. By requiring courts to justify the making of a suppression order, the bill will ensure that orders are only made where and to the extent necessary, which also goes to that point about the reduction of the number of suppression orders being issued. The bill also implements recommendation 9 of the review to ensure that suppression orders made in a proceeding in a lower court will continue on appeal. This will reduce the making of suppression orders which essentially protect the same information from disclosure, so going back twice somewhat unnecessarily.

Recommendation 13 of the review recommended the discretionary disclosure of relevant juvenile convictions of adult offenders where they show a continuing and perhaps an entrenched propensity to commit serious offences. The review noted that such disclosure should be subject to appropriate safeguards and constraints. The bill amends the CYFA to give a judge of the County Court or a judge of the Supreme Court sentencing an adult offender the discretion to publish the juvenile convictions of that particular offender. A court, however, may only disclose the juvenile convictions of an adult offender where the adult offending is the same or of sufficient similarity to the child offending or where the adult offending is serious and where it is appropriate in consideration of the offender's previous criminal history and prospects of rehabilitation. The terms 'sufficient similarity' and 'serious' have not been defined in the legislation, which will enable the courts to apply their discretion in the circumstances of an individual case. Once a person's juvenile convictions are disclosed in sentencing remarks, secondary publication of those convictions by the media will be allowed.

I also want to look at how the changes to section 534 of the CYFA make it easier to report on children's court proceedings. Currently section 534(4) of the act deems certain particulars as likely to lead to the identification of a person for the purpose of prohibiting the identification of a child or other party to a proceeding in the Children's Court. Section 534(4) is broadly framed and includes particulars such as the physical description or the style of dress of the person as well as their perhaps political, philosophical and religious beliefs, and some of the listed particulars may not identify a child in every case. The bill amends this provision to narrow the scope of particulars deemed likely to lead to the identification of a person to the name of the person, the name of the relatives of the person and the name and address of their place of residence, employment or education.

The bill will ensure that in the case of Aboriginal persons Aboriginal children cannot be identified by virtue of their identification with a member of their Aboriginal community, and this change will allow the media to report more freely on the court proceedings. However, there will be no change to the publication restriction itself in section 534. The media will continue to be prevented from publishing any information which is likely to identify a person whose identity is protected in the specific circumstances of the case.

Courts will be required to give reasons for the terms of a suppression order, such as its duration, grounds and subject matter, in the majority of cases. The only exception to this requirement is where an interim order or order revoking the suppression order is made or where to give reasons would render the suppression order largely ineffective. An example of a situation in which the provision of reasons may render the order ineffective may be where an order is made to conceal the identity of a police informer but disclosure of the fact that a police informer is involved at all would tend to reveal that informer's identity. A court also needs to give reasons for an order varying an existing suppression order provided the order specifies the purpose of the variation.

This bill before us makes a series of what I think are commonsense changes. It has obviously come in the context of a review that made some 18 recommendations, which this government has taken extremely seriously and sought to act on. This bill is a really important step in achieving these changes and achieving a better system around the use of suppression orders. As such, I commend the bill to the house.

Mr PESUTTO (Hawthorn) (12:36) — I am pleased to be able to rise this afternoon to speak on the Open Courts and Other Acts Amendment Bill 2018. It is a bill that, as the house has been advised by the lead speaker on behalf of the opposition parties, we will not oppose and are happy to support. We wish the bill had gone further to entrench more effectively the principle of open justice, but as far as it goes it is something we are quite prepared to support. I should say at the outset that I do look at the scheduling of this bill for the second-last sitting day of this house in this term and wonder why this bill was not brought in with greater urgency many months ago when it could and should have been addressed.

The level of suppression orders in Victoria has been a matter of increasing concern for some years now. In fact it is why the Open Courts Act 2013 was brought in by the previous coalition government, with the bill led by the then Attorney-General, the honourable member for Box Hill. As he said at the time, the intention of the bill, among other things, was to improve public scrutiny of what goes on in our courts as a factor that promotes open justice, but it is something to be lamented that Victoria has led the way in the number of suppression orders ever since. It is hard to understand why that is the case. The bill and the supporting materials to that bill in 2013 which culminated in the Open Courts Act were very clear about what was intended. Suppression orders were not to be used to this extent. It was never contemplated that they would become so normalised in the system. I speak to many practitioners, victims and parties to matters before the courts who cannot understand why matters are subject to suppression orders.

There are of course very good reasons why suppression orders are used. There are times when you have to protect the identity of victims or parties to proceedings that might be at risk of serious harm if you do not suppress matters before the courts. But I have to confess, from what I have been told by many practitioners across the system, that I do wonder whether suppression orders are being granted more to shield court processes from property scrutiny than to serve those purposes, which we would all agree lie at the heart of suppression orders when they are genuinely needed.

It has become so bad that in 2017, as I understand it, Victorian courts issued 450 suppression orders in that year. The next highest jurisdiction was South Australia, and South Australia only issued 117 suppression orders. That is a massive disparity between Victoria and other jurisdictions. It ought to tell us that there is a problem — a problem that has been exacerbated by the advent in the last two to three years under this government of high-harm crimes that the Victorian people are not readily familiar with, particularly violent youth crime, gang crime, carjackings and home invasions, which members on this side have tried repeatedly to raise in this house on behalf of many Victorians who have been affected directly by these high-harm crimes but also the many thousands, indeed millions, of Victorians who are affected indirectly.

We encounter many occasions when the identities of very violent offenders and the offences for which either they have previously been found guilty, whether on conviction or otherwise, or they are facing serious charges are matters that are denied to the Victorian public. We think that is wrong as a general principle. As a general principle the system should be open and transparent, and it may well be that a member of the bench may feel that the list of charges or previous convictions in the case, say, of a repeat violent juvenile

or adult offender should be concealed from the Victorian people for fear that it might damage the longer term prospects of that person's possible rehabilitation. I do not think that is good enough. I think the Victorian people deserve to know, particularly when such grave matters are before the courts.

So this having been a problem for a while, the government did commission the very respected jurist and former Court of Appeal judge, the Honourable Frank Vincent, to conduct a review in late 2016. He produced his report, and the government sat on it. The government sat on it for many, many months. He made a number of very sound recommendations in that report which will go a great deal of the way towards remedying the current problems that we face, and yet the government sat on it — sat on it to the point where here we are on the second last day of this parliamentary term addressing this bill. The sad thing is that it will not pass. It will pass this house, but it will not pass the Parliament.

It is a bill we support. It is like the emergency workers bill, a bill that the government promised back in May to introduce with some urgency. I remember the Premier, one or more of his ministers flanking his side, in the presence of highly respected paramedics, police officers and other first responders saying that he was going to fix the problem. Whilst we might not have agreed on how far the government's bill was likely to go, we were always going to support anything which toughened up the law, and yet that bill is only now being addressed in the upper house. I think we are expecting it back in this house momentarily. So why did the government sit on this bill for so long? It is because the government cannot manage and has not been able to manage its legislative program.

It has botched its legislative program, and it does not really have a strategy or a plan for dealing with issues in justice — whether it is sentencing reforms, which took them over two years to bring before this house; whether it is trying to walk back the changes the government made to bail initially; or whether it is walking back the changes to anti-consorting laws, which it completely botched in 2015, or the move-on laws, which it had to address but, in order to save face, did so through the Control of Weapons Act 1990 as if that would conceal the humiliation of having to walk back changes it made in 2015. It completely messed up the program. So here we are with a bill that is not going to pass this Parliament. It needs to be done, and if we are elected in November, we will certainly deal with this and we will deal with it with alacrity, because we understand how urgent it is.

We end this term of the Parliament with the Victorian people seriously doubting the credibility of this government and the ability of this government to manage justice issues. Whether the government would like to concede it or not, justice is a mess under this government — an absolute mess under this government. I have already mentioned that they fluffed anti-consorting laws, they fluffed move-on laws and they fluffed, completely, bail laws. Sentencing has taken forever for them to address, and even the measures they brought in run the risk that they will not lead to the change that is needed.

I say to everybody who will read about this debate and is following it online that this government cannot be trusted for another four years to oversee our justice system. The Premier and his faltering government should not be trusted with another four years. And to those watching, to those who will read about this debate, I urge you to consider this: let this government go; do not give this government another four years.

Look at what this government, under this bumbling Premier, did in just four long years. Look at the damage it wrought on our justice system. Look at the lowest level of public confidence in the justice system that our state has ever seen, and ask yourself: are you Victorians safer today than you were four years ago? Do you think our justice system under the Premier is being managed better today than it was four years ago? Do you think bail is better than it was four years ago? No, it is not. Is sentencing tougher? No. Do police have the powers they had four years ago? No, they do not have the powers they had four years ago. This government has messed up justice. This government does not deserve another four years after four long years of chaos, of indecision and of rampant ideology that has led to Victorian communities being exposed to violence and harm. Vote for a change. Vote for the Liberal-Nationals.

Mr DIMOPOULOS (Oakleigh) (12:46) — What a performance. It gives me great pleasure to speak on the Open Courts and Other Acts Amendment Bill 2018. But do you know, the member for Hawthorn is partly right. Yes, there is in some quarters a concern about crime — there always has been — but what he is frustrated about is that the polls came out some months ago and said that people still think that Labor is better placed to handle it, because it is. He is thinking about all those wasted question times where we have raised this issue, and it still does not resonate. We are still better placed to deal with the issues because we do not cut police and we actually do not fan the flames of racism like the Liberal Party does. I do want to actually talk a bit about —

Mr Pesutto — On a point of order, Acting Speaker, I am loath to interrupt my colleague in his speech, but I do take personal offence at the use of the term 'racism'. I know that I do not, and I am absolutely confident that none of my colleagues over here, fan that. I do take offence, and I ask the member to withdraw.

Mr DIMOPOULOS — I withdraw. My reference was not to a particular member, but nonetheless I just want to cover off a couple of things that the opposition are polluting the debate with. The member for Hawthorn in his contribution just now said that we dithered on this report after appointing an eminent person like the Honourable Frank Vincent. The member for Essendon was correct in the fact that the member for Hawthorn could look at the other part of the equation, which is that his party is holding up 27 bills in the upper house. I learned, I think in year 10 legal studies, that in order for a bill to become an act it has to go through both houses of the Parliament. The member for Hawthorn's team is holding up 27 bills.

Also, when you talk about us dithering, look at the record of those opposite. There were four years in which they lost government business program debates. They had a Speaker who had very little power. The then member for Frankston held the government to ransom. They achieved very little. In fact in the first couple of years of this Parliament I was used to getting up and saying, 'I'm speaking on a bill that lapsed in the last Parliament'. We had to pick up a lot of the mess, but as the Premier said today in question time, one of the biggest messes we had to clean up was the big holes in the bail system. We had to clean up the bail and parole mess. Let us not forget really devastating, awful crimes like the murder of Jill Meagher. All those gaps in the bail and parole system that occurred under their watch we had to clean up.

I go back to the contribution made by the lead speaker for the opposition, the member for Box Hill, the former Attorney-General, who, as mild-mannered as he comes across in his contributions, used the phrase 'explosion of crime'. It is uncharacteristic of the member for Box Hill to use such hyperbole in his contributions. There is a perception of being soft on crime. Just to remind the chamber of the reality of what the member for Box Hill should himself remember: crime started trending up in 2011. The previous government was in power —

Mr Clark interjected.

Mr DIMOPOULOS — The member for Box Hill says it was going up long before that. I trust the Chief Commissioner of Police. As a member of the Public Accounts and Estimates Committee I have heard him describe firsthand the trending up of crime statistics, and it was referenced at 2011. In fact the previous government presided over probably the worst possible thing, and that is a 43 per cent increase in recidivism. For all the tough talk on crime, I would not be proud of a 43 per cent increase in recidivism.

The other thing we need to note is they are absolutely trying to create a binary public debate around crime. They are using the term 'African gangs' in a way that is unethical, untoward and which completely dilutes and pollutes the public narrative on crime. It absolutely pollutes it. It is not the truth and it never has been the truth. The truth on this issue is that crime has started to fall under this government for the first time in a decade. The other truth is that we have the lowest youth crime rate in Australia after the ACT. It is very, very convenient for them not to talk about that. Of course they would not.

The other thing I think we need to just remember when the member for Box Hill and the member for Hawthorn talk with such gusto about our record is that, as the Premier said today in question time, baseline sentencing was thrown out. Of course the member for Box Hill talked about potential appeals and all the rest of it. It never happened. The sunset of that period of public policy in Victoria was an embarrassment to that government. Also embarrassing to the now opposition was the interview by Neil Mitchell attended by the Attorney-General and the shadow Attorney-General. I watched via the cameras in the studio. The member for Hawthorn was asked, 'Are they really mandatory? Are there any exceptions?', and he said, 'No, you can't have a system where there are no exemptions'. This is exactly why he gets the tag of Mr Not Quite Mandatory.

This is important because what happens is that they pollute the public debate with untruths, and people have a right to know the truth. The truth from our perspective is that this bill that we are debating today is a proud addition to an already considered and fairly complete framework to improve our justice system, to make it stronger and to protect victims.

Open courts are obviously critical to the trust and confidence the public has in the criminal justice system. They are obviously critical. This bill seeks to restore the balance of open courts and limit the use of suppression orders through the changes that have been outlined by both the Attorney-General in his second-reading speech and by colleagues on my side. For me this is a proud legacy for the criminal justice system of this government — not just this bill but all the other bills that we have debated. These include the Victims and

Other Legislation Amendment Bill 2018 that I spoke on the other day, which protects victims in terms of them not being considered to have committed a criminal offence just because they were under child welfare protection in the day. It also includes the Justice Legislation Amendment (Victims) Bill 2017 that related to intermediaries and helping vulnerable people communicate more effectively and fulsomely in a courtroom.

The one I am proudest of in protecting victims is the redress scheme. Victoria was one of the first states to sign up to the redress scheme. There is also the victims bill, which I think I also had the pleasure of contributing to, and the greater assistance we provide to victims through the enhanced powers of the victims of crime commissioner and the enhanced funding of the Office of Public Prosecutions. I also understand we have increased the funding to every single jurisdiction in Victoria, and we have also committed to a far more balanced and representative court system through the aspiration to achieve 50 per cent gender diversity in Victorian courts.

We have not cut TAFE; we have restored TAFE. We have restored police numbers. In fact we have gone above and beyond in restoring police numbers — 3135 above and beyond attrition. We have invested $705 million in this budget in drug and alcohol and mental health services. We have closed the loopholes in parole and bail that those opposite left open. We have done a whole range of things, and this bill is yet another example of the care we take to strengthen our justice system and to strengthen protections and confidence in the justice system by ensuring open courts are actually open and we limit secrecy and suppression orders. We have done a whole lot more in terms of the social aspects of civil society in Victoria, which limits the amount of people being dragged into the criminal justice system. I recommend the bill to the house.

Mr McGUIRE (Broadmeadows) (12:56) — The Andrews Labor government is overhauling Victoria's suppression orders to make it clear that suppression and closed court orders are exceptions to the principle of open justice and should only be made when necessary. The government is committing to ensuring that our courts are open and transparent and that the laws protect the public's right to information. This is a critical first point, but I do want to address some of the other issues that have been raised, because they go to the bigger picture issue of the politics of what is going on.

The opposition is trying to aggregate anxiety and fear, because that is all they have got. There is no big picture. Worse, they are doing revisionism; they are trying to rewrite what actually happened. The reality is that the Andrews Labor government is implementing Victoria's largest suite of legislative measures to crack down on serious offenders, toughen sentences for serious and violent crimes and increase consequences for young offenders. The raft of reforms is required to address the historic neglect and the failures of the previous administration — the one-term coalition government in particular — and baseline sentencing is the case that we should actually really examine, but let us do it according to the facts, not the alternate facts. They used to be dismissed as propaganda.

I will remind the house that the Court of Appeal in Victoria wrote off the Napthine government's baseline sentencing scheme and described it as — and I am quoting them — 'incapable of being given any practical operation'. They further remarked that it had an 'incurable defect'. Think about that: an incurable defect; it did not work.

Mr Pesutto interjected.

Mr McGUIRE — We can hear the member for Hawthorn still griping about it. This is the decision that was made.

Mr Pesutto — It was wrong.

Mr McGUIRE — Are you trying to say it was wrong? No, this was the decision, that it had an 'incurable defect'. I cannot remember a more damning verdict by the Court of Appeal in the state of Victoria. There is no use having an academic argument and saying we should have taken it to the High Court. The Andrews Labor government, under the Attorney-General, had to actually get something done that was practical and enforceable — and that is the difference. This is a whole raft of different legislative amendments and an agenda to actually address these issues; that is what this government has done. The crime stats are coming down, but the opposition wants this ultimate narrative, this proposition that is no more than propaganda. All they are wanting to do is beat the drum on this between now and the election on 24 November. Are we actually addressing these critical issues? That is really what I think we need to go to.

Baseline sentencing was seen as being overly complex in the modelling. It relied on comparative statistical analysis. Baseline sentencing was expressed by reference to an abstract future statistical point — to go to the detail — whereas standard sentencing is a legislative guidepost that courts must take into account when sentencing an offender. The baseline sentencing scheme did not provide a mechanism or guidance to the

courts for the achievement of the baseline medium. In November 2015 the Court of Appeal held that it was 'incapable of being given any practical operation'; that is a direct quote. It did not work. It could not be enforced, so let us not have amnesia. Let us not accept the revisionism that the coalition has come with here today and is trying to reprosecute, because it was wrong and it was ruled out. It was dismissed.

Sitting suspended 1.00 p.m. until 2.01 p.m.

Business interrupted under sessional orders.

GRIEVANCES

The SPEAKER — The question is:

That grievances be noted.

Ripon electorate

Ms STALEY (Ripon) (14:01) — I rise to grieve for the people of Ripon for the final time of this Parliament. I have plenty to say today. I will be going the full 15 minutes, and if I could do 40 I would, because as we sum up the failures of this government in relation to Ripon over the past four years there is certainly a lot to talk about.

I will start, unfortunately for the people of Ripon, with crime. Just today, if anyone wants to go to the *Ararat Advertiser* website, what they will see is three or four stories about crime that has happened in the past couple of days. That is perhaps not surprising given that the most recent crime figures show that offences are up 21.5 per cent in the Rural City of Ararat since this government came to power. What we are seeing is an absolute uptick in violent crime. Today in question time the Leader of the Opposition asked about a particular crime in Ripon which happened on Monday night. It was a home invasion. The words 'home invasion' and 'Ararat' are not words that ever went together before. We never had that sort of crime in my part of the world, but now under this government we do. We had four uniformed and masked invaders come into somebody's home, assault — by tying up — the female resident and belt up the male. He has significant injuries.

But that is only the latest in what has unfortunately become a pattern. On 10 September we had a person in St Arnaud who assaulted a paramedic. Again, that is not the sort of crime that we have previously seen in St Arnaud, yet in this term of government not only have we seen a paramedic assaulted in September but not that long ago, maybe 18 months ago, the St Arnaud police station was entirely trashed by an offender who got in and broke every single pane of glass, including mirrors. Every single room was destroyed and had to be rebuilt.

The crime tsunami that this government has overseen is now in country Victoria, and we have got to ask ourselves: why would that be the case? Why has it spread to country Victoria? As soon as you look at the police numbers it becomes obvious. What we have seen is frontline police removed from country Victoria. There are fewer frontline police — for example, in the Ballarat region — than there were in November 2014. It is all right for the government to say, 'Well, we've put police into task forces'. I am sure those task forces do good work, but the trouble is that we do not have enough police on the beat to stop people's homes being invaded, to stop people being assaulted and to stop the level of crime that we are seeing in our communities.

Another one: a man has been left with permanent brain damage after being attacked while walking his dog in Ararat. That person spent 28 days in hospital and now has permanent brain damage. I do not want the Parliament to think that it is only Ararat; unfortunately it is throughout regional and country Victoria now. These are crimes we did not see before. These were ones that we would watch on our television screens occurring in Melbourne and say, 'Isn't Melbourne a terrible place for crime? Isn't it awful that they've got all of those crimes out of control and people are living in fear?'. And yet what do we see in our community? That is what is happening here and now in the Ripon community.

If we move past crime onto the horrific cost of energy prices that people in Ripon are experiencing, over and over again I hear of people who are not only doing it tough but they have really been forced into poverty because of massive increases in their energy prices. When you have a $500-a-year increase in your energy price and you live on the aged pension, the only thing that can go is food. You have got no other way to cut your expenditure. That is what we are seeing in Ripon. We are seeing people who are increasingly asking for charity, for food. They are increasingly turning to charitable organisations to help pay their power bills, and then when all of that fails it is cold in my part of the world in winter so they stay in bed. They stay in bed with the electric blanket on because that is the cheapest way to stay warm rather than trying to heat the whole house.

Now, what does that say to us as a society, that we are allowing aged pensioners, legatees and people who are veterans to live in these circumstances because this government could not and cannot come up with a decent energy policy that actually keeps the prices low

and instead set out on an ideological mission to shut down Hazelwood and lose 22 per cent of installed power overnight — the results of which we see?

Diesel generators are being brought in again for this summer. We see continued high prices. And now the government thinks the answer to this is some sort of pink batts solar scheme. Over and over, my office is being contacted by people who are saying, 'Well, who are these people ringing us all the time, trying to get us to install solar?'. It is starting already. This is the same as what happened in the Rudd Labor government's pink batts scheme, and we will see the same thing happen in Victoria, because it is already happening in Ripon.

I now turn to something that people in my part of the world have been crying out for: an integrated decentralisation policy. People in the country know that one of the ways that they could do better is if they had more population. So they are looking for a party, or someone who is going to form government, that takes that seriously. I have been delighted, I may say, to be able to put to the people of Ripon that an elected Guy government will deliver passenger rail to Donald via St Arnaud and Dunolly. It will be on standard gauge. It will be in the next term of government. We are absolutely committed to delivering rail to Donald, giving the people along that line the option to get to Ballarat to go to a doctor's appointment or perhaps go to university. All of those things are opened up when there are regular rail services, and we will deliver them.

Similarly, we know that the Ararat community has been asking for a service that comes from Ballarat to Ararat early in the morning. There are several services that go the other way, but only we have said we will deliver a new service that goes into Ararat every weekday morning. While I am on rail, we have also announced that an elected Guy government will fund the business case that the Western Rail Project councils have been asking for. They have repeatedly asked for $4 million to fund the business case so that we can look at getting rail back — in my case, to Stawell.

Having regular passenger rail to Stawell would be a great shot in the arm to Stawell. Stawell has done it tough in recent times and continues to do it tough. They were cruelly led down the garden path by the Premier when he was the opposition leader in November 2014, when he went to Stawell. He explicitly promised the people of Stawell. He broke it down: he said where the jobs would come from, that his government would create 440 jobs for Stawell. He has not created 440 jobs for Stawell. There are fewer jobs in Stawell now than there were in November 2014. The Premier lied to the people of Stawell, he really has not —

The SPEAKER — Order! The member knows that she is using unparliamentary language. The member has been warned.

Ms STALEY — Speaker, the Premier misled the people of Stawell. He went to Stawell and he made an explicit statement that there would be 440 jobs for Stawell, and there are none. There are fewer people employed in Stawell now than there were in November 2014. And the Premier fails to deliver any hope for the people of Stawell. There has not been anything he has done that has delivered for that part of the world.

So as we come into what the Leader of The Nationals would call 'time on' in this term of the Parliament, we see that on the things that matter to the people of Ripon — whether that is being safe in their own homes or being safe in their communities — this government has not delivered for them. Whether it is cost-of-living pressures and keeping them under control, keeping their power bills down or giving them some sort of dignity of life on the incomes that they have — fixed incomes — this government has not delivered for them.

And the government certainly have no plans to decentralise the population into places like Ripon, which are absolutely crying out for additional population — no plan to deliver that. We, on the other hand, have a great set of policies that address all of those things. Whether it is insufficient bail conditions, whether it is lax sentencing or whether it is getting more police into our regions — we have announced an additional police station will be built for Creswick because we understand the one there is just not up to scratch. On all of these things, we have listened to the people of Ripon and we understand that is what they are asking for.

I suppose I would say the final one on the list of those things that the people of Ripon are concerned about from this government is how they have treated the Country Fire Authority (CFA). There are over 100 brigades in Ripon. All of those are volunteer brigades. Every single one of my volunteers tell me over and over again that they just want to get on with fighting fires, protecting their communities and being a part of the CFA in the way it has been for 50 years.

And yet this government is absolutely committed to destroying the CFA, because they are beholden to one man. There are beholden to the secretary of the United Firefighters Union (UFU), and he has absolutely set out to make sure that what he wants, it gets delivered. This government has bent over backwards time and time again to give Peter Marshall what he wants. From the time when Peter Marshall, prior to the 2014 election,

put his UFU members in made-up firefighter uniforms and stood on polling booths intimidating our candidates and our volunteers, he has demanded payback. He believes he delivered government in a couple of those seats. I suspect that old truism that 'victory has many parents' has something to do with it here, but he believes it, and he has held this government to ransom for four years. And he is still doing it.

We still have not seen the report into bullying in the UFU. It is never going to see the light of day under this government. We still have a bill in the upper house which, if this government is re-elected, will be brought back in and we will see the CFA in this state destroyed. My brigades — the brigades in Ripon — that have served the community and kept them safe for so long have made it entirely clear. They have protested on the steps of Parliament House. They have protested whenever the Premier came to Ripon. They have constantly and repeatedly said that they do not want this bill. They do not want the CFA broken up, and they do not want any of the things that this government is proposing for the CFA. Yet this government continues on this path.

When we come to 24 November, which is a date fast approaching, the people of Ripon will be pretty clear. They are pretty certain that this government has not delivered for them. They are very, very clear that the things that matter to the people of Ripon have not been delivered by this government. They are continuing not to deliver on the people of Ripon's wishes because they are now not standing up for bush users, which is another large group in Ripon, who want access to state forests retained. The Labor candidate has nothing to say on that. She is hiding away behind a statement from the Minister for Energy, Environment and Climate Change. She will not stand up and talk to the people in Ripon. In fact when asked directly, she is very derogatory about particularly prospectors. Well, these are the people of Ripon. These are the things they want to do: they want to go to the bush; they want to prospect; they want to ride their horses; and they might want to shoot some feral deer or some feral pigs. That is what they want to do. But Labor has no answer to that. They are not interested in those people. I am, and I stand up for them.

Ivanhoe electorate education funding

Mr CARBINES (Ivanhoe) (14:16) — I grieve for my constituents in the Ivanhoe electorate who face the potential of cuts to the education budget if a Liberal government was elected to represent them in the Victorian Parliament. Ivanhoe residents of course understand the investment we have seen in education these past four years under the Andrews Labor government. I quote in particular from the *Age* of 30 January 2015:

> James Merlino is confronting a big challenge: to resuscitate Victoria's run-down education system, its 1526 public schools and the state's embattled TAFE institutes.
>
> This system collectively suffered budget cuts of more than $2 billion —

$2 billion —

> during the previous coalition government's four-year term.

Let us just have a look at what that means across the Ivanhoe electorate. It was ignored by those opposite under the two premiers, Baillieu and Napthine, when they led this state. The Ivanhoe electorate was ignored when it comes to education, with only one school receiving any capital funding in the four budgets of the previous government — about four or five months before they were turfed out. But to say that people in the Ivanhoe electorate — our families and our schools — were ignored is not quite true, because the Liberals did not ignore cutting TAFE. The Liberals did not ignore them by closing down the Greensborough campus of the Northern Metropolitan Institute of TAFE, as it was then known, now Melbourne Polytechnic. The Liberals did not ignore them when they introduced car parking fees at the West Heidelberg campus of Melbourne Polytechnic so that tradies and students who want to go there to study had to pay to park at an education institution. Fees were introduced in West Heidelberg by those opposite when they were on the Treasury bench. Their answer was to screw TAFE organisations and cut their budgets, which made sure that the only way TAFE was paid for was by screwing them into the ground. They made sure that TAFE students trying to get a start, working part-time as apprentices, attending their training at the West Heidelberg campus of Melbourne Polytechnic, had to pay for the privilege to just park their workplace vehicles and utes while they attended their courses. That is what those opposite did when they were last in government. I do grieve for my Ivanhoe constituents who may face the threat of those cuts once again.

The performance of this government stands in stark contrast to the four years those opposite had to invest in schools in the Ivanhoe electorate. We have a very diverse education offering across the Ivanhoe electorate, whether they be private schools like Ivanhoe Grammar or the Catholic school system, which has a well above average enrolment across the electorate, with amazing schools like Our Lady of Mercy College in Heidelberg and the many Catholic primary schools that operate across my electorate. It was a Labor government that introduced a partnership with Catholic

Education Melbourne — a capital program for joint funding to invest in Catholic schools. At St Martin of Tours in Rosanna there was a $3 million joint project for nine new classrooms to be built. They will be completed and occupied in November this year. It was a joint project funded between Catholic Education Melbourne and the Andrews government. It is a project that will benefit over 500 students in the Rosanna parish of St Martin of Tours in my electorate. That just shows the collaboration between Catholic Education Melbourne and the Andrews Labor government.

It also benefits the Mother of God parish in East Ivanhoe, which currently, while their school has closed, are entering into contract negotiations to lease the Mother of God school site to their neighbouring school, East Ivanhoe Primary School, so it can expand its services for the community into the Mother of God school site, which includes grade B facilities funded by the previous Rudd federal Labor government. This means the services are not lost to the community. It allows East Ivanhoe Primary School to expand. A payment will be made of course for that long-term lease from the Andrews Labor government to the Catholic parish in East Ivanhoe. It is a win-win for the community that not only allows Catholic Education Melbourne and the local parish to receive an income to maintain those assets and to provide an income to the parish that serves the local community but also allows the expanded East Ivanhoe Primary School to use those educational facilities next door rather than having them put to waste. These are the collaborative opportunities that come from a great relationship that the Andrews Labor government has with Catholic Education Melbourne, which provides a link in terms of the recurrent funding arrangements we have between the state government and Catholic Education Melbourne. Year after year, budget after budget, the Andrews Labor government increases recurrent funding for state education, but also brings up a tied grant and a tied funding stream to Catholic Education Melbourne.

That is another example of how we are working to make sure that schools across our electorates are being protected and supported regardless of whether a family chooses to make a contribution to their community, above and beyond what they pay in their taxes, to send their kids to a Catholic school in the Ivanhoe electorate, where they have many choices. People are concerned. School principals are concerned and school communities are concerned about the ridiculous meanderings of the federal government when it comes to providing some certainty for Catholic education funding for schools across the Ivanhoe electorate.

I quote from a media release of 24 August 2018 from the Catholic Education Commission of Victoria:

> For the past 15 months Catholic school families have demonstrated their deep concern at flawed school funding policies, as seen at the Batman and Longman by-elections.
>
> We look forward to a new approach from government and have issued a number of papers over the past 18 months that will be able to assist Mr Morrison and his education minister.

But of course we had not heard anything from those opposite in trying to hold to account their federal Liberal counterparts in government and about how they could give some funding certainty to families in the Ivanhoe electorate who are making decisions about where to send their kids to school or who have already made a contribution and a commitment to send their kids to Catholic schools in the Ivanhoe electorate. They do so well above the average of other electorates across Victoria. They face funding pressures and uncertainties because the Liberal opposition here, led by the Leader of the Opposition, refuses to hold to account their federal mates in Canberra to make sure that there is some funding certainty for families in Victoria.

The Andrews Labor government has made it very clear. The Deputy Premier, who is the member for Monbulk and the education minister, has made it clear that we will not be signing up to any arrangements that disadvantage families in schools, whether they be Catholic, private or government schools, in Victoria. We have a very long history of those opposite being silent when it comes to providing funding for schools and holding the federal government to account to make sure that their funding arrangements do not disadvantage families who already have their kids enrolled — whether they be in grade 3 or grade 5 or year 7 or year 9 — and who have made a contribution and a commitment to a Catholic education in their local schools. What are those opposite doing to hold the federal Liberal government to account, to make sure that those decisions that they have made are not going to see them financially penalised? We have heard nothing from them in relation to those matters, nothing to hold people to account.

I can say in relation to capital works and education in the Ivanhoe electorate that we have not had one commitment, not one cracker, in eight weeks. We are on pre-poll in the Ivanhoe electorate and right across the state and people will be coming in to vote and there has been not one cracker from those opposite committing any financial capacity to invest in schools in the Ivanhoe electorate — not one cracker. They think that they can slink into office without being held to

account for making no financial commitments to locals in the Ivanhoe electorate.

I can say that we have committed $11.5 million for Viewbank College, my old school, and $4.9 million at Macleod College. There was $6.38 million for Rosanna Golf Links Primary School that we reopened with that legend, the inspiring Professor Graeme Clark, AC. There is the regional deaf facility as well at Rosanna Golf Links, my daughter's school. There was a very significant commitment also from the school community that contributed funds for the synthetic surface across two basketball courts. It is a bit like what has happened at St Martin of Tours Primary School, where we have got a $3 million partnership that includes half a million dollars contributed by the parish themselves to invest in local school facilities.

Next term we will see a $2 million four-classroom facility open a term early at Ivanhoe Primary School. There is also the $4.5 million for Ivanhoe Primary School's next stage that the school will continue to develop into the new year. My mother taught at Ivanhoe Primary School for very many years. We have a very strong commitment to education and understand in the Ivanhoe electorate what is required from local families. That is why at Olympic Village Primary School in West Heidelberg next term we will turn the sod on the $6 million redevelopment of Olympic Village Primary School, a brand-new school to replace a run-down facility that does not meet community standards.

That brings me to investment decisions that those opposite seek to make in relation to the Ivanhoe electorate. Just the other week we saw the Leader of the Opposition at the mall in West Heidelberg. I think he left the engine running when he pulled over to make an announcement of a mobile police van that would on occasions drift through the car park at the mall in West Heidelberg and that that would be part of a $3 million broader commitment for mobile police services across Melbourne.

Mr Nardella interjected.

Mr CARBINES — That's right. What I find astonishing is that there was no commentary from any of the traders in West Heidelberg, no commentary from any of the local community representatives in West Heidelberg. Do you know why? Because on the whole idea of investing in justice responses to uplift the community of Heidelberg, we moved on from that about 10 years ago. What the West Heidelberg community want to see the government invest in is a new school at Olympic Village, and we are doing that. They want to see investment in the Victoria State Emergency Service (SES), and we are building a $3 million new headquarters for the SES in West Heidelberg. They want to see an investment in public housing, and we have seen the new public housing redevelopments across the Bell Bardia and Tarakan estates. These are the sorts of investments in West Heidelberg that the community are crying out for. These are the sorts of investments that we are seeing.

They want to make sure that at the West Heidelberg campus of the Northern Metropolitan Institute of TAFE, now the Melbourne Polytechnic, they are not charging tradies to park in the car park because of funding cuts to the local TAFE by the previous government. After they have been at their apprenticeships in the morning those tradies are on their way to do their study where they are meant to be learning. These are the sorts of services they want. They do not want a justice-led response. They do not want people who think they can breeze in somehow, talk down the local community, instil fear and say, 'Don't go anywhere near the mall in West Heidelberg; it's not safe'. That is just rubbish. They are not the conversations that we are having with people in the community in West Heidelberg. That is not the sort of investment that they are looking for. It is investment in the future, in their families — in their kids, in their grandkids — in their school, a school that then becomes the hub for a range of other community activities and events. That is the sort of work that we are doing. I am looking forward to seeing the Treasurer out there on Friday at the community health service in West Heidelberg. That was built of course by the previous Bracks Labor government. It is an absolute beacon of support and hope for locals in the West Heidelberg community.

This goes further of course to other investments in education that we are seeing across the Ivanhoe electorate. There has been a $3.47 million investment at Banyule Primary School, where they will start by turning the sod and getting to work in the next term. We have done the broader master planning for that very significant project that needs to be undertaken there. At Fairy Hills preschool in East Ivanhoe there has been several hundred thousand dollars for the redevelopment.

Can I say again that I am concerned for the very many public sector workers in the Ivanhoe electorate who made a commitment in their working lives to other people in Victoria. They have made a commitment to devote their working lives for the betterment of our state. The only threat that they have to their opportunity to make that lifelong commitment in the workplace in their community is a Liberal state government that

seeks to cut those services, to undermine their capacity to make a contribution for the betterment of other Victorians in their community.

When we talk about cuts to services we also need to understand that the cuts go also to mandatory heights and the local environment department in relation to planning matters. What we have seen is the Ivanhoe structure plan to protect our community from dodgy developers. We have an Ivanhoe structure plan that we had fought for and worked for since 2011 endorsed by the community and the council in 2012. The previous planning minister and the previous Liberal government refused to make that Ivanhoe structure plan mandatory. They were mere guidelines and they were ignored by developers while that government looked after those on the other side of the river and made structure plans there the law.

When Labor came to office we protected the Ivanhoe community. We made that Ivanhoe structure plan interim and mandatory. I am looking forward to hearing further from the Minister for Planning on how we will lock those interim mandatory heights into law ongoing so that again we protect the Ivanhoe community, its livability and the contribution it makes to all Victorians.

Mildura electorate

Mr CRISP (Mildura) (14:31) — I rise to grieve for Mildura and for the Labor failures of the past four years in the Mildura electorate. The Murray Basin rail project, something that was funded by The Nationals state and federal, has been a botched project. It is a $440 million to $460 million project that was to deliver standardisation and 80-kilometre-per-hour, 21-tonne axle loadings to north-west Victoria. It was going to bring our rail freight network into the 21st century, making it fit for purpose for the economies. It is now running two years behind schedule and is rumoured to be $130 million over budget.

This has gutted my community because it was offering effective and economic ways to move our exports from Mildura through the port of Melbourne in particular and to move our grain through the ports of Geelong, Melbourne and Portland. Eighty per cent of what Mildura grows in our region is exported, and therefore getting our product out of our local area and into the markets that it needs to go to is everything as far as our community wellbeing is concerned. Labor cannot manage dollars, but we also know that they cannot manage projects after the disaster that has befallen the Mildura railway line.

I also grieve for the cost of living. That is something that amongst the ordinary people out there comes up regularly in my offices. Energy and rates are the two areas that come up the most, but there is also rent. For various reasons, rental availability is difficult in Mildura. On energy it is the cost of energy. The forced closure of Hazelwood is seen very much by my community as one of the reasons that there has been a spike in energy prices. That was not a well-managed exit of a coal-fired power station, and it makes people extremely nervous going forward in the future about how that transition will be managed and how price spikes can impact on everyday living costs, including their groceries. So that is an ongoing concern about the cost of energy not only to our constituents but also to the many businesses that operate in the Mildura region.

The 'no new taxes' is certainly one that has rung very strongly through people's minds. There has been the increase in stamp duty for off-the-plan buildings, but also the bolstering of land tax to have annual valuations has impacted on rates, particularly on farmlands. That is something that the Victorian Farmers Federation has been very strong on in its campaign around finding a better way to manage rates in rural areas.

The Country Fire Authority (CFA) has also been a large concern of those in my electorate. It is rural Victorians looking after rural Victoria. There are 60 000 volunteers across Victoria, and there are fire sheds right across the Mallee. Not only does the CFA protect its own community but in many cases the fire shed is all that is left of a community that has changed over the decades. It is the only structure with a name left on it. They have developed that culture of helping each other and looking after each other, and the CFA remains a core in those communities. It is a very much a concern that we have had this long period of uncertainty over the role of the CFA and the country volunteer.

Crime is another concern. I guess when it comes to crime in our community it is about lenient sentences, it is about the way victims of crime are treated and it is about bail laws, and in Mildura's case it has been very much about the Belej case. These weigh heavily on their minds, but in my community they just do not want to wake up to the stories of carjackings and home invasions that are happening in the bigger cities. Mildura people do not want that; they want a response that is appropriate.

The key to some of our economic success has been very much the need for decentralisation, and that is about making Victoria a state of cities, not a city state. That is the action that people want to see occurring in that area. There are a number of things that can be done

to overcome the rural divide. Probably the one that comes quite high on the list is roads. Roads are certainly key to country communication. Road funding and road maintenance has become a very large issue across our area. There was some interesting news coverage way back on 17 December 2014 in the *Sunraysia Daily*. There was an interview that was done with the new government about roads, and I will quote from the article:

> A spokesman for Premier-elect Daniel Andrews has told *Sunraysia Daily* the government would spend $1 billion on fixing regional roads, but wouldn't say which ones.
>
> He said it planned to increase the proportion of fees and fines spent on upgrading roads in country Victoria and give priority to 'the most deteriorated roads and those with large amounts of traffic'.

It is only in the last weeks of this Parliament that we have even seen a bill talking about the proportion of fees that will come to us. In that time there has been concern over the Sunraysia Highway in particular and of course the Calder Highway. Both are major routes and have deteriorated during this term of government.

The other vital connection is with our rail line, which I spoke about earlier, being a freight line, and creating a pathway for the ultimate return of a Mildura passenger train. Again that is something that can help with decentralisation. There needs to be a commitment to build on that Murray Basin rail project to make sure that we can lay the foundations for the return of a passenger train in that northern corridor. I was far more confident that that would occur before we got news of the project problems with the Murray Basin rail. We have made a commitment of $80 million to the Mildura line to make it safer for people in cars and trains as well preparing that line for the return of a passenger train. That is something I hope the Labor candidate now in Mildura will in fact make a commitment to.

There is also concern around some missing money in regional Victoria. When the Rural Finance Corporation was sold, $220 million was set aside for the Murray Basin rail project, but around $200 million of that went to consolidated revenue. That has stuck in the back of the throats of so many people in my electorate, as in, 'Well, where did that money go? Was it spent in rural Victoria, or did it go into Melbourne?'.

Similarly, the port of Melbourne sale had a legislative requirement of 10 per cent, around $970 million, to be spent on rural economic and transport infrastructure, but that certainly has not been delivered in our community, particularly with the state of some of our roads. Where is that money? What has happened to it? I fear that we have not had an answer in four years; I am not expecting one in the immediate future. There was also the promise of some maintenance money, which was a revolving door of around $2 billion, for our highways.

People went in with great optimism, believing that there would be a great deal of work that would occur on the roads to improve communication and improve our economies. The roads that are of importance, particularly in my electorate, are the Robinvale-Sea Lake Road and the completion of the Hattah-Wemen road. Both of these roads are C-class roads, and their importance has changed with the expanding horticultural economy. They are now quite busy roads, with trucks moving on the Robinvale-Sea Lake Road, taking table grapes onto the Calder to take them to the port of Melbourne, and similarly with grain, as far as the Manangatang receival depots. These roads do need an investment in them, and it is certainly going to be high on our priority list.

When we look at budget blowouts with this government, again that is something that my community has counted the costs on. The West Gate tunnel, which began as a $500 million project, went to a $6 billion-plus project. The Metro Tunnel blew out from $9 billion to $11 billion. The level crossing programs blew out from $5 billion to $8 billion, and the north-east link blew out from $5 billion to $15 billion. That is a total of $25 billion, a figure that most people cannot comprehend. To help people comprehend just how much this is, it is 25 Royal Children's Hospitals; 48 Bendigo hospitals could be built with the budget blowout, a new school is around $17 million, a police station is $14 million, an ambulance station is $2 million and a Country Fire Authority-State Emergency Service hub is about $1.3 million. So much could have been done if these projects had had their budgets controlled in a way to allow us to do far more.

As always, we fear with a Labor government that when finances get difficult they tend to work their way back to Melbourne, leaving the farther-flung areas of Victoria short of the investment they feel is needed to be a part of Victoria. Of course what does concern people and what I grieve for is the possibility of a Labor-Greens coalition and the tail wagging the dog, and the implications that will have on so much of our economy.

What is needed is the return of the country roads and bridges program for our smaller councils. The Yarriambiack Shire Council and the Buloke Shire Council have all indicated that it made a difference when that was in place. That is something that we have committed to return, to help those smaller councils manage very large road networks. The country roads

program, which was indicated would come from the port sale money, needs to actually be delivered to help with the economic and transport infrastructure.

We have committed $80 million to rail to get that passenger line ready and to make it safer for freight. We have committed to a residential rehab, and we have also committed to the South Mildura sporting precinct. Going back to 20 December, the *Sunraysia Daily* ran a story headed 'Mildura "on radar" for AFL'. Within that article is:

> 'Labor will consider … requests for funding from sporting facilities across Victoria', he said.
>
> 'The Andrews government will work with council, AFL Victoria and local football clubs on any proposal for an AFL-standard facility in Mildura'.
>
> Mildura councillor —

now mayor, Mark Eckel, who held the sports portfolio at the time, said he was:

> … 'excited' by the government's response and said council would seek … its proposed South Mildura —

sporting precinct as part of that funding opportunity:

> 'We're not far from being shovel-ready and we certainly will be putting it forward', he said.

Well, here we are four years later, and I do not know what happened to that project. But I know what will happen to that project — that is, if elected, we will put $10 million into that sporting precinct to try and make that dream of having an AFL-standard ground in the Mildura region.

This is a track record of Labor delivering for Mildura, which is not a very good one, and it is a track record that I think probably caused such a long delay in getting Dr Tony Alessi to accept the Labor candidacy for this electorate. Labor and Dr Alessi have much to do to reassure the people that Labor can do as they say and say as they do, because their record has certainly not supported that.

Women in politics

Ms WARD (Eltham) (14:46) — As I start on the grievance debate I think it is important to also understand what you can celebrate, because understanding what you are happy about, the good things in life, helps you understand how important the things are that you grieve for. The first thing, Speaker, is that I suppose I do need to acknowledge the fact that you have a done a good job as Speaker this term, and I thank you for your work.

The SPEAKER — I am not sure where this is going.

Honourable members interjecting.

Ms WARD — I also want to thank my parliamentary colleagues for an amazing four years of work. I have to say that I was working in the federal Parliament before I came to state politics, and what a contrast. What a contrast! This is a terrific place to work, and I have loved working with this government for the last four years.

Mr Edbrooke interjected.

Ms WARD — As the member for Frankston says, it is where the cool kids are. I have loved working with this government for the last four years for the things that we have achieved for this state. We have achieved a lot for this state. I will tell you one of the first things that we have achieved for this state. It is that we have got almost 50 per cent of women on this side, as opposed to the deficit of women on that side, where on their shadow ministerial seats the women are bookends. That is the way they treat their women. That is exactly the way they treat their women, and they should be ashamed of themselves. The fact that Liberal women in federal Parliament are wearing red to protest the shoddy way that they are treated by the men in their party is not just ironic, it is tragic — and that you think it is funny is even more tragic.

Mr T. Smith — On a point of order, Speaker, I ask for that to be withdrawn. At no stage was there any indication of humour from me on any of the comments that she was making. I ask for that comment to be withdrawn.

The SPEAKER — The member for Kew has found the comments offensive. I ask the member for Eltham to withdraw.

Ms WARD — Thank you, Speaker. I withdraw, but I was talking about the Liberal Party collectively.

The SPEAKER — The member for Eltham to continue.

Ms WARD — They should be ashamed, they should absolutely be ashamed, that they do not step up and ensure that there is equality on that side of the house. Until they do, they are not ready to govern. They are not ready to govern until they are ready to not only represent on the ground the people in this state but also within their ranks, to have full representation within their ranks.

For this I grieve. I grieve for the fact that those opposite still do not understand the importance of equality within their ranks. They do not understand this. It is clear —

An honourable member interjected.

Ms WARD — Well, poor Mary Wooldridge — member for Footscray, you are absolutely right. I can tell you who would have been a very good member for Kew — Mary Wooldridge would have been one.

Honourable members interjecting.

Ms WARD — I see that I am being heckled by the back stalls by someone who would not stand for Rosie Batty.

Mr Watt interjected.

Ms WARD — That is how much they respect women in that party. He would not even stand for Rosie Batty. And if you do not think that that is something to be ashamed of, you have got a lot to learn and there is a lot of growth that needs to happen over there.

I do celebrate the achievements of this government and I grieve for a party that has run rampant, that does not care about the damage that they cause as long as they are looked after and their mates are looked after. That is the primary cause of the Liberal Party. That is the thing that they fight for: they fight for themselves and they fight for their mates. We have got a Leader of the Opposition who sadly — and it is another thing I grieve for, because it is not good for democracy — has led his party astray. They are not on the shining path set for them by Menzies.

Ms Thomson interjected.

Ms WARD — Absolutely, member for Footscray, Dick Hamer would be turning in his grave. We have a Leader of the Opposition who is not only known for his lobster lunches but is also reported as having once been referred to in Parliament as 'the Liberal Party's answer to Bart Simpson'. We know the catchphrase of Bart Simpson: 'I didn't do it'. And then, 'Nobody saw me do it; you can't prove anything'. Well, guess what, there has been a fair bit of proof — and he did do it.

Ms Thomson interjected.

Ms WARD — That is exactly right, member for Footscray, he did do it. So I grieve for the possibility that someone who has been compared to Bart Simpson could actually be Premier of this state. How could you have Bart Simpson as Premier of this state? That is not what we aspire to, that is not what we want to see.

It has also been reported that the Leader of the Opposition has pictures of political idols in his office, people like Sir Henry Bolte — fair enough, fair call. But what about Joh Bjelke-Petersen? He was well known for his equality, wasn't he? And democracy. He also has former US President Richard Nixon. Tricky Dicky! Who would want Tricky Dicky on their walls? Seriously, why would these be people to whom you would aspire? Why would these be people that you would look up to? This is not the company I would be looking for any potential leader of this state to keep. How anybody, whether Bart Simpson or not, would want to look up to those characters I do not know.

Joh Bjelke-Petersen was a disaster for Queensland and he took Queensland back decades. He held that state up. He did not do anything to advance anybody in that state other than the white shoe developers — his mates who were in his back pocket. That is who Joh Bjelke-Petersen looked after, the white shoe shuffle that shuffled all over Queensland and destroyed communities.

The article that I am quoting from goes on to say that:

> Sweet tempered he is not. On the contrary, the former planning minister is notoriously hot-headed, frequently referring to the *Age* as the left-leaning hate media, plunging head first into Twitter brawls and lashing out at critics.

That is not somebody who can help build consensus, and as the member for Footscray points out, he has similar characteristics to Donald Trump. That is not the quality of leadership that anybody would be looking for.

You can see, Speaker, why I would grieve for the Liberal Party, that this is the leader that they have got. This is the person who is going to be leading them into the upcoming election. This is the person who was compared to Bart Simpson. This is the person who has Tricky Dicky Nixon on his wall. This is the person who has lobster dinners with someone Victoria Police calls a 'person of interest'. This is the person who lacks judgement. This is the person they have all fallen behind, and this is the person who will lead them into this year's election. This is the person who will be standing up before the people of Victoria saying, 'Trust me, vote for me'. Would you vote for Bart Simpson, Speaker? That is a trick question; I do not think you would. I do not think anybody in Victoria would see the merit in voting for somebody like Bart Simpson. I do not think anybody in Victoria will see the merit in voting for somebody with the characteristics of the Leader of the Opposition.

We know he was the leader of the La Trobe University Liberal Club where he battled for voluntary student

unionism — of course he would. Of course he would not understand why student contributions towards services such as dentistry, mental health, health overall and subsidised food would be important. He would not understand the importance of collectivism because we know that the Leader of the Opposition is about the individual. He is not about the collective, he is not about community; he is about the individual.

He worked as a director of research in Kennett's private office. He is a protégé of Jeff Kennett, I think we can see that. He was also Denis Napthine's chief of staff when Denis Napthine was opposition leader. What a pedigree! You know what is interesting? He is very similar to the current Liberal candidate for Eltham, who not only learned his politics at Jeff Kennett's knee but was also the Leader of the Opposition's spin doctor when he was planning minister. Who would have thought? I bet you the people of Eltham, who love their green spaces, who love their green trees, who love their natural environment, are not keen on a developer's friend becoming their member. Indeed they are not.

And the irony of that is of course that the Liberal mayor of Nillumbik is Peter Clarke, and what is he doing at the moment? Peter Clarke was appointed to Places Victoria by the now Leader of the Opposition without any scrutiny, without any due diligence. There was an FOI done to try and find out how he got appointed. The word came back: 'Sorry, we can't find anything'. Nobody knew how he actually got appointed. What is the Liberal mayor doing in Nillumbik? What is he doing, member for Yan Yean? He is destroying the joint. How is he destroying the joint? He is trying to flog off every green space can find. Earlier this year he tried to flog off 17 blocks of reserves and parks within Nillumbik. The people said no. Now he is trying to flog off a hectare of land that includes Eltham preschool and the Eltham war memorial site. Why would you do that? Only a developer, only someone that was appointed by Matthew Guy, would think that that was a good thing to do.

The SPEAKER — The member will use correct titles.

Ms WARD — Apologies, Speaker, of course. Only someone appointed by the Leader of the Opposition would think that that was a good, fair thing to do.

I can tell you what. This is what I can tell you about how they treat women over on the other side. It was the women of Eltham who fundraised. It was the women of Eltham who had raffles, who had nights, who did all sorts of things so that they could fundraise to build the memorial hall and the kinder in Eltham. They were the ones who built it together, and why did they build it? Because they knew how hard it was to be home during the war when their brothers, uncles and fathers were out fighting. It was the women who were home, who were keeping families together, who could have been earning bread, who were out there keeping their communities together. Those women banded together and they helped build these buildings. It is people like Peter Clarke who actually want to get rid of them, who want to flog them off to developers to build Taj Mahal hotels. This is not what my community values.

My community values the contributions of women. They value green spaces, they value open spaces and they value community spaces. It is the Liberal Party that does not value this. It is the Liberal Party that is actually value-less. They have no values. They stand for nothing. My community is a micro example of their value-deficit zone, because along with their policy-deficit zone they are hollow. They have nothing to stand on.

How could you support a Liberal mayor in Nillumbik selling a kinder? We value early childhood education on this side of the house. We value community on this side of the house. Our community is not for sale, and it is not for sale whether you be Peter Clarke, whether you be the Liberal candidate for the electorate of Eltham or whether you be the Leader of the Opposition. My community is not for sale and Victoria is not for sale. We know that along with their commission of audit that is exactly what will happen should the Liberals be elected later this year. They will flog off this state, just as Peter Clarke is trying to flog off as much of Nillumbik as he can.

We know that our green wedges are under threat. We know the urban growth boundary is under threat. And how do we know this? Because the Leader of the Opposition said that he will release nearly 300 000 blocks of land.

Mr Carroll — Fast-track everything.

Ms WARD — He will fast-track everything — absolutely right, member for Niddrie — and he will be interventionist. So how can a fast-tracking interventionist Premier actually be fair?

Mr Carroll — Over the kitchen table.

Ms WARD — That is exactly right, member for Niddrie — over the kitchen table, just as we saw with Ventnor. We have seen the debacle that the Leader of the Opposition made over Ventnor. We have seen the debacle that the Leader of the Opposition made over Fishermans Bend.

Ms Thomson — In Footscray.

Ms WARD — And in Footscray, member for Footscray. He is a debacle. It is because, as I have said and as the newspapers have reported, this is a rash man. This is a man who goes out and makes rash decisions. This is a man who does not care about consequences. This is a man who does not care about community. He cares about himself and he cares about his Liberal mates, and we have seen this time and time again.

I can tell you that they can get their hands off the properties in Eltham, the green spaces in Eltham, the community spaces in Eltham. They can get their hands off my kinder, because it is not for sale. The community I live in is standing up and they are being heard, just as they did when they saved the reserves that the Liberal mayor, Peter Clarke, tried to sell earlier this year. They are standing up and they are saying, 'No, we are not for sale'. You will find that this is exactly what people will be saying on 24 November: 'This state is not for sale'.

This state wants to invest in TAFE, just as we have done. This state wants to invest in rail, just as we have done. This state wants investment in roads, just as we have done. This state wants investment in schools, just as we have done. This state wants investment in health, just as we have done. This state wants to invest in hospitals, just as this government has done. This state wants investment in ambulances, just as this government has done. This state wants investment in people, and that is what Labor governments do. They invest in people because we are the party of people, we are the party of working people and we are the people who care about the community. We will not flog it off to the highest bidder like those opposite will do.

Government performance

Mr WATT (Burwood) (15:01) — I rise to grieve for the people of Victoria. It was interesting to hear the member for Eltham say that the Labor Party will not flog off this state after this year. They have the gall to stand here and say they are not going to flog off the state of Victoria when they have flogged off the port of Melbourne and they are flogging off the land titles office. After the last Labor government flogged off a bunch of schools they stand here and say, 'We're not going to flog things off'. It is interesting because I have referred a number of times to the amount of schools there were at the end of 1999 and the start of 2000, when the Bracks government was elected, and how many schools there were in Victoria in 2010, when Ted Baillieu was elected and when I came into this place. It would maybe surprise people to know, only because those opposite do not know how to tell the truth, that there were actually 83 fewer schools in Victoria in 2010 when I became a member of Parliament compared to when Jeff Kennett was the member for Burwood. I got elected as the member for Burwood after 11 years of a Labor government — 11 years of Burwood being Labor — and there were 83 fewer schools in Victoria. So I grieve for the people of Victoria because we have a government that cannot be trusted and we have a bunch of people on the other side who do not know how to tell the truth.

We have a minister and a Premier who constantly say the police budget was cut under the previous government. But if you go and look at the budget papers, they actually show there was an increase in the police budget from 2010 to 2014 — an increase, not a decrease. So what I would say is: there we go once again — proof that we have a government that does not know how to tell the truth. We have a Minister for Police who says, 'The Burwood police station has not been closed'. Actually in July 2015 the hours of the Burwood police station were adjusted down to zero. It is not closed, but the only time the doors have actually been open since July 2015 is so that the cleaner can go in three days a week to clean the place. The hours have been adjusted down to zero since July 2015, yet we have a minister who refuses to accept the fact that the place has been closed. We also have a minister who refuses to accept that the Ashburton police station has actually gone from being open seven days a week down to two days a week. This minister is in denial.

We have a Minister for Roads and Road Safety who talks about roads and investment in roads, and yet there was a landslip on Warrigal Road nine months ago and it has not been fixed. He talks about jobs in road construction. Well, the only jobs in road construction in my electorate are for the guys standing there for nine months making sure people do not hit the barricades because they have blocked off half the road. Warrigal Road is two lanes either way right up until the guy who is standing there to stop you from hitting the barricades, and then it goes back to one lane either way. We have a government that does not care. We have a government which clearly is not focused on the things that need to get done — the basics, like road maintenance. We had a landslip nine months ago, on 19 December 2017, and still that road has not been fixed. It does show priorities — that simple road maintenance in the electorate of Burwood cannot be looked at and cannot be dealt with.

This Premier will be remembered for a number of things. Liberals sometimes get accused of having three-word slogans, but I have got a couple of

three-word slogans for the Premier. He said before the election, 'No new taxes', and quite frankly he lied. We have got 12 new taxes plus increased taxes. He said, 'No new taxes' — that is a three-word slogan for you. We have got another three-word slogan. He said, 'Not one dollar', about the east–west link. I am not quite sure whether I can say he lied about that because it was not $1; it was $1.3 billion to cancel the contract. The other thing this Premier will be remembered for is the red shirts rorts.

I know that people on that side do not like to hear this, but people in Victoria are suffering at the hands of this government. We have real issues around traffic, and I mentioned a particular issue in my electorate, which is Warrigal Road. It is not just that. The fact that the government did not invest in the east–west link but spent $1.3 billion is a real issue. The fact is that crime has gone up. We have got some people running around electorates trying to say that members of Parliament might be cherrypicking, but if you look at the municipalities that fall within my electorate, we know that crime has gone up in Boroondara, we know that crime has gone up in Whitehorse and we know that crime has gone up in Monash. In Monash crime has gone up by 20.66 per cent.

It is interesting. I mention Monash and that in the last four years crime has gone up by 20.66 per cent because I know that the member for Mulgrave, the Premier, actually shares the City of Monash with my electorate. He has Monash in his electorate and crime there has gone up by 20.66 per cent. It was really interesting the other day, when I went down to Mulgrave and doorknocked in Noble Park, to find out that in the City of Greater Dandenong crime has actually gone up by 20.6 per cent there as well. It is great that the member for Clarinda is coming into the chamber because he appreciates that crime has gone up by nearly 21 per cent in Monash. I do not know whether Clarinda contains any of the City of Greater Dandenong, but once again there has been a nearly 21 per cent increase in crime over the last little four years under the Andrews Labor government.

Crime has gone up and the government does not seem to care. When I was down in Mulgrave doorknocking and having conversations with people down there they were feeling it just as much as everybody else. As for the issues that they are feeling, they raised with me the issues of crime and they raised with me the issues of just simply being able to pay your electricity bills because of the costs under this government. Crime and simple traffic measurement are some of the things they talked about. Congestion is a serious issue right across the state but in Mulgrave as well.

I was doorknocking in Carrum only on Monday. The conversation that was happening in Carrum was about the fact that once again, just like the Burwood police station and just like the Ashburton police station, the Carrum police station has suffered at the hands of this government. The Carrum police station has had its hours adjusted; if you listen to this Minister for Police, she might use the phrase 'hours have been adjusted'. I was speaking to the Liberal candidate for Carrum, Donna Bauer, who was a member in this place and in only a few weeks time will once again be a member in this place, and I look forward to having her join me in this place because the current member is deaf to the issues that are affecting her electorate.

One of the big things that I discovered down there was that once again crime in Carrum is a massive issue and not only that but so was the cut in the police station's hours. I know what it is like to be living in an area where your police stations have been cut and with a government that does not care, because in Burwood, as I said, we have suffered the same things. We have got a police station that has not opened since July 2015 and a government that refuses to acknowledge the fact that it has actually closed the station, and we have got another police station that has gone down to two days a week from seven days a week.

We also have quite a number of public housing issues in the electorate, the biggest one being that we have in my electorate the Markham housing estate, which the government have not been able to deal with. The government have not been able to work with the community to get a good outcome down there. I know that the minister does not like to hear this, but those in my electorate like myself appreciate public housing and the need for public housing. As a former public housing tenant, I understand what it is like to need housing and I understand that there are a number of people in my electorate who need public housing. It was very disappointing to have the Minister for Housing, Disability and Ageing present to my electorate a plan which would have seen a diminution in the amount of people that could actually be housed in public housing on the Markham housing estate. If we looked at the fact that —

Mr Foley — On a point of order, Acting Speaker, the honourable member for Burwood is being given substantial latitude, as is only appropriate in these kinds of debates, but the link between reality and contributions to this place needs to be at least a little bit in the same realm. For the honourable member to tell clear mistruths in his contribution here before us does him no good, does his contribution to the people of Burwood no good and does this place no good, so I ask

that you bring the honourable member back to the theme of the debate and for him to at least stay within the bounds of reality in his contribution.

The ACTING SPEAKER (**Mr Carbines**) — Order! Is the member for Burwood wishing to speak on the point of order or —

Mr WATT — No, because it is not a point of order. You should rule it out because it is ridiculous and stupid.

The ACTING SPEAKER (**Mr Carbines**) — I would ask the member for Burwood to take his seat, please, and I will rule on the point of order. I do not uphold the point of order at this time and I would ask the member for Burwood to continue his contribution on the grievance debate.

Mr WATT — It is the grievance debate, thank you very much. The minister is devoid of a sense of reality. If you look at the fact that on the estate there were 112 bedrooms, at no point has the minister presented my electorate with a plan which actually would have put 112 bedrooms into the Markham housing estate. The other thing is that the government have at no point decided to work with my electorate. I have raised a grievance debate about this particular issue only to have the Minister for Major Projects say that she is not interested in consulting my electorate: 'No, we will not consult with your constituents'.

That is really, really interesting, because there are the two things that we have been asking for down at that estate. One, we actually do want some decent public housing down at that estate, and two, we actually do want the community involved and the council involved in a process where they are actually being heard, not one where the minister — or three ministers — will completely ignore them. The Minister for Planning is not interested. The Minister for Housing, Disability and Ageing is not interested. The Minister for Major Projects is not interested. But I tell you what, my electorate are interested. They are interested in the fact that we have a government that does not seem to care about the issues that are relevant to my electorate, things like Warrigal Road. Nine months! When will this government actually fix Warrigal Road so it can become a four-lane road?

Mr Dimopoulos — Why didn't you fix it?

Mr WATT — The member Oakleigh says why don't I fix it — really interesting. I am the member and I am in opposition, and when you ask why I didn't fix it, it is because it happened nine months ago. There was a landslip nine months ago. The member for Oakleigh says why didn't I fix it. Warrigal Road had a landslip on 19 December 2017. There was a rain event. It washed half the road away. It washed the wall away. The only thing I could possibly have done to fix it was go down there myself with bluestone and put the wall back up. I would have had to physically get down there and do it myself because in the last nine months I have not been a member of the government. I find this really, really funny. I grieve for the people of Victoria and I grieve for the people in my electorate that we have a member of the government who seems to think that if Warrigal Road is not fixed — if I have not physically gone down there and put the bricks up myself — then it is my fault. You guys on that side are the government. It is your job to fix the problems, and we have myriad problems.

I grieve for the people of Victoria that we have a Premier who was involved in the biggest rort this state has ever seen and then tried to say the costs involved in chasing down those rorts are the problem of the opposition because we dared to question the government's rorting. He says that because we found out the government rorted it is our fault that it cost us money to expose the rorters.

We have got a government that does not seem to grasp reality. We have got a government that does not care that energy prices are going up and people in my electorate cannot afford to pay power bills. And it is not just in my electorate. As I said, I have been down to Mulgrave. I doorknocked down there last week and I doorknocked in Carrum this week and they are telling me the same things about electricity prices. They are telling me their roads are no good and what they are telling me is that the government is no good.

Opposition performance

Mr STAIKOS (Bentleigh) (15:16) — It is always a pleasure to follow the member for Burwood, who tells us he has been doorknocking in Mulgrave and he has been doorknocking in Carrum. Can I please put in a bid for Bentleigh? Can you come and doorknock for Asher Judah in Bentleigh? I would very much appreciate it.

I rise to grieve about what would happen to hardworking Victorians if the unthinkable were to occur — that is, the election of a Guy Liberal government. No knife would be sharp enough for his cuts to hospitals and schools. No penthouse would be high enough. No Lobster Cave would be big enough. No bottle of Grange would be cellared for long enough for his dodgy deals with Liberal mates and wealthy property developers. What happened in November 2014 is we inherited government from a mob that did

nothing for four years — a mob whose heart was just never in it.

The Liberals are born to rule, but do you know what? They are not born to serve. We saw that demonstrated in a monumental fashion by the way that they declared war, and indeed were at war, with the people Victorians hold in the highest regard. They are of course our dedicated paramedics, our firefighters, our teachers, our nurses and our police. Do you remember what they said about our teachers before the 2010 election? Baillieu made that big pre-election promise that Victorian teachers would be not the worst paid but the best paid. Of course that promise was never, ever kept. Under this government we settled the enterprise bargaining agreement (EBA) without one single day of industrial action. Not only that but this government is moving 2500 teachers from contract work to ongoing positions because we value their work.

Then we move to our paramedics. That perhaps was the most acrimonious war waged by the former government and the failed former health minister, the very unhinged David Davis in the Council, who used to routinely call our dedicated paramedics thugs —

Mr M. O'Brien — On a point of order, Acting Speaker, the member might be in his first term but he knows better than to speak about members of this or the other place in derogatory terms. I would ask you to require him to comply with standing orders.

The ACTING SPEAKER (**Mr Carbines**) — I just remind the house that of course making statements that impugn other members is not parliamentary. I ask the member for Bentleigh to bear that in mind in continuing his contribution.

Mr STAIKOS — Absolutely, and I certainly will not use the colourful language that Mr Davis routinely uses to describe other members of this chamber. He failed as health minister. He was our worst health minister. Staff morale in Ambulance Victoria was at an all-time low. He was at war with our dedicated paramedics. We settled that EBA. We funded 450 extra paramedics, and today we have the best ambulance response times on record. We have come such a long way.

The Baillieu government wanted to cut the number of nurses. That dispute was not settled until a member of the Baillieu family stuck his finger up at protesting nurses. That is exactly what they thought about hardworking nurses. We of course settled that dispute, and we enshrined nurse-to-patient ratios in law because again this is a government that values the work that these dedicated people do.

The former government demonised our firefighters when in government, and they continue to do so in opposition. They undermined the former Chief Commissioner of Police. We, on the other hand, have funded an extra 3135 police compared to no new police from the former government, and our crime rate started coming down last year. Our crime rate was going up every year under the former government, but it is coming down under this government. That is the major contrast between the former Liberal government and this current Labor government.

Then we can consider all of the things that the people of Victoria associate this Labor government with greatly. They include the massive investment in infrastructure — a historic investment — where we are spending on average more than $10 billion a year on the infrastructure Victorians need for the fastest growing capital city in Australia. We see that writ large with our level crossing removals. We promised 50 — 20 in our first term. The former government said it could not be done. By the end of the year we will have removed 29. Three of those are in my electorate of Bentleigh: Centre Road, McKinnon Road and North Road. Four of them are in the member for Oakleigh's electorate. There have been 29 in total in this term of government. I can tell you that during the construction of the new stations and the removal of these level crossings we met an unprecedented campaign of negativity from those opposite, particularly from David Davis, who I will not describe in any colourful language at all so I do not offend anybody. Needless to say, he was not supportive of the project and was completely out of step with the majority of Victorians. They wanted these level crossings gone, and this government is getting rid of them.

Then we look at the Metro Tunnel. The Metro Tunnel is the game changer for a growing city like Melbourne. It will mean that we will connect our rail system to parts of Melbourne that people need to get to, including the hospital precinct at Parkville and the University of Melbourne. We do not talk enough about the works associated with the Metro Tunnel — the signalling between Caulfield and Richmond and the upgrade of Caulfield junction, which will make it possible for there to be a train service on the Frankston line, down my neck of the woods, every 4 minutes. These are the sorts of things that people expect of their governments. The Metro Tunnel is due to open in 2025. It would have opened in 2021 except it sat on the shelf collecting dust in the last term of government because those opposite certainly were not going to build anything. These are

projects that are not only going to set Victoria up for the future but also create jobs for workers and jobs for apprentices. I will come to that again in a moment.

Then we look at our schools — $3.8 billion over the last four years. Schools right across Victoria have seen well over 1000 projects — new, rebuilt and upgraded schools. We have heard a lot from those opposite since the last budget about our Catholic schools. In the last four years $120 million in capital works has been provided for Catholic and independent schools, and certainly one of the Catholic schools in my electorate has been a beneficiary of that. There was not a cracker from those opposite for our Catholic schools when they were in government for four years prior to the 2014 election.

I am very proud that over four budgets more than $60 million has been spent on schools in the Bentleigh electorate. We have had a consistent stream of funds in all four budgets to upgrade and rebuild schools in my electorate, both government and non-government, mainstream and special. If you contrast that with the previous four years: year one of the Baillieu government, nothing for Bentleigh; year two of the Baillieu government, nothing for Bentleigh; year three under the Napthine government, nothing for Bentleigh; and year four, in May 2014 they realised there was an election around the corner and thought, 'We had better throw Elizabeth Miller a bit of money so she can pretend like she has achieved something', so there was a little bit of money for schools in 2014. Of course they were not in government to cut the ribbons, but frankly, had it not been for the determination and the strong campaigning of the school communities, those projects would not have happened.

What we have done is we have funded more than $60 million for school rebuilds in the electorate, including McKinnon Secondary College, with 2200 students. The last time a Liberal government built a new building at McKinnon Secondary College was before Australia moved to decimal currency. That is how far back you have got to go. Henry Bolte was of course Premier then. If you go to McKinnon Secondary College now and you try to look for a building built by a Liberal government, you have to go over to the school hall and sit in half of the school hall, because of course even Henry Bolte only funded the parents pound for pound to build that hall. That is how far back you have got to go. Not only have successive Labor governments rebuilt that growing school but we are going to add a second campus to that school. Of course the Liberal candidate has said that he supports a second campus for McKinnon Secondary College, but who is going to believe the party that shut down Murrumbeena high around the corner that suddenly they are going to build another new school in our area? The party of school closures cannot be trusted to build and rebuild schools in this state.

Then of course we move on to our hospitals. It is this Labor government that is proudly building the Victorian Heart Hospital over at Monash University, a hospital that will be as much about clinical care as it is about research into something that of course is the biggest killer in Australia — cardiovascular disease. It will be a hospital of around 200 beds, with an emergency department. It will be a hospital of research. It will be a hospital that we can all be proud of — a partnership between this government, Monash University and Monash Health. That is our commitment to hospitals.

All of these projects are not just providing services for Victorians; they are about providing jobs and opportunities for Victorians. Any responsible government, any government with a social conscience, would leverage its massive investment in infrastructure, which is its advantage as the biggest purchaser of goods and services in this state, to create jobs and opportunities for Victorians. That is why 10 per cent of our workers are apprentices, trainees and engineering cadets. That is why we have got opportunities on the Dandenong line, for instance, for 100 Aboriginal workers, and around 30 returned service men and women worked on that same project. Just as we believe in investing in this infrastructure for Victorians, we also believe in giving Victorians jobs and opportunities. Jobs and opportunities: that is what we believe in.

Of course in my electorate we hear a lot from my opposition candidate about town planning. I am lectured quite a bit by the former head of the property council about town planning in the Bentleigh electorate — somebody who has supported such famous developments as Forrest Hill, South Yarra. Do we remember that one? A Liberal Party donor owned the land over there for just a few short months, but in the space of that few short months it was taken out of the hands of the Stonnington council and it was rezoned by the Leader of the Opposition. In just a few short months that rezoning gave that developer a windfall profit of $36 million.

Mr McGuire — How much?

Mr STAIKOS — Thirty-six million dollars, member for Broadmeadows — all for a donation to the Liberal Party of $25 000, and that development was supported by the then executive of the property council, Mr Asher Judah. Now he is going around my electorate

saying he opposes inappropriate development. He has changed now; he is reformed. He used to want these skyscrapers; now he walks up Centre Road and laments what is happening to the area. Who believes that? Who honestly believes that? He is just such an odd fellow.

Need I mention Ventnor? I am going to finish on Ventnor because this is a monumental example of why the Leader of the Opposition should never be Premier. He ignored the local council. He ignored two planning panels. He ignored his department. But he was lent on by a Kennett-era minister, and he made that decision. Then he went back on it, and he cost Victorians $3.5 million in the process. Somebody with such low morals — indeed somebody with no morals — should never be Premier of this state, and I have faith that the people of Victoria will not make him Premier of this state. Somebody who dines with people whom the police allege hold senior rank in the mafia should never be Premier of this state.

I understand that there is a whiteboard with names under the O'Brien column and names under the Guy column. I understand there are more names under the O'Brien column, so chances are the Leader of the Opposition will never be Premier of this state. The member at the table is of course in the O'Brien column, according to the whiteboard.

An honourable member interjected.

Mr STAIKOS — Absolutely. They will be fighting over who is going to be the next opposition leader. But, as I said, I grieve for what could happen to Victorians should the unthinkable occur in this state and the Leader of the Opposition becomes the Premier. He is unfit to hold office in this Parliament and indeed unfit to be Premier.

Government performance

Ms McLEISH (Eildon) (15:31) — I am really pleased to make a contribution to the grievance debate, and I am also pleased to have such an audience. I am not sure where those on the government benches actually live, but I am fairly convinced it is in fairyland. They have clearly seen things that I am not aware of — a whiteboard, for example. I am really not sure what that is all about. My contribution today is going to focus on land sell-offs, community consultation — or lack of community consultation — and hypocrisy. With all of these things comes a key attribute of most of those on the Labor government benches, and that is arrogance. They think that they should be the ruling class. They are there for the battler, but they think that their rightful place is that of the almighty ruler. The way they carry on and treat the communities, I believe that they think they have been selected as part of a ruling class.

I am going to start with the land sell-offs. There are constant land sell-offs being undertaken by the government because they are trying to raise every cent that they can. Disposal of public assets is one of the key ways they are doing that. When we have a look, we see that they are throwing money at things left, right and centre, but what really concerns me is the constant budget overruns and the lack of accountability, because it is somebody else's money. The land sell-offs that are happening all around Victoria are one way that they are looking to boost their coffers.

I am going to focus on a few areas locally that are being looked at, one of which is Green Street in Healesville. This has been used as a community space for quite some time, and there has been a bit of debate within the community about the best way forward for that space. There is a community market that happens frequently in that space. It is a very well patronised market, and there are a number of people in town who would like to see this continue. The council were not quite sure, so they went out and did some consultation around this. There were, as I said, various opinions. They were led to believe that they were going to get this land at a reasonable price, but what has happened is that they have had a valuation and it has been put at a price that the council just cannot afford, so now of course it is being flogged off and the future of that site, of who is going to buy it and what will happen to it, is under a bit of a cloud.

We have in Warburton the Yarra Ranges Enterprise Centre (YREC), which has been a fabulous small collection of start-up businesses, and they have been really quite innovative. The land there, at the junction of Woods Point Road and the Warburton Highway, was Melbourne and Metropolitan Board of Works land, so it therefore falls under Melbourne Water. In fact I asked the Minister for Planning to intervene on this because it has been such a successful little start-up area that it would be a shame for the community to lose it. I understand that that is now being delayed to see whether or not YREC, the enterprise centre, can actually purchase the land.

There has been a massive sell-off of land at Christmas Hills, a Melbourne Water site that had been flagged for a dam. That is a really large and treasured space as part of the green wedge of Melbourne. There have been a number of issues with this flogging off of Melbourne Water land, and there are conflicting issues. The government — and let us be clear, their goal is about

maximising the land value — want to get as much for it as possible, even if that means subdividing it into blocks as small as possible. That is certainly the interest of the government. We also have the interests of real estate agents, who are very keen to sell this land, and of course the more of it they can get, the better.

The council are really worried about this, because there are a number of overlays on this land, including a bushfire management overlay, and some of those plans — there are various plans — would be sold almost as house and land packages with a sizeable piece of land. The council and councillors are very worried that you would not be able to build on those pieces of land with the current bushfire management overlay in place, so they would like to see the land being sold perhaps with planning permits so that people know what they can and cannot do. There have already been ads for some of this land, and they make it sound as though you are going to be able to build your dream home on this site. That is just not going to happen, certainly not without a fight.

We have also seen that the plans have been hidden from the community, so there is a lack of transparency and certainly a lack of consultation. I think seven different precincts were identified and developed separately, and within those precincts there were three different plans. Interestingly, when they went to community consultation only two of those plans were made available to the community to comment on — the ones which kept that land at the largest sizes possible, which seems to be what people really like, whether that is recreational land or whether that remains as farmland. People tended to be in favour of keeping these blocks as large as possible. I found it extremely interesting that they were not even put on the table for consultation. It was only later that it was found there was another option there. The reasons for it being hidden from the community are a bit of a mystery to me, and as a result I have gone to the minister to get them to have a look at that, because it certainly does not sound very transparent. It actually is quite hypocritical and is typical of the arrogance of this government.

I find this quite interesting, because at the same time that we have land being flogged off at a rate of knots by the state government I heard the member for Eltham, and in fact at times also the member for Yan Yean, denigrate the actions of the Nillumbik Shire Council and in particular the mayor, Cr Peter Clarke. Typically they shoot from the hip without finding out all the right information, and as I understand it neither have been to the council for a full briefing from either the council or the acting CEO, so they are not really aware of exactly what is going on. However, that does not stop them shooting from the hip in any way.

We have got an old shire office site which has been derelict for some 25 years. The council are now moving to find a joint venture partner to redevelop this site, and they are very keen to honour the heritage issue here. I think hypocrisy is being shown by the members for Eltham and for Yan Yean. It is not okay for Nillumbik to look at joint ventures locally, but at the same time we see the state government joint venture — as you could describe it — in their relationship with Transurban. It did not go to tender. It was, 'We're going to give you this project. Yep, go and do what you like'. That is okay, but it is not okay for similar things to happen at a local level.

Then there is the gifting to the AFL of $225 million. A gift like that could be put back into community sport by way of a joint venture. There is certainly no criticism of that policy from the government benches, and I think that is absolutely a dog of a policy. I cannot believe that those on the other side of the house are not speaking up, because I think that is something that certainly should not happen.

But when we look at the local level, the members are certainly, with Nillumbik, keen to start jumping around and trying to make a little bit of an issue. There are reasons behind some of the things that Nillumbik Shire Council are trying to do: they are trying to maximise a tourism opportunity; they are trying to support jobs; they want to build a better kinder; they want a new, better art gallery; and they are looking to support residential accommodation, whether that be aged care or for retirees. I would think that the local members down there would actually be supportive of jobs and supporting the older members of their community rather than going off like they are. The process is also a full public process; there is a public probity audit as well. I think that this is very typical of the hypocrisy.

I want to turn briefly to community consultation, because as I have mentioned already with the Christmas Hills example, the community consultation seemed quite flawed — one of the options was actually withheld from the community. I want to bring in the example of Mount Macedon and what has happened there. In Mount Macedon, there were a number of aspen trees at the picnic grounds. Parks Victoria went in one day and chopped them down. No-one was aware that this was going to happen. The trees were non-native trees, but aspens are really quite beautiful in autumn and they become a tourist attraction. People go to that area to look at the autumn trees and to see the leaves on the ground. Parks Victoria in their wisdom,

without any consultation with the community, went in, got the chainsaws out and floored them. There was no consultation, and I think the member for Macedon was probably backing Parks Victoria. She was fairly silent on it as far as I can see. Again, this is an example of a government that says one thing and does something entirely different. It is really about how you go about the process. It is what you do, your actions, that are important, not what you say.

We have sky rail. Gosh, the people down in the bayside suburbs and in Oakleigh were not informed that there was going to be a sky rail. They were expecting that the plans would be underground, separating the road and rail, as has happened in other areas. This was what they were expecting. You have seen now what has happened — people are outraged. To think that they looked out their back door where there was a beautiful row of trees, and now they have been chopped down and they have got a full sky rail right at their back door. People are absolutely outraged by this and I think, again, the government has ignored the will of the community. The government has not even bothered to take any notice of —

Mr Dimopoulos — On a point of order, Acting Speaker, the member for Eildon is required, to use the member for Burwood's phrase, to 'tell the truth in the chamber'. She is misrepresenting the truth as far as it concerns my constituency.

Mr M. O'Brien interjected.

The ACTING SPEAKER (**Mr Carbines**) — Order! I appreciate the advice from the member for Malvern but, as we have noted earlier, it is important for members to have wideranging latitude in relation to the grievance debate. I do not uphold the point of order at this time. I ask the member for Eildon to continue.

Ms McLEISH — I do know that the member for Oakleigh is extremely sensitive about this and I know that he has been missing, because we have all seen the little — sky rail Steve, they do call him, and we have seen the *Where's Wally?* cartoons as well. We know that he has been hiding from his constituency because this is such a sensitive issue for him.

Ms Ward — On a point of order, Acting Speaker, I would just like it noted that I have never actually seen the member for Oakleigh in a red-and-white striped T-shirt, so I do not understand how any *Where's Wally?* drawing could even remotely go anywhere near looking like the member for Oakleigh.

The ACTING SPEAKER (**Mr Carbines**) — I do not uphold the point of order and I ask the member for Eildon to continue.

Ms McLEISH — Thank you. He might not wear a striped top but the face is very familiar, and very similar to *Where's Wally?*. Another example of a lack of good consultation is the rollout of the wire rope barriers that we are seeing across the state. This rollout started in my electorate. It started with a demonstration barrier on the Melba Highway. I believe they have never sought feedback about how well those barriers work and how safe it is for people entering and exiting the property there. Equally, they then went and rolled out about 8 or 10 kilometres between Yea and Molesworth — telling people how it was going to be, not really taking on any of the ideas and suggestions of the community although, at the time, they did pad the uprights as a protection mechanism for motorbikes. I notice that with subsequent rollouts, certainly down in the Gippsland area, this has not occurred. I think that they have not at all thought about possible impacts on the motorbike riders in those areas.

The installation of wire rope barriers: they have been rolled out and, looking certainly between the Molesworth and Cathkin, have been extended. There is a section of road there which is extremely dangerous. It is prone to flooding. Home Creek floods all the time. The local Victoria State Emergency Service (SES) has said that it is very dangerous to put these centre wire rope barriers in this position and it will cause all sorts of issues when they have to do their rescues by boat, which happens fairly frequently because, as I said, that area is prone to flooding. However, the government in their wisdom have said, 'No, this is all fine. The road does not need to be raised at the same time', which would actually be a reasonable solution — to lift the road there so that the impacts from flooding are lessened. If you are going to have these wire rope barriers, it would make it a lot safer. But no, in their wisdom the government are not going to listen to anyone. They are not going to hear the experts at the SES and the Country Fire Authority who deal with rescues on this stretch of road all the time. They know better, and I think that is another fine example of a government full of arrogance and, certainly, one of great hypocrisy.

I have been quite appalled to see the way this government behave. However it is a complete reflection of how they behaved with the north–south pipeline, which upset my community greatly.

Opposition performance

Ms GREEN (Yan Yean) (15:46) — It is my great pleasure to join the last grievance debate for the 58th Parliament. I am pleased to be heading towards my fifth election and having the great privilege of representing the electorate of Yan Yean. Today I grieve for my community should it have to suffer the misfortune, the indignity and the deprivation of a Guy-led Liberal government after 24 November, because the best determinant of future behaviour is past behaviour.

Mr Pearson interjected.

Ms GREEN — That is what Dr Phil says, member for Essendon. When those opposite last sat on the government benches the opposition leader, as the Minister for Planning and a member for Northern Metropolitan Region in the upper house, oversaw rampant development in the north. Accompanying that we saw zero infrastructure. At the 2010 election the Liberal Party in Yan Yean went to the election promising exactly zero infrastructure, and they delivered that in spades. They actually delivered some very unpleasant surprises that they did not tell the electorate about before they got in. They delivered massive cuts to education, which meant that a much-needed secondary college, Mernda Central College, was not built on the land that had been purchased for that purpose in 2009. That meant that the land that was funded in the 2010 budget for a standalone Doreen Secondary College in Cooks Road, Doreen, did not happen. We are still feeling the legacy of that to this day with Hazel Glen College, which is a fantastic P–10 school with 3000 students. It is the largest single-campus school in the country, and it is the legacy of those opposite not because they built it but because they built nothing, and we have had to catch up on that.

They spent not one dollar on arterial roads in the north — not Yan Yean Road, not Plenty Road, not Bridge Inn Road, not Epping Road, not Childs Road and not Craigieburn West Road. All of those roads are underway or in the pipeline under this government, not under those opposite. What we do know about the then Minister for Planning and now Leader of the Opposition is that when he was planning minister it was all about cuts and cosying up to corporations. The whole Ventnor saga has been ventilated in recent weeks, and people are finally finding out the truth about that disgraceful cover-up and waste of government money. He himself said, 'If people find out about this, if it goes to the courts, I won't be in my job'. I do not ever want to see him as planning minister or as the leader of this state because it would be bad for this whole state and it would be bad for the community that I represent.

I want to commend the member for Eltham for the outstanding job that she has done over the past four years. It has been an absolute delight working in partnership with her, and now we are sharing a campaign office. When neighbours become good friends they move in together. We together have had the need to stand up for our community. We have been getting stuff done — with the Hurstbridge line, with school upgrades — but we have had a dodgy, dodgy Nillumbik Shire Council led by a Liberal Party member, Cr Peter Clarke. He has a very similar temperament to that of the Leader of the Opposition — a very short fuse. He was appointed by the Leader of the Opposition when he was Minister for Planning as the chair of the Victorian Planning Authority. Then he had to resign. He had to give up the butler and give up the silver service at the table of the Victorian Planning Authority because he and Michael Wooldridge had been ripping off grannies, had been ripping off old people. Now he is working in lock step again, working hand in glove, trying to implement the underhanded plans of the Leader of the Opposition.

I quite like the member for Eildon. She is a nice person and she has a good heart. She was on her feet in the grievance debate just before and, sadly, she was defending the Nillumbik council. I mean, seriously! She was holding them up as a model for community consultation and inclusion. Well, I am sorry, member for Eildon, but you are wrong. There was no consultation about the Nillumbik Shire Council's state election advocacy statement that was tabled at a council meeting on 4 September. Indeed none of the councillors had even seen it, let alone anyone in the community. I want to know what the member for Eildon thinks and what the member for Warrandyte thinks about Nillumbik.

Nillumbik is represented in the Legislative Assembly by the seats of Eltham and Yan Yean. There was no mention of this. The Liberal-led council has completely ignored the needs of Eildon and Warrandyte. On the eve of the 10th anniversary of the Black Saturday bushfires there is no mention and no advocacy for Arthurs Creek, for Christmas Hills, for Bend of Isles, for Panton Hill, for St Andrews, for Strathewen and for parts of Kinglake and Yan Yean that are in Nillumbik — not one mention. The statement could not even get its geography right. It said the electorate of Eltham included Kangaroo Ground. It does not include that.

Ms Ward — Six houses.

Ms GREEN — Well, six houses, apparently. But it missed out Research. Doesn't Research matter either? And it said the electorate of Yan Yean takes in the towns of Hurstbridge, Diamond Creek, Yarrambat and Plenty. What about Wattleglen? What about Doreen? What about Nutfield? What about Cottles Bridge? Don't they matter either?

I believe the councillors have been taken for a ride. I have seen a school council newsletter from the principal of Marcellin College that says to his students, 'Don't worry. The member for Bulleen, the Leader of the Opposition, has told me if he gets elected, route A will not occur for the north-east link'. The opposition have said publicly that they will do the east–west link first and the north-east link at a later stage. They will renegotiate it.

Anyone in the community who is concerned about routes C and D should look no further than the Nillumbik Shire Council advocacy statement because of what it does — and much to the shock of councillors because it was rushed in. I called them afterwards and said, 'Did you realise this statement actually says that Allendale Road should become an arterial road?'. They have not even advocated for Bolton Street to become an arterial road. They are talking about Allendale Road, a dirt country lane which is corrugated and has huge hills, and the mayor of Nillumbik wants it to be an arterial road. When I rang a couple of councillors, they said, 'Oh, good Lord, that's a quasi-freeway'. That is code for the Leader of the Opposition and the Liberal mayor of Nillumbik working hand in glove to ensure that it is route D, through the member for Eildon's electorate and through the electorate of Warrandyte. That is why the Liberal-led council did not mention Eildon and Warrandyte in their statement.

They do very little in between, but this Liberal-led council have advocated for an Eltham North train station. Almost no-one lives nearby. Train stations in the metropolitan system will only work if you have a 400-metre walkable catchment. It is simply about developing the green wedge land between Eltham and Diamond Creek. They tried it in 2010, when Mr Jack Gange of the Silver Top family ran for the electorate of Yan Yean — and the pieces of silver. He had been given a promise by the opposition leader that that land would be turned into housing. He did not get his way then, but they are up to it again.

Allendale Road being bid for as an arterial road, the Eltham North train station and the full duplication of the train line to Hurstbridge are all about delivering on the opposition leader's commitment to release 300 000 lots of land in Melbourne. There are not enough lots within the urban growth boundary for those to be delivered, so the Liberal mayor of Eltham is working hand in glove with the opposition leader, just like he did when he was the head of Places Victoria, so that he can deliver on this target. This is about changing the route of the north-east link, taking it through fire-prone areas and into areas of pristine bushland and where people's lives would be put at risk. It would not solve the congestion problems that we have; it would add to them. My opponent is working in lock step with Nillumbik council.

At the Nillumbik public transport forum the Liberal candidate for Eltham said, 'Oh, I'm parochial. I'm only about Eltham. Unlike the member for Eltham, I'm not interested in Diamond Creek or Mernda. We're going to duplicate fully to Eltham'. Well, blow the historic trestle bridge. But Earth to Nick McGowan, Earth to the Liberal candidate for Eltham: You've got part of Diamond Creek in your electorate, you twit! I mean, seriously. You are purporting to represent part of Diamond Creek and you say you do not care about it.

Mr Clark — On a point of order, Acting Speaker, I draw your attention to standing order 119 about the use of unparliamentary language. While the member is entitled to speak with some energy about whatever arguments she wishes to raise, she should be using appropriate language in this house, and I ask you to bring her back to order.

The ACTING SPEAKER (**Mr Carbines**) — I ask the member for Yan Yean to continue her contribution being mindful of her commentary on other individuals.

Ms GREEN — I have an opponent who is trying to mislead people by saying that the Liberal Party are in fact going to duplicate the rail line beyond Eltham, that they actually do give a damn beyond Eltham. We have a plan that will deliver 20-minute services from Diamond Creek, Wattle Glen and Hurstbridge — and it will not to blow up the green wedge and it will not wreck our parkland. There are already two platforms at Diamond Creek. There will be a duplication of track between Diamond Creek and Wattle Glen, and that simple duplication will mean that we can deliver those services.

What the Liberal plan also does not say is that we need a new train station at Greensborough. We need a new bus interchange so that buses can turn around quickly and we can have rail and bus services that are quick and effective. We know that on the watch of those opposite they only ever cut public transport.

I am also very suspicious of the $20 million for recreational facilities in Hurstbridge. I support the development of recreational facilities in Hurstbridge. Goodness knows why the council have not supported the upgrade of female friendly facilities at the Hurstbridge Football & Netball Club. It would not take very much at all. They are hanging by their fingernails to division 1, but the council does not think about that. Then they want $20 million for other recreational facilities for a township where the population is declining. What that says to me is that they are trying to develop things in those townships and provide the justification to open up the green wedge, to let it rip.

The Leader of the Opposition has been on the public record in the *Herald Sun* on at least two occasions saying that he believed that Wattle Glen was a prime place for development. What we would have, if those opposite got in, are cuts to education and no investment in roads, and we would have rampant development through the green wedge. That would ruin the character of the north-eastern suburbs and it would do nothing for jobs. So I grieve if those opposite — especially an opposition led by the member for Bulleen, the former planning minister — were ever to take office. I will do everything within the fibre of my being while there is breath in my body to make sure that Yan Yean stays in Labor hands. I will be working in lock step with the member for Eltham, and I will be telling the member for Eildon the error of their ways, that they still do not listen to her and they never will.

Question agreed to.

OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018

Second reading

Debate resumed.

Mr McGUIRE (Broadmeadows) (16:01) — I just want to continue my contribution. Just to recap, the legislation overhauls the state suppression order laws to ensure Victorian courts are open and transparent and the laws are there to protect the public's right to information. This is the key proposition of the bill.

During the debate other issues on a general law and order theme were raised. The coalition went back to the argument about baseline sentencing. I did make sure that the judgement of the Court of Appeal of Victoria and the facts of the matter were reported again. I remind the house that the Court of Appeal in Victoria wrote off the Napthine government's baseline sentencing scheme and described it as 'incapable of being given any practical operation'. It went on further to dismiss the legislation in probably the harshest criticism I have ever seen, by saying that it had an 'incurable defect'. There is no argument about taking it on appeal to the High Court or anywhere else. If it is incurable, that is that. It could not work, it was never going to be able to deliver what was intended and that is the way the Court of Appeal in Victoria wrote it off. So let us not have any more revisionism about this. The Victorian people should not have amnesia about what actually occurred. That should hopefully address that matter once and for all.

What the bill does is help rebalance issues about suppression orders. We had a situation where there was an unprecedented rate in Victoria, with almost 1600 suppression orders in three years. One of the other arguments that the media have had on this was that there was not sufficient explanation as to why these suppressions were being put in place on what was happening in the courts. The *Herald Sun* in an editorial in March of this year, under the headline 'Court secrecy must stop', went to a critical point on this issue about balance. I quote:

> In a digital age where information spreads quickly and widely, the reporting of certain information which could prejudice a jury does need to be restricted. But the professional media's reporting requirements and contempt laws have long-established principles regulating reporting. Suppression orders are often superfluous.

I think that goes to the heart of the matter and to what was really going on with this tension between the public's right to know and what the courts were looking to do to protect critical cases and to make sure that cases in the future were not prejudiced. The Victorian government got the eminent Frank Vincent to conduct an inquiry. Frank is a former Supreme Court of Appeal judge. I have acknowledged previously and I acknowledge again his long and distinguished career as a jurist, and I also acknowledge the advice that he provided to this Parliament with this review and also in the last Parliament with the *Betrayal of Trust* report.

What the Victorian government is doing is supporting in full or in principle 17 of the 18 recommendations, while one recommendation is under further consideration. Just to go through these, the review recommended a range of improvements to existing suppression laws, including restricting the use of suppression orders so that they cannot be made if other laws already prevent publication; allowing adult victims of sexual assault or family violence to disclose their identity after the offender has been convicted, including where they were abused as a child; allowing previous relevant convictions of youth offenders to be

reported if the person continues to engage in serious offending as an adult; and specifically requiring courts and tribunals to provide written reasons for making a suppression order. That is an important issue because that provides the ability to have scrutiny and accountability with regard to the reasons.

Another recommendation is that all suppression orders are treated as interim orders for the first five days so that interested parties, including the media, can make submissions against the need for the order. That means that they can be contested and the arguments can be raised again in court, and again I think that is good for transparency and accountability.

There is also improving judges' understanding of suppression order laws, with new programs and materials developed by the Judicial College of Victoria. That refers to the fact that the Vincent review found that too many judges and magistrates had limited understanding of their responsibilities under the Open Courts Act 2013.

Another proposal is creating a central, publicly accessible register of suppression orders made by all Victorian courts and tribunals. I think that is a really important initiative as well. I know from the first stage of my career as a journalist that that was always something that you wanted to be able to do — go to one central data bank to be able to assess whether there was a suppression order or not so that you could comply with the law.

I think this is a suite of admirable reforms which will go a long way to providing greater transparency. I commend the bill to the house.

Mr PEARSON (Essendon) (16:08) — I am delighted to make a contribution on the Open Courts and Other Acts Amendment Bill 2018. I was in the house earlier today listening to the member for Hawthorn's contribution on this bill. I believe the member for Hawthorn was to be the lead speaker on the bill but the manager of opposition business filled that task. One of the things I noticed with the member for Hawthorn's contribution was that he was saying, 'Why are you bringing forward a bill like this on the penultimate day of the 58th Parliament? Why have you not brought this in earlier? Why have you not brought this in sooner?'. It is an interesting question asked by the member for Hawthorn, because it goes to the way in which this Parliament functions and how it operates.

For a very long period of time when the coalition was on the Treasury bench in the Assembly, overwhelmingly they had control of the Legislative Council. They had it right throughout the 1990s, and indeed they had a one-seat majority in the 57th Parliament.

It is interesting to note that when I was an adviser to Steve Bracks after the 1999 election and I was spending a fair bit of time —

Ms Thomson interjected.

Mr PEARSON — You are too kind, member for Footscray; you are far too kind. At that stage the member for Footscray was the member for Melbourne North Province, I believe, and the government had 17 members in the Legislative Council —

Ms Thomson — Fourteen.

Mr PEARSON — Fourteen, okay, and the coalition had 30 out of 44. This was interesting because you had a government that won an election that it was not really expected to win, and you had an opposition that overwhelmingly controlled the other place.

In the 54th Parliament the Legislative Council, the other place, sat for 136 days, and in those 136 days they passed 253 bills. So in a proportional sense the efficiency of the other place in the 54th Parliament was to pass 1.86 bills per sitting day. In the 58th Parliament, this Parliament, the other place will sit for about 205 days, and they have passed 271 bills. Obviously the other place might pass one or two more bills, but the rate is 1.32 bills per sitting day. That means it is 29 per cent less efficient now than it was in the 54th Parliament.

So when the member for Hawthorn comes in here and seeks to lecture us, this government, on not bringing a bill like this forward, maybe it might be to do with the fact that his colleagues in the other place have deliberately set about being on a path to obstruct the right of this government to govern. There are 27 bills on the notice paper in the other place. They are just a bunch of blockers, and they will not accept the verdict. They have got form on this, because I remember — and the member for Footscray will recall this — that the former Liberal ministers in the other place refused to surrender their ministerial offices after the 1999 election. They would not vacate them. That demonstrated the fact that they could not accept that they had lost, and that was the way they conducted themselves day in and day out during the 54th Parliament.

The voters are not stupid. They see this and they know. Do you know what they did in 2002? They wiped out the coalition in the other place. Every single Liberal

member of the other place who represented a metropolitan seat and sought re-election, apart from in the East Yarra Province, lost. Every single one fell to the Labor Party. For the first time, apart from 20-odd days in 1985, the Labor Party had a majority in the other place.

Now, I am not for a moment suggesting that the other place should just do the bidding of the government of the day. It is fair and reasonable that bills can be scrutinised, particularly in the committee debate, and that there is an ability to pause and reflect and to make amendments. I have no problem with that. I have no problem in recognising the fact that the other place has a job to do as a genuine house of review. But what you are seeing here is that they are manifestly inefficient and inadequate in discharging their duties. They are trying to block and obstruct us at every step of the way.

I listened to the member for Eildon's contribution earlier. She said that we have got a born-to-rule attitude. Well, we have just happened to be on the Treasury bench for the majority of the time since 1982 because we are a better party and we have got better policies that represent the interests of working people. Those opposite are the ones with the born-to-rule attitude. They are the ones who have refused to accept the verdict of the people back in 2014 and at every step of the way they have sought to obstruct us. Again I would say to the member for Hawthorn that if some of your colleagues were not so lazy, if some of your colleagues were actually prepared to accept the verdict of the people and let the people's place, this chamber, get on with the job of introducing legislation and not obstructing it at every step of the way and dragging their heels and having, say, 14 speakers on a very minor piece of legislation instead of putting up maybe two speakers, perhaps we could have turned around and introduced bills like this earlier. Perhaps if the other place actually worked as it is supposed to do rather than being an instrument to block and frustrate an elected government, then we would not be in this situation.

As others have said, this bill seeks to implement a number of the changes suggested by the Honourable Frank Vincent, AO, QC, in terms of his review. I think one of the great things about an institution like the Parliament and one of the great things about an institution like our courts is that they have got a beautiful connection to history, a lineage back through the ages to key principles which are the bedrock and the foundation of a modern Western liberal democracy. Equally, it is important that these institutions reflect the times we operate in and reflect community views and values.

I was in the chamber earlier today when the Leader of the House moved to change standing orders to allow for the broadcasting of media. It was not that long ago — it was in the 1990s — that they did not have microphones in the Legislative Council. Members would have to get wired up by members of the media before going into the chamber to deliver a speech in order for the media to be able to record that speech. That was only probably 20-odd years ago, 25 years ago — not that long ago. But here we are making these changes in the standing orders to enable that to occur as just a normal function of this place.

I think that with a bill like this it is about continual reform of our justice system to meet community expectations. The idea of requiring the courts to provide a written reason why a suppression order has been given is indeed appropriate. I think it is fair for people to be able to ask, 'What was your reasoning? What was your rationale? What was your justification?'. Perhaps when you allow that to occur you are less likely to have instances where people might behave in a way in which they feel, 'Well, I can. I'm doing it because I can. I don't have to justify and explain myself'. I respect the independence of the judiciary. I respect the fact that the justices have the ability to make these calls as they see fit, as it is what you would expect with having an independent judiciary, but it is important that they do provide that level of explanation. I think that is only fair and reasonable.

The bill also looks at allowing a victim's identity to be revealed if the victim consents. I think this reflects the times in which we are living. Once upon a time the view was that the state knew everything: the state was right and the state imposed a one-size-fits-all solution because the state knew best. I think what has been shown in more recent times is that on the rights of the individual, individuals are best placed to determine what they feel comfortable with and what they are prepared to accept or not accept. I think this is a really important initiative because it allows the individual to make that call.

Recently I was speaking with a good friend of mine who is a journalist and we were talking about the death knocks that she had to cover as a journalist. She said, 'You can always ask once, but you can't ask twice'. She found that when she would go and interview someone who had recently lost someone, some people found that a cathartic experience and that it was part of their healing. I think allowing victims to be able to have their identity revealed is a really important initiative. I commend the bill to the house and I condemn the lazy lounge, otherwise known as the other place.

Mr STAIKOS (Bentleigh) (16:18) — It is a pleasure to rise today to speak on the Open Courts and Other Acts Amendment Bill 2018. In doing so it goes without saying that there are some things that are very, very important when it comes to our institutions as a modern democracy. One of course is to have a strong government, an executive and an independent judiciary so that we can live in a society where we have fair trials but that we also have transparency. Often that can be a very, very tricky balance to strike — the need for transparency, but also the need to have independent courts and the right to a fair trial. That is a balance that we have to strike, and I think the government ordering a review sometime ago into the Open Courts Act 2013 was exactly the right thing to do. It was a measured response to an issue that I know the media have been interested in for some time. I might quote from the media a bit later.

The review was conducted by former Supreme Court of Appeal judge Frank Vincent. This bill implements in full or in part seven of the 18 legislative recommendations. Under changes made by the bill courts will not be permitted to make suppression orders under the Open Courts Act 2013 if other legislation already prohibits publication of the same information. Courts will be required to give reasons outlining the grounds on which a suppression order was made, its duration and its scope. Victims of sexual and family violence offences will be empowered to share their stories under a new process, enabling courts to make an order lifting bans on publishing a victim's identity. Existing laws preventing the publication of prior youth convictions will be amended to allow the County and Supreme courts to publish relevant convictions in the sentencing remarks of adult offenders if the youth convictions are part of an entrenched pattern of offending. These changes build on amendments introduced by the government earlier this year, which explicitly excluded victims from non-publication provisions applying to Children's Court proceedings, as these relate to disclosure of their own identities.

I go back to the change that will enable victims of family violence and sexual offences to speak more freely about their experiences, and indeed to share their stories. The bill amends existing prohibitions to allow adults, who as adults or as children were victims of sexual or family violence offences, to opt for disclosure of their identity once the offender has been convicted. The bill creates a court process to allow the court to make an order authorising disclosure if the victim consents to disclosure and there are no other reasons for the prohibition to apply. The bill also clarifies the right of a victim to apply to revoke a suppression order under the Open Courts Act made solely on the basis of protecting the victim's identity. The court process under the bill requires a court to be satisfied of the consent of any other victim whose identity would be disclosed before it can make an order enabling victims of sexual or family violence offences to disclose their identities. As an additional safeguard, the court must also be satisfied that the disclosure of the victim's identity is appropriate in all the circumstances.

I think the notion of victims being able to share their stories is indeed an important one. Particularly over the last few years through the various inquiries held that really have brought up some very painful experiences of victims of child sex abuse in institutions but also family violence — our most urgent number one law and order priority in our state — we have seen how important and indeed how powerful it has been to give victims the opportunity to share their stories. That is something that we will be able to, in a way, facilitate under this legislation.

I heard another speaker earlier note that there have been something like 1600 suppression orders over three years, and in many cases the media have pointed out that there has not been sufficient reason from the courts. One of the key changes in this legislation is that courts will be required to provide a reason when imposing a suppression order. Again, as I said at the beginning of my remarks, it is about striking that balance between transparency and also a fair trial. I think both are equally important in a democratic society like ours.

A few years ago now on a panel Justice Simon Whelan said that the introduction of the Open Courts Act had not led to judges issuing fewer suppression orders. This is where there is a great variety of views. He is quoted as saying:

> In Victoria we know how many orders we make and the number has not gone down …
>
> 'We really want to have a situation where we make very few orders …we could have less than we do'.
>
> He said at times orders were issued because judges were defensive or overly cautious.

That is where these changes, but also the way we got to these changes through a thorough review, are very, very important. I note in the *Herald Sun* on 22 June the Director of Public Prosecutions wrote:

> Sometimes the unrestricted reporting of a case by the media will compromise the right to a fair trial, lead to national or international security concerns or lead to the inappropriate identification or location of vulnerable members of our society.
>
> In those situations it is my duty to either apply for or support the making of a suppression order.

Certainly that is one side of the argument, but again it is a very, very delicate balancing act that we have to conduct when we are dealing with matters as important as this.

I now turn to permitting courts to disclose information about an adult offender's youth convictions. In line with Justice Vincent's recommendation, the bill amends the Children, Youth and Families Act 2005 to permit judges of the County Court or Supreme Court sentencing an adult offender to publish the offender's juvenile convictions. Justice Vincent recommended that this discretion be subjected to appropriate safeguards so that the intention of allowing young offenders to rehabilitate is upheld. Accordingly, the bill provides that a court may only disclose the offending juvenile convictions of an adult offender where the adult offending is the same or of sufficient similarity to the child offending, the adult offending is serious, and where it is appropriate in consideration of the offender's previous criminal history and prospect of rehabilitation.

There has been a lot of consultation that has gone into this bill. The report of the review was produced after consultation with over 40 stakeholders in private meetings and through a public submissions process. The bill was developed in consultation with key stakeholders, including the courts, the Office of Public Prosecutions, Victoria Police, the victims of crime commissioner and the Commission for Children and Young People. The government is always about striking the right balance and I think this bill does that through a very thorough review that the government is responding to. I commend the bill to the house and I wish it a speedy passage.

Mr RICHARDSON (Mordialloc) (16:27) — It is a pleasure to rise on the Open Courts and Other Acts Amendment Bill 2018 and follow my good friend, the member for Bentleigh, and his contribution on this. He and all members of this government understand the importance of openness and transparency in our court system and the work that has been done to get to this point on providing greater openness and transparency so that people who come before our courts have greater support and are able to be heard and their stories told, and the importance of media contributing to our system as well.

It would be remiss for me to not address the second speaker on the bill, the member for Hawthorn, who gave a grand performance at the end of his about the courts. It is always great to see him in action. He is always auditioning. The lights come on, the cameras are on, you could not see a more excited person who loves to download his own videos than the member for Hawthorn when he gets behind the dispatch box. But his reflections on the government's record in law and order, in sentencing and in community safety and supporting the work of our law enforcement and our police officers, and his summary then about electioneering at the end of his speech undermine the very important work of this bill. It goes to the politicisation of our judicial system and our policing system as well.

It was not that long ago that federal members — senior cabinet members of the federal Liberal-Nationals coalition — had to front up and apologise for reflecting on the judiciary. They were dragged in and had to apologise. They could not help themselves. They had to take a low road. They reflected on the judiciary but I am sorry, you cannot undermine the constitution and the very institutions that underpin our good governance and good system here in Victoria and nationally.

That is a lesson to all of us, particularly the coalition: that you might want to take the low road, you might want to politicise the courts and policing, but you will be held to account. If it is not by the people of Victoria it will be by the institutions that have underpinned the work that we do as a state and our system, the Westminster system, and the basic premise of the separation of powers that is so very critical and important.

This bill is very important for greater openness and transparency in our judicial system. It comes on the back of a review, and seven recommendations from that review are dealt with in this particular bill. Of importance I think is the requirement for courts to give far greater reasoning, far greater information to the public on when they choose to use suppression orders. People want to know what is going on when decisions are made. Of course there is huge scrutiny on the judiciary. I know a lot of people in my community have expressed concern about when decisions are made or sentencing is initiated, but as someone who studied law at Deakin University and has observed the separation of powers and our system of governance, there is a check and balance on judicial decisions. They are public, they are on the record, they are scrutinised. There is an ability to appeal. I think this work in providing greater reasoning for giving suppression orders enhances that and develops that even further. It is important work to ensure that people get that information and understand.

I am particularly interested in the family violence and sexual offences space here — allowing survivors to speak about their experiences and be able to tell their stories. I think the member for Bentleigh summed this

up in his contribution. We have seen how important it is for people, one, to be believed, and two, to have their story told and for survivors to be heard and be respected. The notion that they would be faceless people having told their story in the court I think should change where they want to disclose, as should the notion that we would have a restriction on that when they could help or save others through their experience. We have seen that at a federal level through the Royal Commission into Institutional Responses to Child Sexual Abuse and also the landmark parliamentary inquiry that my friends the members for Thomastown and Broadmeadows did a power of work on. We know the power of people being able to tell their story, being believed and being heard and how that transforms the system for the future.

In the family violence space, I have got an event coming up in the coming weeks in my community: Say NO to Family Violence. I was sent some statistics to prepare for that event. In the City of Kingston alone in the last calendar year there were some 1500 family violence-related offences: 1500 people who are living in fear and 1500 people who might be presenting to our court system, whether it is for breaches of intervention orders or assaults, harassment or psychological abuse. We are seeing numerous cases and more are being reported and still so many go unreported, so many go on behind closed doors. I think the ability to remove some of those suppression orders and allow people to share their stories is critical.

While there is a lot of distrust in politics these days, there is also a diminishing trust in media, but the media still has an incredibly important role in court reporting and in reporting the outcomes of particular matters in our system. So I think the requirement to reduce the amount of suppression orders to ensure that there is fair and accurate reporting of court proceedings on matters that are undertaken is very important. It goes to the confidence that people have in the judiciary. If they are able to understand more about what is going on and what is happening — the reasons for decisions, understanding the journey of a case and what is happening — I think that creates greater trust and transparency in our whole judicial system and system of governance. So it is really a welcome ambition of this bill that we are ensuring that the expectations of suppression orders will be reduced and that those reasons have to be demonstrated. I think that is a really important thing.

This bill has gone through a range of consultation. If we are given the great privilege of serving again in the 59th Parliament, this will be a key agenda item for the second term of the Andrews Labor government. While we are introducing it now before we go into caretaker mode, there will not be a moment wasted. We will be working to ensure we can implement seven of the 18 recommendations of the Open Courts Act review that was conducted in 2016. This bill, along with subsequent reforms in the future to look at those other 11 recommendations, is very important. I commend the work of the Attorney-General in putting this bill together and the work that has been done. It is part of a range of reforms in our legal system, whether it is greater transparency in sentencing, offences that we have created or more work in resourcing that we are providing to the courts.

It is also important to reflect that while there is a lot of scrutiny of our judiciary and a lot of politicisation in this space, it takes an incredible toll on our magistrates, on our court staff and on officers who give countless hours to the community. There are pressures upon the judiciary and people trying to make these decisions, with dozens and dozens of cases coming forward. They have always got the risk of appeal. They have always got the fact that all their recommendations, their sentencing, their reasoning, is on public display. It is a hugely pressurised job. I welcome the work of the Attorney-General in providing greater support to our judicial officers. They do an incredible amount of work in a very trying and difficult setting. It is a really thankless task. Someone is always going to be dissatisfied with an outcome. In an adversarial system like our judicial system that battle mentality is always going to be difficult for people in that environment — the pressure is so great. We have seen recent examples of those pressures upon a range of people. There has been great work done in this space, and it continues our work to make our community safer and stronger. I commend this bill to the house, and I hope it is heavily prioritised in the 59th Parliament.

Mr WYNNE (Minister for Planning) (16:37) — I rise to make a contribution on the Open Courts and Other Acts Amendment Bill 2018. I am very pleased to do so because the government is overhauling Victoria's suppression order laws to make it clear that suppression and closed-court orders are exceptions to the principle of open justice and should only be made when absolutely necessary. The bill of course comes off the back of the work of one of our most pre-eminent jurists, Justice Vincent, who made a number of recommendations for legislative reform, of which the government has indicated at this stage that it accepts seven of the 18 recommendations. A further legislative recommendation was implemented earlier this year, so we are well on the way in relation to that.

What does the bill actually do? The bill amends the Open Courts Act 2013 to implement, as I said, those seven recommendations. The amendments in the bill emphasise the importance of open justice; prevent suppression orders being made when provisions under other legislation apply; require reasons to be given for suppression orders made under the Open Courts Act; enable suppression orders to continue until the determination of an appeal unless varied or revoked by the appellate court; enable disclosure by a court of relevant juvenile convictions where a person continues to seriously offend as an adult, subject to certain safeguards, and that is an important element; and enable adult victims of sexual and family violence offences to speak more openly about their experiences.

I actually want to concentrate my contribution today on that final point: to enable adult victims of sexual and family violence offences to speak more openly about their experiences. I am drawn to that on the basis of an opinion piece that I had published in the *Age* newspaper some years ago now which spoke of the experiences of a very old friend of mine, a businessperson who had been involved in the political arena, had been active in politics within the Labor Party for some years and continues to do so in his own way. I did not see him particularly regularly, but he came to my office unannounced and spoke to me for a couple of hours about the darkest secret that he had held for all the time that I had known him, and that is now 40 years. He spoke to me about the appalling and systemic abuse that had been wreaked upon him from a very young age by a paedophile priest. As a young boy he was essentially powerless. He was preyed upon by this monster — that is all I can describe him as, a monster — because he had come from a very poor family.

His family circumstances were very poor. His family were actively engaged with the Catholic Church but on the basis of the most basic supports — things like food vouchers and the sorts of support that poor families actually needed. He spoke to me about what it meant to him, as someone from a poor working-class family, to be offered the opportunity to actually go on a holiday, and that was a venue at which he was preyed upon on more than one occasion. He was handed around like a plaything for these evil, evil people, and he told me that story through a torrent of tears. His face twisted in sheer anguish and despair that his life had been so dramatically destroyed and systematically destroyed at the hands of this Catholic paedophile priest.

The redress scheme through the Catholic Church further victimised him, where he had to provide evidence that in fact he had been the victim of this paedophile priest. Rather than this being an opportunity for the church to reach out, obviously to apologise and to offer some opportunity for healing and reparation, it further victimised him to the point where he has and continues to need significant medical interventions and significant psychological and psychiatric help.

Why is the bill important for these victims? And there are so many who have been the victim of sexual assault. He from a very young age — a young boy — was frightened to come home from his paper round, in fear that this monster would be at his house. What a shocking, shocking thing. So why is it important that this bill actually provides an avenue for adult victims of sexual and family violence to speak openly about their experiences? It goes to the public acknowledgement that you have been wronged, that my friend had been wronged.

It is so important that you can actually go to the court and say, 'This happened to me', and the court acknowledges you, it acknowledges the offence and it acknowledges the wrong that has occurred to you. It is so important that you are not going to be doubly victimised and that the court in a fulsome way can actually say, 'Yes, we accept absolutely that you have been wronged'. It is a public affirmation, and it is so important to many people that there is a public affirmation that these wrongs have been committed. It also assists, I believe, on the potential road to recovery.

What will it mean for my friend? I am not sure what it will mean for him going forward, but he has built his life. He has managed to build a life out of this crushing story that he told me and has gone on to live a productive life, albeit requiring very, very significant supports around him. Today, as I reflect upon this good man, I reflect upon just why it is so important that we do offer these avenues to people who have been victims of sexual violence and sexual offences in such a vicious and such a protracted way.

I also just reflect of course on the women, particularly, who have been victims of family violence and the great work that our government has done, which frankly is leading Australia in terms of standing up on these issues. I have to acknowledge my friend and comrade Fiona Richardson, who led that work on our behalf, because so much of what today is about is about what our government believes. Our government believes that we do stand with victims of family violence and we do stand with victims of sexual violence. I absolutely stand with my friend and colleague today, and I will always remember him as a person who has survived the most appalling of circumstances. I commend the bill to the house.

Ms GREEN (Yan Yean) (16:47) — One cannot fail to be moved by that contribution from my great friend and colleague the Minister for Planning, the member for Richmond. I have heard him speak of his friend in this way before, but that was as powerful as the first time I heard it. It really shows why the bill before the house, the Open Courts and Other Acts Amendment Bill 2018, is incredibly important. Like the member for Essendon said earlier, it is a great shame that we are debating it in this house knowing that it is not going to make its way to the upper house. We have a number of bills stuck in the upper house, but I still want to nail my colours to the mast and speak about why this bill is important. It will be the last justice bill that I get to speak on in this term of Parliament.

The objective of this bill is to reform Victoria's laws relating to open justice to improve openness and transparency in the legal system. The bill will amend the Open Courts Act 2013, the Judicial Proceedings Reports Act 1958 and the Children, Youth and Families Act 2005 and implement in full or in part seven of the 18 recommendations of the Open Courts Act review to improve the suppression order regime in Victoria. The bill will amend the Children, Youth and Families Act so that the publication of identifying particulars of children is not unduly restricted. The bill implements seven of the recommendations of the Open Courts Act review conducted in 2017 by that eminent person, the Honourable Frank Vincent, AO, QC. On 29 March 2018 the government publicly gave support in full or in principle to all but one of the recommendations of the review.

I just want to refer to some of the media commentary about the bill and in support of the bill. There was an editorial titled 'Court secrecy must stop' in the *Herald Sun* on 29 March 2018. We have not often seen a whole lot of supportive commentary from the *Herald Sun*, but they certainly are supportive of this. Also on 29 March Shannon Deery wrote an article in the *Herald Sun*, 'No shield for child sex creeps. Suppression orders to be revamped'. Shannon Deery writes:

> Victoria's worst paedophiles could be unmasked under a radical overhaul of the state's suppression order laws.

There was yet another article on the same day by Neelima Choahan in the *Age*, headed 'Overhaul of suppression order laws could see sex offenders identified'. Farrah Tomazin wrote a piece in the *Age* on 24 June around this, and there was also a piece headed 'Changes afoot for Vic suppression orders' by Christine McGinn in the Australian Associated Press on 7 August 2018. It says:

> Adult victims of sexual and family violence will be able to choose to have their names published in a bid to empower survivors to share their stories, under proposed legislative changes in Victoria.

I think one of the reasons there has been so much action taken is the *Betrayal of Trust* report, which was tabled in the previous Parliament. I know my good friend the member for Thomastown and my good friend the member for Broadmeadows both did harrowing, harrowing work on that report. It was followed up by the outstanding establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse by then Prime Minister Julia Gillard. I think all those harrowing and deeply shameful stories that have been told through that report to the Victorian Parliament and also to the royal commission have really lifted the lid and opened the door into the darkest of dark corners. It has been so confronting, and I am sure it has reopened a terrible amount of pain and suffering for the victims, but I really hope that it has also given them some closure in that now they are being listened to. The reason it has been so powerful is the bravery of so many survivors who have had the courage to speak, just like the friend that the member for Richmond referred to.

I want to commend the brother of one of my best friends, Kerri-Anne Tatchell. Kerri-Anne and I have been friends for decades, and her brother Paul Tatchell is the current mayor of the Shire of Moorabool. Paul is a blokey bloke. I again want to commend him on giving evidence and on how brave he has been throughout the decades. I just cannot imagine what it must have been like as a 13-year-old to have been raped at St Patrick's College. Paul was put in a cupboard because in the nights following the rape he actually beat up the perpetrator. No other Christian Brother around had helped this 13-year-old boy after he was viciously raped by a Christian Brother, and they turned on him when he beat up that Christian Brother in reprisal a few days later.

As the mother of two sons, one of the things that really struck home for me was when the royal commissioners asked Mr Tatchell, 'How did you feel when you were locked in the cupboard?', where the Christian Brothers put him after he had beaten up that Christian Brother. He said, 'I actually felt safe locked in the cupboard'. His parents came to get him. They just did not understand. They were told that he was a bad person and that he needed psychiatric help. That is where his parents took him, and then he was returned to school. When he kept running away, he was sent to Monivae College, where word had spread amongst the paedophile priests and the Christian Brothers network and he was again repeatedly assaulted. Finally he was able to end his suffering by falsifying his age and

joining the army. What presence of mind for a young man to have been able to get himself out of that situation, to have raised a family and had a successful business. Now he is contributing to his community through the Moorabool shire and speaking out about what has occurred.

These stories do need to be told, as harrowing as they are. That is why the overhaul of these suppression orders and having open courts is so important to transparency. Whether it is hiding behind the veil of secrecy of the confessional or hiding behind the protection of mother church — whether it is Mother Rome or Mother England — it is not right. We need to keep sweeping away those barriers and restrictions. It has always been the case in the past that child victims were not named, and that is right and proper for their protection, but it is not right when it is balanced in favour of protecting a perpetrator so that they may continue to offend, as so many of these revolting, horrible, rock spider paedophiles have done over so long.

I commend the Attorney-General and the staff of the Department of Justice and Regulation on all the work they have done in preparing this bill and the many, many other pieces of justice legislation that have come before this house that have dealt with these sins of the past and have really put right so much in Victoria to change the way we respond to crimes of this nature and to also see family violence for the crime that it is. I think those opposite in their commentary and in their public media commentary still like to make people think that it is out in the community where women and children are least safe when it is still behind closed doors. I commend the work of this government and the Attorney-General, and I commend this bill to the house.

Ms WARD (Eltham) (16:57) — In rising to speak in support of this bill, the Open Courts and Other Acts Amendment Bill 2018, I do want to acknowledge the contribution by the members for Richmond and Yan Yean. The member for Richmond spoke very well about his friend, and it was heartfelt. I think it is important that we recognise there are stories here that do need to be told but also the effects that they can have on us as members of Parliament. We have the great privilege of hearing other people's stories, but we also have the challenges of shouldering some of their pain as well — we do — and this happens to everybody who sits in this place. We do carry the pain of other people with us sometimes when they do tell us their stories, and they tell us their stories because they trust us. As difficult as it would have been for the member for Richmond to hear the story of his friend, I thank him for his bravery in shouldering some of that story.

It is important that stories be told, to have some power over your story and to have some control over your story, because when you are abused or when you are a victim of crime the thing that you continually feel that you experience is powerlessness. You are powerless when you experience the crime, but if your ability to tell your story is also taken from you, it is another abuse of your power; it is another infringement of your power.

Some time ago a local woman came and saw me and spoke to me about her story. It is a story of a suppression order. Her experience was horrific — that of her and her sister. It is not something that I would wish on anyone. She talked about years of abuse at the hands of her father and then at the hands of her brother. The experience that she had you would not want to wish on anyone, but to also take from her the opportunity to be heard outside of the court, to be heard anywhere she wanted to tell her story — her father and her brother were both found guilty and were sentenced — for her to not be able to share that story beyond close confidants and beyond people where she knew it could not go any further was difficult for her. It was difficult for her to not say, 'This happened to me. This person did this', and to have people know what that person had done. I am sure people around her in her community would know, because communities do pass around information, but not having the power over her own story is something that she found quite difficult. Not having the power to control her own story was also something that she found quite difficult.

I commend the Attorney-General for the work that he and his office have done in helping to give some power back to those who have had their own sense of power and their own sense of self abused. It is not something to take lightly. There is a need in these instances for suppression orders. I can see very well why it would be needed, for example, when you are dealing with issues around children and when you are trying to protect victims from any further invasion of their privacy or experiences. But there are times when people do need to be heard. This woman did want to be heard, and she did want to have people generally know her story and know of her experience.

I think it is also important for people to understand how often this kind of story can happen, how much it can damage people and how much hurt it can cause. When these stories are told it can empower other people to stand up when they think something might be happening, because they actually have a better understanding of what it looks like to be abused and what it looks like to have your soul damaged in this way. I am very glad the Attorney-General has taken this action, and I commend him and his office for it.

It is interesting to hear from the other side their noise when they did bother to speak on this bill — their noise about crime, their noise about punishment. They do not actually want to understand how crime is caused. They do not actually want to put in the work and the investment into community to help reduce crime. They think if they bang a drum and if they bang it loud enough and if they inflame tensions — if they throw around a few community groups, throw them under the bus and blame them for any crime that could occur — that is the way that you deal with it. You make the community afraid, and that is the way you win government.

That is not the way you win government. That is the way that you show exactly how weak you are when it comes to policy. Because what happens when you decimate TAFE, what happens when you withdraw funding from schools, what happens when you do not create opportunities for new police, what happens when police retire and you do not rehire, what happens when your police numbers actually flatline, what happens when you do not invest where investment is needed, what happens when you do not create jobs, what happens when you do not create opportunities, what happens when the federal government reduces support for people who are migrants or have come here as refugees, what happens when you do not invest in people, what happens when people do not feel valued — when people do not feel that a government cares about them and when a community feels that it is up to the individual and that people are out there for themselves — that is when you see an increase in crime. That is when you see crime occur.

You see crime occur when people do not see options, when people do not see how they can help themselves, when people do not see how they can gain an income and when people do not feel respected. There are so many different reasons why crime occurs, and to think that it is something simplistic that you can throw out there in a Tony Abbott-style 'Stop the boats' three-word slogan is disrespectful to the community. It is disrespectful to this place because we know that the law is far more complicated. I applaud the Attorney-General for the very steadfast way he has gone about creating legislation after legislation, amendment after amendment for the four years that we have been here. He has steadfastly worked through issues and unravelled the problems that the previous government created through their own laziness and ineptitude. He has doggedly gone about improving our laws to make sure that this community can be safer.

At the same time as the Attorney-General has done this, this government has gone about creating opportunities for people so they do not feel that they are on the scrap heap, so they do not feel that crime is their only recourse to look after themselves or their families and so they do not find solace in drugs because they are self-medicating and do not have any other way to find happiness. The role of government is to create a better society and a better community, and you do not do that by drumming up fear. Fearmongering does not create a better community; fearmongering just creates fear. I do not know about you, but a fearful society is not one I want to live in, nor is it one that I think should be created through false words, through false creation and through laziness, because it is only laziness. Fear is the tool of the lazy person and it is definitely the tool of the lazy policymaker.

If you think the way through to government is by creating fear, you are wrong. That is not the way you find the pathway to government. The pathway to government is to find policy that inspires people, that gives people hope, that makes people think that there is something positive happening in the world around them, that makes people feel valued, that gives them something and that makes them feel that they matter. Telling people that they should not go out to dinner because everybody is afraid is ridiculous.

I have to say the Liberal Party probably dodged a bullet by not appointing Peter Dutton as leader of their party federally because God knows what we would have seen happen in this state with the ridiculous words he says and the ridiculous carry-on about what is happening in this state. In fact I went out to dinner here in Melbourne last night. I had a lovely meal and I felt as safe as houses. This is a beautiful city and a beautiful state and it is worth celebrating. It is worth investing in and it is worth doing things in and it is certainly worth getting things done in. It does not deserve an atmosphere of fear that is drummed up by the policy-lazy people opposite us because that is all they are capable of — drumming up fear. They should be ashamed of themselves.

Mr J. BULL (Sunbury) (17:07) — I am pleased to have the opportunity this evening to speak on the Open Courts and Other Acts Amendment Bill 2018. Can I take the opportunity to echo many of the comments made by the fantastic, hardworking member for Eltham. I could not agree more, member for Eltham, that every government, any government, should be focused on building our community, our society up and not tearing it down. Every government, any government, should be focused on empowering people, supporting people and investing in our community to ensure that people have access to high-quality health

care and high-quality education and to ensure that people have each and every opportunity in life.

This government, the Andrews Labor government, stands for a modern, responsive and effective court system. We know that due to things like population growth and the increasing complexity of crime our courts are constantly under pressure to deliver outcomes that are in line with community expectations. This legislation before the house this evening implements a range of reforms that a number of honourable members have spoken about this evening. These are of course the result of a great deal of work done by the Honourable Frank Vincent, AO, QC, who of course conducted a review of the Open Courts Act 2013 (OCA).

Before I discuss a number of the recommendations contained in the review, I did listen to the member for Hawthorn in his contribution, and it proved exactly what is wrong with those opposite: rather than focus on facts, they choose fear. Rather than focus on stats, they choose fear. At each and every chance they determine to undermine the fabric of impartiality. The things that make our democracy work, that allow the separation of powers to occur, that strengthen our democracy are the fairness and justice within a system that supports all communities right across the state.

We on this side of the house know that a one-size-fits-all model simply does not work in the judicial system. We know from research and evidence that models that work toward an individual are of course models that work. I want to take this opportunity to make the point that any law — any piece of legislation, any bill that comes before the house — should be backed up not by guesswork but by actual research, evidence, science and all of those things that underpin a quality piece of legislation. It needs to be referenced. It needs to be in accordance with research. That is of course holistically how you get a better system of government, how you get a better system of democracy and how you get a better, safer and stronger community.

We know this bill will reform Victoria's laws relating to open justice to improve openness and transparency in the legal system. The bill will do a number of things. It will amend the Open Courts Act 2013 and other acts to implement in full or in part seven of the 18 recommendations of the Open Courts Act review that I mentioned earlier. This will improve the suppression order regime in Victoria.

There are a number of amendments which members have discussed this evening in the house. They include an emphasis on the importance of the open justice system to prevent suppression orders being made under the OCA where provisions under other legislation apply, and I will come back to that later on in my contribution. The bill requires reasons to be given for suppression orders made under the OCA. It enables suppression orders to continue until the determination of an appeal or unless varied or revoked; enables a disclosure by a court of relevant juvenile convictions where a person continues to seriously offend as an adult, subject to certain safeguards; and enables adult victims of sexual and family violence offences to speak more openly about their experiences. Members have also referenced that point in their contributions. The bill will also amend the Children, Youth and Families Act 2005 so that the publication of particulars of children is not unduly restricted where this would not lead to the identification of the child.

I discussed the importance of quality research in any review, any study or work, that is done to bring a piece of legislation before the house. This is critically important, and I want to take the opportunity to commend the work of the Honourable Frank Vincent, a former justice of the Supreme Court, who took on the job of conducting the review. We know that the final report was released in March 2018, and it really is the genesis, the basis, of the legislation that is before the house this evening.

The government has given support in full or in principle to all but one of the 18 recommendations of the review. One will require further consideration. The bill represents stage 1 of the government's legislative response to the review. We know that there was extensive consultation through this process, both through a public submission process and through consultation with stakeholders as well as key bodies — the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, the victims of crime commissioner and the Commission for Children and Young People.

The bill implements recommendations 1 and 2 of the review to reinforce the importance of open justice and make clear that suppression orders under the Open Courts Act are only to be made as exceptions to the principle of open justice where necessary. This will ensure that courts do not make suppression orders too easily, by applying a mere presumption in favour of openness, which a number of members have also discussed this evening.

We know that transparency, accountability and openness within our courts are fundamentally important to the workings of our democracy. The Andrews Labor government is focused on improving the lives of all Victorians, no matter where they live. Accountability

and transparency and a court and legal system that works to maintain balance, impartiality, openness and accountability — that is what we stand for. That is why this piece of legislation is important. It is based, of course, on the evidence and the recommendations contained in a review by somebody who brings a whole suite of life experiences and professional experience to the task of conducting such a review — a significant piece of work that certainly has formed the basis of the legislation that is before the house this evening.

It is fundamentally important that all members of Parliament, all governments, are focused on improving the lives of each and every person that we in this place represent, that we stand for those values of transparency and accountability and that we make sure that the court system and the legal system are underpinned by values that encourage the most important elements and traits — impartiality, openness and accountability. I believe, and this government believes, that this bill works to improve the system and works to improve our courts. Given that, this legislation is based on the sound principle of impartiality, ensuring that we collectively get a stronger system, a fairer system, that works for all involved. I think that should be the aim of all members of Parliament.

I would like to acknowledge the work of the Attorney-General, his office and his department along with the work of Frank Vincent. I commend the bill to the house.

Ms COUZENS (Geelong) (17:17) — I am proud to rise to speak on the Open Courts and Other Acts Amendment Bill 2018. I am sure this bill is welcomed by my electorate of Geelong. This is a powerful piece of legislation that will give victims a voice in our community. We have had the opposition going on about law and order. Well, where are they? They have a very limited number of speakers on this bill, so I think that reflects the calibre of those opposite.

The Andrews Labor government is overhauling Victorian suppression order laws to make it clear that suppression and closed court orders are exceptions to the principle of open justice and should only be made when necessary. We are committed to ensuring that our courts are open and transparent and that the law protects the public's right to information. This bill reinforces the presumption in favour of open justice and the disclosure of information in Victorian courts. The bill implements, in full or in part, seven of the 14 legislative recommendations made by Justice Vincent. A further legislative recommendation was already implemented earlier this year.

Under changes made by the bill, courts will not be permitted to make suppression orders under the Open Courts Act 2013 if other legislation already prohibits the publication of the same information. Courts will be required to give reasons outlining the grounds on which a suppression order is made, its duration and its scope. Victims of sexual and family violence offences will be empowered to share their stories under a new process enabling courts to make an order lifting a ban on publishing a victim's identity, and I think that will be very welcome in my electorate of Geelong. Family violence is a serious issue in Geelong, as it is in many of our communities across Victoria.

We know the Royal Commission into Family Violence has identified 227 recommendations to address family violence right across Victoria. The fact that people will have the ability to share their stories is a really important part of this bill, and it is also important for those who are victims of sexual abuse. The Royal Commission into Institutional Responses to Child Sexual Abuse ran for five years and held many public hearings. At many of those public hearings there were people from my electorate. The heads of CLAN, which is the Care Leavers Australia Network, are a part of my community and had a lot to say about their experiences with institutions, orphanages, children's homes and foster care right across Victoria but in particular in my electorate of Geelong and the impact that it had on them. I know they would very much welcome this bill to ensure that going forward people will have the opportunity to tell their stories. This is really important to people who have suffered horrifically in sexual abuse situations that obviously never should have happened, but also will affect their ability to deal with that and to push for legislative change, like what we are seeing here today in this bill, that not only protects children and people from these sorts of things happening but also ensures that there is legislation in place that supports and assists those that need it most.

This is a great bill for people in my electorate. The existing laws preventing the publication of prior youth convictions will be amended to allow the County and Supreme courts to publish relevant convictions in the sentencing remarks of adult offenders if the youth convictions are part of an entrenched pattern of offending. These changes build on amendments introduced by the government earlier this year which explicitly excluded victims from non-publication provisions applying to Children's Court's proceedings, as these relate to disclosure of their identities.

The bill implements, in full or in part, seven of the 18 recommendations of the Open Courts Act review: emphasise the importance of open justice under the

Open Courts Act; prevent suppression orders being made under the Open Courts Act when provisions under other legislation apply; require courts and tribunals to give reasons for making suppression orders under the Open Courts Act; enable suppression orders to continue until the determination of an appeal or unless varied or revoked by the appellate court; enable the publication of relevant juvenile convictions of persons who continue to engage in serious offending as adults, subject to certain safeguards; and enable adult victims of sexual and family violence offences to speak more openly about their experiences. The bill also amends section 534 of the Children, Youth and Families Act 2005 to narrow the scope of particulars deemed likely to lead to the identification of a person.

The bill amends existing prohibitions to allow adults who as adults or as children were victims of sexual or family violence offences to opt for disclosure of their identity once the offender has been convicted. The bill creates a court process to allow the court to make an order authorising disclosure if the victim consents to disclosure and there are no other reasons for the prohibition to apply. The bill also clarifies the right of a victim to apply to revoke a suppression order under the Open Courts Act made solely on the basis of protecting the victim's identity. The court process under the bill requires a court to be satisfied of the consent of any other victim whose identity would be disclosed before it can make an order enabling victims of sexual or family violence offences to disclose their identities. As an additional safeguard, the court must also be satisfied that the disclosure of a victim's identity is appropriate in all the circumstances.

In line with Justice Vincent's recommendation, the bill amends the Children, Youth and Families Act to permit judges of the County Court or Supreme Court sentencing an adult offender to publish the offender's juvenile convictions. Justice Vincent recommended that this discretion be subject to appropriate safeguards so that the intention of allowing young offenders to rehabilitate is upheld. Accordingly, the bill provides that a court may only disclose the juvenile convictions of an adult offender where the adult offending is the same or of sufficient similarity to the child offending; where the adult offending is serious; and where it is appropriate in consideration of the offender's previous criminal history and prospect of rehabilitation.

This bill goes a long way to addressing some of the issues that we have seen in the past, as I mentioned, for people in my community, particularly around family violence and sexual abuse. They are some of the key areas in which my community have raised many, many issues through the Royal Commission into Family Violence and through the royal commission into child sexual abuse. They are all very relevant to my community. It is important that we continue to address those issues through legislation and through the various changes that we have been making as a government. I am very proud to be part of a government that is focused on those serious issues in our community around family violence and sexual abuse. I think they are important issues that all of our community have taken great note of, particularly since the establishment of the Royal Commission into Family Violence and the royal commission into child sexual abuse. They are things that impact on our communities in a very serious way. They are ongoing issues that people have to deal with and they need to be addressed, and that is exactly what this government is doing.

As I say, I am really proud to be part of a government that does care about our community and cares about the most vulnerable in our community. We are doing whatever we can to try and address those issues, unlike those opposite who cannot even be bothered to be in the chamber when serious legislation is being debated. There is one person from the opposition who is sitting at the table. I commend the bill to the house.

Mr NARDELLA (Melton) (17:27) — This will probably be the last bill that I will speak on in my parliamentary career. I want to thank the Attorney-General for bringing this legislation to the Parliament. One of the things that I think is really important when legislation is brought into the Parliament is that it is well researched, that it is evidence based and that you get the best minds to work on the issue and the problem at hand. One of the best legal minds in Victoria is that of the Honourable Frank Vincent. I have had a number of dealings with the Honourable Frank Vincent, both in his chancellorship of Victoria University and in his addressing parliamentarians here in Parliament through the Commonwealth Parliamentary Association or the Australasian Study of Parliament Group. When you want the best set of recommendations and options certainly an opposition but also a government will want to put together the best minds to do that, and the government has done that.

In the Vincent review of the open courts legislation 40 stakeholders were involved in the consultation. They included the courts, the Office of Public Prosecutions, Victoria Legal Aid, Victoria Police, Victims of Crime Victoria and the Commission for Children and Young People. Then you are able to gather the best evidence and work through suppression orders and issues that the media have been raising with governments for a long time and that the courts have been grappling with for a

long time as well. This legislation will assist the courts in grappling with those major issues based on the principles of openness and transparency within the legal system.

This is the first stage of the implementation of the recommendations. It comes to the Parliament after the report was tabled by the Honourable Frank Vincent just recently. It is important that the Parliament actually debates and discusses this matter because the way that we get the best out of the courts in looking after victims of crime, which is what this legislation does, is to have that debate. That is where this Parliament is absolutely critical. It is critical in a democracy to be able to expand on evidence-based research and recommendations and then to have the debate on the floor of the Parliament. One of the things that absolutely strikes me is that there have been and unfortunately will only be three people from the opposition speaking on this bill: the honourable member for Box Hill, the honourable member for Hawthorn and the honourable member for Mildura.

No Greens member has spoken. The Greens are missing in action. They are probably busy in their rooms with their guitars, sitting around in a circle and singing *Kumbaya*.

Mr Pearson interjected.

Mr NARDELLA — Yes, and eating tofu, honourable member for Essendon. In terms of the debates that we are having within our community and society today, the opposition can get together only three members to take part in this debate.

Mr M. O'Brien — Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr NARDELLA — In a democratic society the Parliament is the central organ where a policy debate is had. This is a debate in terms of victims and what this legislation means for victims of sexual assault. I have heard all the other honourable members talk in a very sincere and very emotional and personal way about experiences that they have had, but this debate is also about making sure that this legislation can be improved for the future. You cannot have that when you have the situation where people on only one side of the house put their view to the house. That is especially so when this is such an important issue that people are out there campaigning on it.

Opposition members make things up as they go and they put together policies that are not evidence based or research based, yet when it comes to real debate and discussion in our democracy about victims of crime, they can put together only three speakers.

Mr Pearson interjected.

Mr NARDELLA — They certainly were not the best three. Maybe they are all in their rooms with the whiteboard, chalking up who the next leader should be.

Mr M. O'Brien — On a point of order, Acting Speaker, I would ask you to bring the member for Melton back to the matter before the house. He seems to be very interested in discussing everything but the actual bill before the house. I do wonder if he has even read it.

The ACTING SPEAKER (**Ms Graley**) — It has been a very broad-ranging discussion on this bill. The member for Melton can resume.

Mr NARDELLA — In terms of victims of crime, this legislation is important to give them a voice. As honourable members on the government side of the house have pointed out, it is an important reform so that they can be heard, so that their stories can be told, so that at 18 when they come of age they can let other people know what happened to them and where it happened to them and they can be part of that change to make the system better.

Certainly in the term of this government the changes to support victims of crime, including family violence victims after the Royal Commission into Family Violence, are unique in all the world. They are unique because we have listened to the experts, we have gathered the evidence and this Parliament has implemented those recommendations, and that will continue. The sad part about this is that there are others who are not part of this debate and discussion. There are others who will use victims of crime and their tragic situations, and that was demonstrated earlier today, but when it comes to the real solutions, to the evidence-based and research-based solutions, they will go for the populist actions and solutions. I support the bill before the house.

Mr FOLEY (Minister for Housing, Disability and Ageing) (17:37) — Can I use this as an opportunity to thank you, Acting Speaker Graley, not just for your role as Acting Speaker but your stellar representation of the people of Narre Warren South over your distinguished public career. On a very personal note, the first contribution I heard you give in this place, as a new member myself, was in memory of my late father. That was particularly touching for me and my family who heard it. So on a personal level, thank you very much for all you have done for the people of Narre Warren

South and the people of Victoria. We do very much appreciate your contribution to public life and public service in Victoria.

It gives me great pleasure to rise to speak on this very important bill currently before us, the Open Courts and Other Acts Amendment Bill 2018. Like those who have gone before me in this very important debate, can I thank the Attorney-General and his department for the important work they have done in bringing forward this bill, as we have heard, based on the work done by the Honourable Frank Vincent, AO, QC, on the Open Courts Act review. The review dealt with a very difficult set of challenges about how an important pillar of our democratic system, the judiciary and the court system, operates in an appropriate way in relation to a variety of pressures on it, including pressures that this place sets for it but also in the context of changing technologies and changing social attitudes towards how courts operate in the complex, modern, 21st-century world.

There was no better person than the Honourable Frank Vincent, AO, QC, to deliver that review. A native of my own electorate, Frank is a Port Melbourne boy born and bred, and he is in fact a life member of the Maritime Union of Australia (MUA) as a result of the stellar support that he has given to the trade union movement over his judicial life. His own father was a lifetime wharfie who worked his entire working life on the ports of Port Melbourne. With a little bit of latitude, Acting Speaker, Frank relayed one of the stories from growing up in the 1950s about one of the most important strikes he saw on the waterfront. It was all about animal welfare and the important role of the horses that used to be on the wharf and that needed to be looked after and how that was a very important industrial dispute with all sorts of levels behind it.

Perhaps more than anything else what Frank Vincent knows is that an open, transparent court system is what protects the people who look to the courts for support and service. For those who particularly are vulnerable and for those who are particularly at risk, if not for an active, transparent and fair court system, they would have themselves, their families and their communities a tougher life than what they would otherwise.

Again to use a very homegrown example that the Honourable Frank Vincent is more than aware of, in 1929 in Port Melbourne, at the height of the waterfront lockout that was then ravaging the Australian waterfront from one end of the continent to the other, the Port Melbourne wharfies were the last to hold out despite the lockout that was underway and the movement in of police and strikebreakers at the time. There was gunfire and shots fired by Victoria Police, and one gentleman who was locked out, a First World War veteran who was part of the first landing on Gallipoli on Anzac Day in 1915 on the shores of Turkey, one Allan Whittaker, was shot through the back of the neck. The bullet came out of his mouth and shattered his face, and he died a slow and painful death over the next few months.

Frank Vincent has researched that particular case and established clearly the stitch-up and the cover-up that had gone on for Allan Whittaker. He pointed to the failings of the court system and how the court system at the time failed in its duty to the likes of Allan Whittaker, as well as the important role that if but for this kind of open and transparent legislative framework would have made sure that the name of Allan Whittaker would have been cleared, together with this comrades at the time. Just as an aside from that aside, I can report to the house that on the soon-to-be 98th anniversary of that shooting a memorial to Allan Whittaker will be located on Princes Pier this November, involving the Honourable Frank Vincent, marking that shooting and the memory of Allan Whittaker.

Mr Noonan interjected.

Mr FOLEY — Honourable member for Williamstown, I think it would take wild horses to keep your constituent from that event.

Indeed what this bill really does is adopt that same spirit of democratic openness and participation that Frank Vincent and the court system are renowned for. The recommendations of the Open Courts Act review that are being supported by the government in this bill are well known to those here today. If I can just briefly in the allotted time allowed for me set those out.

The first of those recommendations is that the Open Courts Act 2013 be amended to make it clear that orders made under the act constitute exemptions based on necessity and circumstances to the operation of the principle of open justice rather than being a matter of the operation of the presumption in favour of transparency. That high-level recommendation to set the principles of this legislative framework is one that the government has embraced, and it sets the tone for the operation of the act and future operational decisions that will then flow from that.

The review recommended that the Open Courts Act should be amended to include a new preamble emphasising the fundamental importance of openness and transparency, which of course this bill picks up. In doing so the act will be amended to restrict the power to

make suppression orders in situations not otherwise encompassed by statutory provisions prohibiting or limiting publication. Again, all of the difficult issues going to the relationship between individuals' rights, the rights of the wider community, the rights of the media to report, the rights of victims come into this complicated area, which this bill seeks to carefully navigate its way through.

Then, in further detail, the bill also picks up the recommendation:

> In each matter in which a suppression order is made, the court or tribunal be required to prepare a written statement of its reasons for the order, including the justification for its terms and duration. Save for restrictions and redactions reasonably required to effect the purpose and efficacy of the order, these reasons should be publicly available.

Again, it is reflecting those principles, but with the necessary protections in certain circumstances that might be required for reasonable prevention of that.

> In the event of an appeal being lodged against the outcome of proceedings in which a suppression order was made, the order would continue in effect until the determination of the appeal or it is discharged or varied on application to the court or tribunal hearing the appeal.

That is a logical further recommendation from the review that is being picked up, as indeed is the Attorney-General's wisely adopted recommendation:

> Consideration be given to statutory reform to enable the discretionary disclosure of the relevant convictions of juvenile offenders in cases of their continuing and entrenched propensity to engage in serious offending as adults.

Mr Pesutto interjected.

Mr FOLEY — Thank you very much, honourable member for Hawthorn; I need my glasses. Finally:

> Adult victims of sexual assault or family violence or who as children have been so subjected should, on the conviction of the offender, be able to opt for disclosure of their identity. In situations where there is more than one victim, the court would be required to refuse an application where disclosure of the identity of a victim or perpetrator would result in that of a non-consenting victim or impose any conditions required in the circumstances to secure the anonymity of a non-consenting victim.

That is in itself a further sensible adoption of the Honourable Frank Vincent's sound review. I wish the bill every success and a speedy passage, at least through this house.

Mr NOONAN (Williamstown) (17:47) — I move:

> That the debate be now adjourned.

In doing so, Acting Speaker Graley, with the indulgence of the opposition, let me say I want to wish you the very best for your future. It has been an absolute privilege to serve with someone of such decency and integrity.

The ACTING SPEAKER (**Ms Graley**) — Thank you.

Motion agreed to and debate adjourned.

Debate adjourned until later this day.

JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018

Council's amendments

Mr PAKULA (Attorney-General) (17:48) — By leave, I move:

> That so much of standing orders and practices of the house be suspended to allow the Assembly to consider the Council amendments to the Justice Legislation Miscellaneous Amendment Bill 2018 regardless of any irregularities with the clause numbering in the bill.

I will briefly speak to the motion. This has been a matter of some discussion between the Clerk and me, the Leader of the Government in the other place, the shadow Attorney-General and the crossbenchers today. It appears that when Dr Carling-Jenkins in the other place moved an amendment there was an error in the drafting by the Office of the Chief Parliamentary Counsel that was not picked up in the other place. What should have occurred of course is that, in accordance with normal practice, the bill, as I understand it, ought to have been renumbered in the Council before it came to us. That did not occur, and so without this motion all of the renumbering would occur as a matter of course after the amendments were accepted in this house, which would then cause a number of cross-references in the bill to be incorrect. I think that is a reasonable summation of the situation.

The option that we have as a house is to deal with it this way, and I thank the member for Hawthorn, the member for Shepparton and the member for Prahran, with whom I have spoken, who all agreed not to deny leave to deal with it this way. The alternative would have been for this house to have had to pass a series of renumbering amendments and then return the bill to the other place for their acceptance of all of those renumbering amendments. Once this motion is passed it would be my intention to then move that the house accepts the amendments of the other place.

Motion agreed to.

Message from Council relating to following amendments considered:

1. Clause 1, page 2, line 2, omit "custody and" and insert "custody,".

2. Clause 1, page 2, line 3, omit "orders;" and insert "orders and dangerous driving;".

3. Page 16, after line 20 insert the following heading—

"Division 3—Dangerous driving".

NEW CLAUSE

4. Insert the following New Clause to follow clause 19 and the heading proposed by amendment number 3—

'19A Dangerous driving causing death or serious injury

After section 319(1A) of the **Crimes Act 1958 insert**—

"(1B) In a proceeding for an offence against subsection (1) or (1A), it is to be presumed, in the absence of evidence to the contrary, that the accused drove the motor vehicle in a manner that was dangerous to the public having regard to all the circumstances of the case if the prosecution proves that the accused, at the time of the driving, was knowingly or recklessly in contravention of section 18 or 30 of the **Road Safety Act 1986.".'.**

Mr PAKULA (Attorney-General) (17:51) — I move:

That the amendments be agreed to.

Among these amendments is an amendment moved by Dr Carling-Jenkins in the other place, and it is broadly described as being the Jalal's law amendment. The purpose of the amendment was to respond to the very sad and serious matter where a young person had been killed in a motor accident and the driver of the vehicle was unlicensed but was, apart from being unlicensed, otherwise found by the courts to have been not driving in a dangerous manner in any respect. That is, I accept, a broadbrush description of the facts of that case.

The amendment of the Legislative Council effectively inserts a new provision which says that, to paraphrase, there would be a presumption that a person is engaged in dangerous driving if the prosecution can establish that the driver was knowingly or recklessly in contravention of section 18 or section 30 of the Road Safety Act 1986. They are the provisions that relate to unlicensed driving. It does not create a deeming offence. It does not say that someone who is unlicensed is deemed to be driving dangerously, but it does create a presumption that they are driving dangerously if they are unlicensed. That would be a rebuttable presumption, but once the prosecution has established that the driver is unlicensed, then the onus would effectively fall on them to demonstrate that they have not been driving in a dangerous manner, with all of the circumstances being considered.

So that was an amendment that we were prepared to support in the Legislative Council, and it is important in my view that it be agreed to here, not just for the purpose of the amendment itself but because the bill in its totality is a very important piece of legislation. Apart from the important work that it does in relation to increasing penalties for those that would assault and injure our emergency workers, it makes important changes to our coronial system, and it makes some important changes in regard to real estate commissions as well. All in all, it is important that we see this bill pass the Parliament, and the acceptance of the amendment moved and carried in the other place is an important part of that.

We of course would say that our licensing system is absolutely integral to our road safety regulatory regime. We think that if someone chooses to drive while unlicensed or disqualified and in doing so causes the death or serious injury of another person, there should be an onus on them to demonstrate that they have not been driving in a dangerous manner. They will have the opportunity to do so, but it will fall upon them to do that. It is a sensible amendment that is before this place. It was the subject of considerable debate in the other place. I commend that amendment and consequently the balance of the bill to the house, and I hope that it has a speedy passage.

Mr PESUTTO (Hawthorn) (17:55) — I am pleased to take this opportunity to comment on these amendments. We will be supporting these amendments. I would like first to place on record our condolences and our sympathies to the mother of Jalal Yassine-Naja, for whom we are standing here today and debating this matter. Jalal, for whom this amendment is eponymously named, was killed in March 2017 when an unlicensed driver struck him in the course of driving. For various reasons, the driver received a sentence of 80 hours community service, among other things, as I understand it. That was the principle component of the sentence which was imposed. Jalal's mother, Olivia, took up a campaign, driven by grief and a sheer determination to change the law, to see to it that tougher

laws were brought in for people who drive while unlicensed, certainly in a dangerous manner.

I agree with the Attorney-General's comments that this proposed amendment does not create an absolute or strict liability offence. It creates only a presumption — but an important presumption — that a person driving in circumstances where they either know or are reckless to the fact that they are unlicensed is presumed to be driving dangerously, and thereupon it falls upon a defendant in those circumstances to satisfy the court on an appropriate standard of proof that they were not driving dangerously. We think that is an appropriate change in the law.

The public may sometimes struggle to understand why the common law has not always treated driving offences in the same way as serious injuries caused by physical violence. Courts have for decades dealt with and wrestled with the difficulties of that, because serious injuries as a result of motor vehicles can occur in circumstances where the driver may have been innocent or momentarily distracted by something out of their control, compared with the situation where they were clearly reckless or intentionally reckless in causing injury. This amendment is an important step to change some of that and to make it clear to those people who think it is okay to drive a car when they are unlicensed that they will face a presumption which will carry a much more serious consequence for them.

We support this amendment. I think we owe it to Olivia and the memory of Jalal and victims of other drivers who were driving vehicles in unlicensed circumstances, who have gone on to either kill or seriously injure innocent people, to back up this bill with a strong campaign to make it clear to everyone in our community that driving a vehicle unlicensed will carry very serious consequences if you cannot establish that you were otherwise driving safely. On that note I can confirm that we will support this amendment, and I hope that this legislation can pass quickly.

Motion agreed to.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed from 18 September; motion of Mr SCOTT (Minister for Finance).

Ms GARRETT (Brunswick) (17:59) — I am really pleased to rise to make a contribution on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. This bill arises from a review that was initiated and completed by the Andrews government in December 2016. The review and the response were tabled in this place on 7 March 2017. The review and the response, which we see in this bill, make some really important changes to the Essential Services Commission, including replacing the current appeals panel, which was established under the act, with the capacity for appeals to be referred to the Victorian Civil and Administrative Tribunal. It enables the minister to nominate a person to act as chairperson where there is a vacancy or the chairperson is absent, and it clarifies that the Essential Services Commission has the function of reporting on the market structure and performance of regulated industries if this is so required under enabling legislation. It also, quite wisely, provides for a further review of the act to be completed some years hence. Then there are a range of technical statute law revision amendments to the act.

It is important that we reflect on some of the work that the Essential Services Commission does for the people of this state, because it is not one of those things that readily pops into people's minds when they are thinking about the various bodies that make this state great. But they do.

Ms Hutchins interjected.

Ms GARRETT — The minister at the table, the Minister for Aboriginal Affairs, has made the point, and I will take up the interjection and have *Hansard* reflect the interjection that they do some exciting stuff. I would like to highlight some of the exciting stuff that the Essential Services Commission has been doing lately.

On their website they refer to the fact that energy companies must regularly report to the commission on how they are performing in Victoria's energy market, and this includes information on how many residential and small customers they have in Victoria and the number of customers participating in their hardship program. As we know, with the quite rightly very serious focus now on energy prices for consumers and all of the work that needs to go on when people are facing hardship, what the commission has been doing is dealing with the fact that AGL told them that they cannot submit their performance report as required. They allege limitations within their existing reporting platform. The commission is now examining all the implications of that issue. We know AGL is a huge

provider of energy to Victoria, and so the capacity of the Essential Services Commission to look into those things, to regulate and to report to the Victorian community — that level of transparency and accountability — is the great work that the commission is doing today.

We also note, on an entirely different topic, that the commission sets the maximum fares for unbooked commercial passenger vehicles and services and also with respect to taxis. They made a recent decision regarding clean-up fees and the like which has had a very significant effect on that industry and was also welcomed in the way that Victorians do their business. Just as a snapshot, that is some of the great work that the Essential Services Commission does every single day.

They are also developing new rules for embedded electricity networks, providing protections for people living in apartments, caravan parks and retirement villages who buy their electricity from private networks — and what important work that is. We know the stress that people can be under, particularly people who may be living in caravan parks, and the various issues facing retirement villages, which are well known to this house. The commission is doing that work. It has now also released its draft decision on how it proposes to implement the recommendations from the retail markets review. This is work that has a direct correlation to the lives of Victorians and how they are managing their household budgets. The commission is very important, and this bill will make sure that it does even greater work.

To put it in a nutshell, the responsibilities of the Essential Services Commission, conducted under the relevant act, include developing reports on how markets operate, delivering price determinations, producing compliance assessments and audits and taking enforcement actions when required. It also has to produce an annual work plan so that anybody can have a very good understanding of what the commission is going to be up to over the coming year. This bill clarifies some of those responsibilities, sharpening its focus.

Importantly it also replaces the appeals panel that currently exists at the Essential Services Commission. This is a very commonsense reform. What it allows to happen is that the jurisdiction for this activity will now be conferred on the tribunal that deals with these sorts of matters as its bread and butter, if you like, the Victorian Civil and Administrative Tribunal. Importantly there has been a duplication of resources in having the appeals panel within the Emergency Services Commission. The review also notes that over the last four years only four appeals had been lodged with the panel, but the panel of course has to be ready to go at any given moment in case appeals are lodged. What this allows is a greater use of the state's resources by allowing these matters to be referred to VCAT, which of course is already established as a tribunal that deals with many disputes of this nature.

This means that relatively straightforward administrative law, procedural matters, will be able to be dealt with by a single member at VCAT, which is most apt, but where you have got disputes around very complex issues, like complex pricing matters, the bill will allow these matters to be addressed by multi-member panels. So you have got not just a single member dealing with these matters; you have got multi-member panels which will be able to give all of that expertise and ensure that there is confidence among the parties in appropriate decisions being made and the exercise of that power being done with the proper checks and balances that the parties demand in these sorts of very complicated matters. This will also lower costs for applicants, which I think is an excellent aspect of the bill. On the face of it, this will improve access to justice and may well encourage more people to exercise their rights and have these issues fleshed out when they feel that they have a grievance that should be dealt with.

The bill quite rightly allows for the minister to nominate a person to act as the acting chairperson. Currently that has to go through a Governor in Council process, and this can result in unnecessary and significant delays, particularly when a vacancy arises. Under the current legislation, during the period of that vacancy no-one is lawfully able to carry out the functions of the chairperson, so you have, if you like, a bit of a rudderless ship going on. This provision just closes that loop, allowing the minister to act very quickly and fix that problem. The acting chairperson can step in, slide in there and seamlessly deal with the duties required that under the legislation only the chairperson can rightly exercise, so this is a swift response.

Finally, in my 15 seconds remaining, this bill also clarifies that the Essential Services Commission has the function of reporting on the market structure and the performance of regulated industries, which tidies any of those questions up. I commend the bill to the house.

Mr J. BULL (Sunbury) (18:09) — I am very pleased to have the opportunity to contribute to the debate on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. This

government stands for fairness, equality and opportunity. We stand for a quality of life that enables each individual to be the very best they can be, the opportunity and the chance to start life and go to a good school and get a quality education, access to high-quality health care that does not send you and your family broke when you get sick and the chance to get a good job with decent working conditions. These are the things that we fight for. These are the things that the Andrews Labor government believes in — and access to essential services. We on this side of the house understand how important core services are to people's lives — access to gas, water, electricity. These are things that help Victorians, whether they live in my community in Sunbury, whether they live in your community, Acting Speaker, in Geelong, or whether they live in Carrum. Right across the state we know that each and every Victorian needs these services, relies on these services, to live their daily lives.

The Essential Services Commission (ESC) does play an important role in monitoring and regulating our essential services. The ESC is of course charged with independent regulatory functions that deal with the price, quality and reliability of services. The ESC was established under an act of the Bracks government and assists in regulating our energy, water and transport sectors as well as administering the rate capping system introduced of course by this government.

The Andrews Labor government understands that Victoria is growing at a fast pace — 140 000 people roughly per year — and we understand that this in turn places a greater demand on infrastructure. There is a need to build more roads, more schools and better health services and of course to continue to upgrade the infrastructure that services our local communities. This government understands that, whether they be gas, water or electricity, paying for these services — paying these bills — is often very challenging for many in our community. It is why we are of course working so very hard to increase supply with the single biggest investment in renewable energy in the state's history. These are genuinely exciting announcements around solar and wind, ensuring that there is more energy and there is greater supply in the market.

I had the opportunity to talk to some year 12 students in my community just a couple of weeks ago, and what was really clear was the understanding the students had around renewable energy and the passion that many of these students have for renewables — something that I think, when I was in year 12, certainly was not there amongst the cohort of people that I went to school with. I think it is —

Ms Williams interjected.

Mr J. BULL — Well, maybe it does say something about my school friends, honourable member for Dandenong, or me. But I have to say it was genuinely exciting to hear their passion for renewable energy, to talk about the government's commitment to solar and to talk about the government's commitment to wind energy. I think this is a really exciting and changing space. Not only does it create jobs, it creates jobs in areas where we know they desperately need new jobs — in the regions. It is really important stuff, and something that is only possible because of this government. Not only are we looking at increasing supply into the sector, we know that solar and wind farms and the solar homes package, which the students spoke to me about — they were aware of it — will of course help drive down prices whilst being good for the planet.

This bill performs a range of functions. We know that in 2016 a review of the Essential Services Commission Act 2001 was conducted in accordance with the requirements of section 66 of the act, and the bill, as other speakers have mentioned, implements several of the recommendations of this review by replacing the appeal panel established under the act with a review jurisdiction conferred on the Victorian Civil and Administrative Tribunal, VCAT; enabling the minister to appoint a person to act as a chairperson in the absence of a chairperson or a vacancy in the office; making further provision for the Essential Services Commission to report on the market structure and performance of regulated industries; providing for a further review of the act to be completed by the end of 2026; and making amendments to other acts as a consequence of the repeal of provisions providing for appeal panels to hear appeals in relation to requirements, decisions or determinations of the commission.

We know that the review concluded that the ESC was working well as an economic regulator but found scope to clarify its role and improve governance, procedural and administrative arrangements. The review made 10 recommendations to address this, and I think it is certainly worth noting that it is a provision in the act that the review occurs, but to make the broader point around improved governance for our community and our society, we should constantly be taking into account new practices and better ways of doing things. This is something that I think has been a very strong hallmark of the Andrews Labor government — not shying away and not walking away from those things that might be difficult to address but constantly reviewing legislation to ensure that the very best, most updated pieces of legislation with the best frameworks are passed by this

house and the other place to ensure that we know that our laws are for modern times, are up-to-date and of course, most importantly, provide the best outcomes for our local community.

The government's response expressed broad support for those recommendations in the review, supporting nine of the recommendations and supporting in principle one recommendation. It is also noted of course that four of the recommendations do not require a legislative change and hence are not included in the bill.

It is timely that in discussions around the ESC that we acknowledge in this place the commitment of the Andrews Labor government when it comes to renewable energy, to be a leader — not a commentator, a leader — and to actually invest and spend money in areas to not only develop the science and the technology but to increase investment in this really exciting industry, an industry that is going places and an industry that not only creates jobs, as I mentioned before, in fantastic parts of rural and regional Victoria but on top of that is good for the environment and also brings down prices. I think that is what good policy does.

This government supports the right of every Victorian to have access to those essential services. We know that the work of the Essential Services Commission is important. We understand that this work must be constantly reviewed, and it is timely that this piece of legislation is before the house. The Essential Services Commission needs to be modern, robust and able to keep pace with what is a fast-moving world. If you look at the way energy is tracked and recorded, you have only got to look back 10 or 15 years and the technology has changed so much; no doubt in 10 to 15 years' time it will have changed even more. This bill helps the ESC do this, and I commend the bill to the house.

Ms KILKENNY (Carrum) (18:19) — I am very pleased to rise to contribute to the debate on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. As we have heard, the Essential Services Commission (ESC) plays a really important role in Victoria. It is an independent regulator. It helps to set prices which are efficient, which bring back a positive contribution to our communities and which take into account the relevant markets. It looks at the long-term interests of Victorian consumers with respect to the price, quality and reliability of essential services.

The commission is supported by two sets of regulations: the Essential Services Commission Regulations 2011 and the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016. Its objectives are set out in the Essential Services Commission Act 2001, and section 8 of that act states:

> … the objective of the Commission is to promote the long term interests of Victorian consumers.

And:

> … in performing its functions and exercising its powers in relation to essential services, the Commission must … have regard to the price, quality and reliability of essential services.

What are those services? I think most of us have an appreciation of what are essential services to us, and that obviously covers things like water, energy and transport. The ESC also regulates our Fair Go Rates system. That is something that is certainly very popular in my electorate. It is something that was introduced under this government to cap our council rates to ensure that our residents are not subjected to increasing council rates and that they are getting good value for money. The ESC also administers the Victorian energy efficiency target scheme, which, as we know, aims to reduce greenhouse gases by making energy efficiency improvements more affordable for consumers.

A little bit of history: the ESC commenced in 2001 under the Essential Services Commission Act. It took over roles that were previously undertaken by the Office of the Regulator-General. As well as regulating essential services, the commission provides quite important strategic advice and recommendations to the Minister for Finance regarding economic regulation and regulated industries. It conducts inquiries into systemic reliability-of-supply issues related to a regulated industry or other essential service, and of course it conducts inquiries and reports on matters relating to regulated industries. It has quite a formal process in exercising its statutory responsibilities, including developing reports on how our markets operate; delivering price determinations, compliance assessments and audits; and taking enforcement action when required or as necessary. I have gone into some detail on the roles and responsibilities of the ESC and also the administrative nature of its operation. That is for a particular reason, which I will come to in a moment.

The bill before us proposes changes to the Essential Services Commission Act. It does this following a review of the act that was undertaken in 2016. That review is a part of the act; it is embedded in section 66 of the act. The bill before us actually implements a number of the recommendations that came out of that review. The point of that review, obviously, was to determine whether the objectives of the act and the ESC

are being achieved and are still appropriate and whether changes are needed to further facilitate the ESC's objectives.

What that review found was that the ESC was working well as an economic regulator. However, it highlighted some areas for improvement. It identified some duplication of resources and roles, and it identified areas for improvement in procedural and administrative arrangements. It came up with 10 recommendations. The government tabled the review and its response to those recommendations in March of last year. The government has accepted nine of those recommendations, and the 10th recommendation it has supported in principle.

In particular the review proposed the abolition of the ESC appeals panel, and in doing this it cited the need to minimise the duplication of resources whilst continuing that independent oversight of the ESC by an independent body. What it did was recommend replacing the appeals panel with a review jurisdiction conferred on the Victorian Civil and Administrative Tribunal. This is actually a very sensible and practical approach because, one, the appeals panel has only received four appeals over the last five years, but more to the point, VCAT is an entirely appropriate body and is already set up to hear appeals of an administrative review nature. What we see under the current system of the appeals panel is that there is a separate time-limited pool of appeal panellists who are appointed to hear and determine appeals against a requirement decision or determination of the commission, and under the bill the appeals panel powers and functions will be conferred on VCAT.

As I said, this is an entirely appropriate measure to take. VCAT is the expert body in Victoria for administrative review matters, and obviously transferring appeals to VCAT will simplify this process. It will enable VCAT to use its already existing members who are experts in administrative review. As we know, VCAT already has the power to hear review matters relating to over 140 pieces of legislation. In essence referring appeals to VCAT will enable greater access to justice for people who are seeking reviews of their decisions. It will also align with best practice principles of ensuring there are appropriate safeguards in place to allow for the correction of regulatory errors in decision-making and to provide for an avenue of effective oversight of an independent authority that is not necessarily accountable to Parliament.

I have had occasion to deal with the Essential Services Commission in my electorate. It was not in relation to rate capping but in relation to quite a unique matter that arose around an area known as the Quiet Lakes. The Quiet Lakes is made up of three lakes: Lake Legana, Lake Illawong and Lake Carramar. In the previous term of government the then Minister for Water responded to concerns raised by those residents about very high levels of blue-green algae in the lakes. It was proposed that there would be a trial of bore flushing that would then be assessed to see whether it had any effect on minimising or in fact eliminating the blue-green algae in those lakes. The trial was timed perfectly with the 2014 election. It meant that the trial carried the matter over the election.

There were no charges levied against the residents at the time, and it was only when the trial concluded, once I became the member for Carrum, that we then had to assess the results of those trials and whether in fact charges would be incurred by the residents who bordered the lake. Melbourne Water was involved in this process and came up with a final recommendation that there would be a charge for the bore flushing and for the ongoing monitoring of the blue-green algae in the lakes. That proposal was then put to the Essential Services Commission, which went through a very, very thorough process in terms of review, looking at the pricing mechanisms and looking at who the beneficiaries were of the bore flushing and the monitoring, and they eventually concluded that the beneficiaries were in fact the residents who bordered the lakes and not any greater number of residents. It did reduce the tariff that had originally been proposed by Melbourne Water, but essentially this showed us what an effective regime this was for coming up with what is a fair price and one that is now accepted by those residents, who enjoy clean water most of the year in their quite beautiful lakes.

In conclusion, this is administrative decision-making. VCAT is already established to hear appeals on administrative matters. Conferring review jurisdiction on VCAT is good sense, and I commend the bill.

Mr CARBINES (Ivanhoe) (18:29) — I am pleased to make a contribution on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. In particular in relation to governance I certainly have a personal interest in governance matters. This year I managed to complete the Australian Institute of Company Directors course, which gave me great insights into matters of governance and an understanding of, I suppose, the value and importance of not only governance matters, but in many MPs' engagements in the local community you are supporting

volunteer committees of management or volunteer boards and also ones that you would have other involvement with in local government, as you and I would know, Acting Speaker Dimopoulos. In those roles it certainly gives some good insights into the way in which appropriate governance practices should apply.

Going back we did some very significant work in the Bracks-Brumby government days during the time that I was working for the then Minister for Health and the member for Melbourne, Bronwyn Pike, in relation to reviews of governance of hospital boards and the work that we did to review and improve the governance practices of boards of health services. In particular this was around governance matters as they related then to making sure that doctors of health services in communities were not also board members. There was significant conflict in regional communities in particular where board members were medical professionals who also drew an income from their work at those places.

They were difficult reforms, but certainly it is an expected and standard practice today that if you seek to represent your community on boards, for example, in the governance sense, then you should be able to make sure that those interests — pecuniary or otherwise — are set aside. I do not claim that that was a particular desire of people who sought to make a public contribution to hospital boards, but certainly perception is just as important as what people may choose to do, so I think it is important that the work we did to reform hospital boards was very significant. It certainly made sure that if you want to work in those places and provide a community service in that way, that is appropriate, but you cannot also then be engaged in the setting of the budgets and the capital works and other operational matters that relate to those health services.

Another example through this term of government has been our work in a governance context around 50-50 male-female representation on government boards and particularly around our reforms for water corporation boards with the Minister for Water. I am thankful to assist in my role as the Parliamentary Secretary for Water. We did a very big piece of reform work in tipping out water corporation board members and refreshing that process in our role in coming to government. We made sure that one of the clear criteria for those who seek to represent our communities on essential services like water authority boards is an understanding of climate change — that people who seek to represent their community on a water authority board have not only some experience as a customer but also an understanding of matters of climate change and issues around making sure that those people who are in need of an essential service have the capacity to access those services.

The reforms that we brought about made sure that in not only regional communities but metropolitan communities our water authority boards have a representation that is equal male and female right across the board. It was a very significant change, and there was some resistance to that, but again what we find is that when the government sets these arrangements in place the private sector often follows. There is no doubt that it is crazy to think that water corporations would not seek to ensure that people that they appoint to their boards would have a very clear understanding of the effect of climate change in relation to the work that water authorities or water corporations need to do in relation both to environmental water holdings and to the work that they do in managing a range of catchments and tributaries and also providing that essential service to Victorians.

Governance of course has been very significant in the way in which we have made sure that there are opportunities and that we are sending very clear signals to people in the community that they can make a contribution and particularly to women in the community on government boards that there are great opportunities for them to make a contribution. Women are very much in demand, I might say, across public sector boards of governance, so there are opportunities not only to gain more experience but to make greater contributions over time. I would say also that it provides a greater perspective and greater credibility for those boards when they are making governance decisions that affect their customers and local communities.

That brings me to some of the details of the Essential Services Commission (ESC) amendment bill. Governance is certainly one aspect, but this bill proposes replacing appeals panels established under the act with a review jurisdiction conferred on the Victorian Civil and Administrative Tribunal. It also enables the minister to nominate a person to act as acting chairperson in the absence of the chairperson or a vacancy in that office. It provides for a further review of the act to be completed by the end of 2026, and it makes a range of technical statute law revision amendments to the Essential Services Commission Act 2001. Of course I should not leave out that the bill also clarifies that the ESC has the function of reporting on the market structure and performance of regulated industries if this is required under enabling legislation.

Just to cover off on a little bit of background, the ESC is an independent regulator that promotes the long-term interests of Victorian consumers with respect to price, quality and reliability of essential services. They regulate Victoria's energy, water and transport sectors and administer the rate capping system for the local government sector. I should really just spend a moment on the rate capping system. One of the most significant reforms of the Andrews Labor government, one that absolutely, can I say, went off tap in Ivanhoe, East Ivanhoe and Eaglemont in particular and one that we were able to communicate to the community was the rate capping policy of the Andrews Labor government.

My communities in Ivanhoe, East Ivanhoe and Eaglemont pay well above the odds in relation to their rates and subsidise many services across the community based on of course the rate valuations. The community was very keen to see that as they had had something like 15 per cent increases, way above the average. Banyule City Council had a 15 per cent increase at the time, under very significant pressure and without any explanation. As a former councillor myself, I do know that it can be easy to just say, 'We can put up the rate' and put up a per cent. Back in time it was probably worth $450 000; it would be a lot more now. But of course who is paying that? And where is the accountability on the local government sector? If you are going to start putting your hand out and asking ratepayers to contribute more, where is the accountability for that? It cannot just be a council meeting where the regulars turn up and somehow that is meeting your obligations.

I can absolutely and utterly say that the rate capping arrangements provide greater accountability for local governments to justify why they need to raise rates above the CPI and why they need to see those rate increases imposed on communities. The arrangements provide an opportunity for local governments to go to the ESC and put their case for why they are different. When we look across the 70-odd local government authorities in Victoria, how many of them actually decided to do the work and take their case to the ESC and say, 'Hang on, we're being ripped off, we're not happy and we want to do more'? The vast majority did not. Instead they buckled down and knuckled down and they did more with the resources provided to them by their local ratepayers. It is a very significant policy.

I do not say that that means there are less trips going on or that that means there are less services at all, but I do think it has put a greater priority on what councils spend their money on and greater thought is going into what resourcing they want to draw from the local community. Rate capping in Banyule, particularly in the Ivanhoe electorate at the southern end of the municipality, was very much welcomed. Particularly as we see house prices rising across the electorate this will also benefit other communities. I commend the work of the ESC and the amendments proposed in this bill.

The ACTING SPEAKER (**Mr Dimopoulos**) — The member for Essendon.

Mr PEARSON (Essendon) (18:39) — Thank you, Acting Speaker, and it would be remiss of me not to acknowledge the fact that you are in the chair tonight. I have thoroughly enjoyed working with you over the course of the 58th Parliament, both in this place and in the various Public Accounts and Estimates Committee meetings and hearings we have sat through. It is indeed fitting that on the penultimate day of the 58th Parliament with only, dare we say, an hour or so to go we have this opportunity to comment on our friendship over the course of this Parliament.

This bill is important legislation. I do want to commend the work of the Essential Services Commission (ESC). It used to be the role of the minister for energy to gazette the price rises that were gazetted under the old State Electricity Commission of Victoria (SECV) and the Gas and Fuel Corporation of Victoria. I remember talking with David White, who was the minister for energy in the Cain government and described the fact that it is sometimes quite a difficult task when you have to go out there and say, 'Well, I'm the minister. I'm fronting the cameras. I'm saying that we're going to increase gas or electricity or water prices by 4 per cent next year'. He said he found that at times quite a difficult challenge and it was a balancing act, because you obviously needed to make sure that you raised sufficient revenue to invest the capital that these capital-intensive industries required, but also you could not really gouge consumers because there would obviously be a reaction.

I remember the 1996 election quite well, being a referendum on privatisation — that was I think the tagline that John Brumby used as the opposition leader at that time. I remember being quite passionate about making sure that we fought to keep the SECV and the Gas and Fuel Corporation in the hands of the public. I believe that was the right thing to do at the time. I worked incredibly hard on that campaign. I worked on the Koonung Province campaign. I think I managed to letterbox most of Forest Hill by myself in the heat of the 1996 summer. I remember seeing the results come in that night, and it was just devastating, having worked so hard and been so devoted to the task at hand. Look, we were never going to win in 1996, but to feel like we

could come within striking distance was what we aimed for.

The reality with the 1996 result was that you had a whole lot of very safe National Party and Liberal Party seats become less safe. You had a whole swathe of seats that were safeish, held by the coalition, become marginal. We lost Carrum. We picked up Bendigo West, Ivanhoe and Essendon and we lost three or four seats in the upper house. So it was a great disappointment. But you know what? I took from that result that the voters are always right. They always get it right, and you accept the verdict. I thought to myself, 'Well, that's it. That's gone. We can't fight the voters. The voters have made it clear. We said this was a referendum on privatisation, and they said, "You got it wrong. We support what the Kennett government is doing"'.

So you have got to accept that, and as an opposition at that time we did accept it. We got on with it, and we were in a position to win. I have got to tell you, it was one of the greatest joys of my political life, being on the floor of the tally room on 18 September 1999 when those results came in. I got in the car and drove back to head office to then go to the Williamstown surf lifesaving club, where Ben Hubbard, who was a senior adviser to Steve at that stage, said, 'I think we could win this'. I thought to myself, 'No, we can't. I mean, we're going to come close, but we're not going to win'. You accept the verdict and you move on, and if you work hard and you are disciplined and you are focused and you apply yourself then you can win. I think that is a useful observation when I think and reflect on what I have seen over the course of this Parliament.

But what does that all mean? What it means, as Deng Xiaoping said, 'It does not matter whether it is the black cat or a white cat, so long as it catches the mouse'. So it does not matter whether these assets are owned by the private sector or whether they are owned by the public sector. The reality is what has to happen is they have to be properly regulated. You have got to have an appropriate form of regulation.

I thought at the time, with the full rollout of retail contestability in 2000, there would be a plethora of new entrants, there would be more offerings available and that level of competition would drive down prices. Running concurrently with that was that the industry said, 'You want us, government, to invest in these assets, and we are entitled to get a return on our capital. So if we invest in this infrastructure, then we should recoup that through higher charges'. All very fair and simple at one level. At one level, it is very simple. But I think you would find that what happened over the course of that time was that the sector gamed the system. That is why we have seen this escalation in prices, and that is where we find ourselves.

The opposition can bang on about Hazelwood until the cows come home, but electricity prices and gas prices have been a problem for probably a decade as we try to grapple with tackling climate change, as we try to deal with cost-of-living pressures and as we try to deal with security of supply. There is a role for the ESC. The ESC plays a really important role in terms of providing a level of regulation to protect consumers but not to undermine the viability of these businesses. That is a really important point to make. We could turn around and introduce price caps tomorrow. We could say to the ESC, 'Right, we want you to have price caps' or 'We want you to impose price caps', and energy prices will rise no more than 1 per cent or zero per cent or 0.5 per cent. The problem of course is if you have a blunt instrument like that, these businesses will not invest in their businesses; they will not invest in maintenance and capital upgrades. Businesses will fall into a state of disrepair, and when it comes time to upgrade these businesses we will see a price shock.

With a regulator such as the ESC you want the carrot-and-stick approach; you want a bit of a light-handed approach where it is appropriate to make sure that they can operate — and they can operate efficiently and effectively. But you also want to make sure that there is capacity to turn around and say that you cannot gouge, you cannot game the system and you cannot rip off the punters.

Acting Speaker Dimopoulos, you and I are showing our age — although when I told my wife recently how old you were, she was quite surprised; she thought you were much younger than I am. I think there is lower mileage on you than me, mate. But when you think about that, you have been around long enough to see that pendulum of public policy, and it always swings back and forth. There will be a thrust of deregulation, then there will be a rush back to reregulation, and that is kind of how it goes. Broadly speaking, I think that is fine. You need to try to make sure that you keep the car on the road. You try to make sure that it does not go too far left, it does not go too far right, so it is sort of slap-bang in the middle where it should be. The ESC plays a really important role in trying to get these things right.

What we are seeing at the moment is that people are concerned about cost-of-living pressures. People are concerned about the impact that is going to have on them. It is important to have a strong regulator who can

understand industry as well. There is not much point in having some kind of pointy-head from the economics department at Melbourne University, who can graph a model until the cows come home and can dream of calculus at 4.00 a.m. It has got to be done in a way where it can be applied in a practical sense. It has got to be done in a way which actually makes sense to business, that business can understand and that they can then interpret and implement. You just need that practical footing.

When you have an ESC that is active, engaged and focused on these things and you can come up with a form of regulation that does not undermine these businesses but protects consumers, it is a really important initiative. Despite the fact that this is a fairly straightforward bill, I suspect that we are going to see the ESC play a bigger role, because all the hopes, all the dreams and all the promises that privatisation promised back in the 1990s have been illusory.

A mate of mine worked for Macquarie Bank for a long time. He used to tell me, 'Pigs get fed, hogs get shot'. You get too greedy in life, you are going to come a gutser. That is what I reckon is going to happen with some of these businesses, because they have overreached. They have to be brought back into line and basically come up with a form of regulatory regime which ensures that at least they can get a return on capital, their equity holders can get a return on their investment but the consumers are not ripped off. I commend the bill to the house.

Ms HUTCHINS (Minister for Aboriginal Affairs) (18:49) — I rise to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018, and I think it might be up there with the longest bill title that this Parliament has seen in the last few years. But what does 'essential' mean? Really, what does it mean? It means: absolutely necessary, extremely important. So here we are in the last week of Parliament, doing the absolutely necessary, extremely important work that so many people in this place do. In particular, those at the table who are here into the late hours. While others are celebrating, we are here doing that important Essential Services Commission (ESC) discussion work.

Ms Kealy — The heavy lifting.

Ms HUTCHINS — The heavy lifting, as I have been told from across the table. This is a bill that is pretty essential.

An honourable member interjected.

Ms HUTCHINS — The Acting Speaker is doing a great job too. Yes, he is.

To get back to the core purposes of the bill, it is to look at making some slight changes under the Essential Services Commission Act 2001 based on a review that was undertaken, really in conference with the Victorian Civil and Administrative Tribunal.

I have got to say that my favourite part of the work that is done by the Essential Services Commission, and they do do a power of work across the state, is the work that they have done with the Fair Go Rates system. I had the pleasure of working with them very closely in the lead-up to putting those new regulations in place and also talking through with them, at great length, how they would actually govern that system and what procedural and administrative arrangements would be in place. Out of the 79 councils across the state and their peak bodies, everybody had an opinion. Everybody had an opinion about how it should operate, and I saw a new demonstration of patience come from the essential services commissioner in engaging in and talking through that process and the way forward in putting in place that new system.

So what does Fair Go Rates do, what is the role of the Essential Services Commission and what are the functions that they have got in that? Basically, on an annual basis they are able to set a rate cap for rate increases. As we have heard from previous speakers, some of those rate increases have been as high as 4, 5 or 6 per cent annually in some pockets of Victoria, which we have found has really driven up the cost of rates, and we know that our rates notice bill is one of the biggest bills we get through our letterbox annually if we own a house. It is something that a lot of people financially struggle to pay. So this policy that the Essential Services Commission oversees really goes to the heart of tackling cost-of-living issues and making an analysis around what level council rate increases should be capped at. And in the last financial year, we saw a cap put in place. Since the 2018–19 financial year announcement, we have seen rate increases capped at 2.25 per cent going forward.

It is quite ironic that you sit in the chair here, Acting Speaker Dimopoulos, as a former Monash councillor, because the one council that was granted an exemption in the last round was the Monash City Council.

The ACTING SPEAKER (**Mr Dimopoulos**) — I had nothing to do with it.

Ms HUTCHINS — Which he had nothing to do with — I put that on the record. To get a higher cap,

what Monash City Council did was they were able to demonstrate that they had the need for what they were asking for in a higher cap — they wanted to implement a new recycling services program — and that they had done the community consultation and ratepayers and residents desired and supported the program. So they ticked those boxes, and they were able to demonstrate that they were actually expending all their other income into core areas.

So there was a legitimacy, and really quite frankly it is not for a minister to decide whether a council gets the tick on a rate increase or not above the rate cap. That is why we have the Essential Services Commission to take on board all the financial evidence and to look at the consultation that has happened with the community, not to put a value on the program that they are trying to fund, because quite frankly if residents — ratepayers — are supportive of it and the council can demonstrate that, well, that is what is important to that community. So the role that the Essential Services Commission has played in being able to grant those exemptions has been quite important in making sure that this Fair Go Rates system actually works.

In the last financial year we saw the Essential Services Commission grant a number of small rural councils a higher rate cap based over four years, so there was longevity for them. They included the councils of Towong and West Wimmera, both areas which have been struggling with maintaining population and which also have populations that demand the same services be delivered to council. In many of the small towns that both those councils cover quite often council is the only presence in that town delivering services other than shops. So their role is very essential in those local communities, and the Essential Services Commission was able to take on board those applications and make a decision over a four-year forward period around those particular councils.

As I said, the reasons that they grant these sort of exemptions really is about them doing an analysis on the use of council resources via a demonstrated consultation and support from the community and council income streams. I remember, as a former Minister for Local Government, sitting around the table in a ministerial mayor's advisory council meeting and hearing Robert Doyle, the mayor of the City of Melbourne, talking about his car parking income for the City of Melbourne and how that car parking income figure that he referred to was three times the annual income of the entire budget of the Alpine Shire Council. So comparing apples and oranges does not quite work. That is why we need the role of the Essential Services Commission and what they provide as a way forward in supporting the longevity of our councils, and the really important work that they deliver out to our communities.

So the ESC exercises its responsibility under the Essential Services Commission Act 2001, and these responsibilities include developing reports on how markets operate across the various sectors that they determine their decisions in, producing compliance assessment audits, delivering price determinations and also producing an annual work plan which outlines their key focuses for the year in those particular sectors.

What the amendments in this bill do is make a change so the act can reflect what is best modern practice — that is, to ensure that the person who acts in the office of chairperson can now be appointed without having to go through a Governor in Council process, which gives rise to the risk of significant delays, particularly when a vacancy arises, because during the period of vacancy no-one is lawfully able to carry out the functions of that chairperson, and the chairperson does play a very important role. The proposed amendments overcome this problem by allowing the minister to appoint a person as a chair and act swiftly if there is a vacancy, because quite frankly there are too many matters that the Essential Services Commission does fantastic work in that we cannot put at risk by not having somebody in that role to tick off on the decisions, to undertake the work that they do and to ensure that adequate reporting is being done on market structures and the performance of regulated industries such as our energy industries and our councils — and their council rating.

Can I just finish up by commending the work of the Essential Services Commission, its staff and its commissioner.

Business interrupted under sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Dimopoulos) — The question is:

That the house now adjourns.

Ringwood East Myki outlet

Ms RYALL (Ringwood) (19:00) — (15 010) My adjournment request is for the Minister for Public Transport. The action I seek is that the minister direct Public Transport Victoria (PTV) to install Myki services at Paul's Supa IGA in Ringwood East.

There is currently no option to buy or top up Myki cards in East Ringwood at the shops or at the station because

the newsagent, which was the only provider of these services, has recently closed. That has left both bus and train commuters high and dry for at least a month now. Public Transport Victoria was aware that the newsagent was closing well in advance of its closure, and there has not been a reinstatement of the service in East Ringwood since that time. The closest Myki service is now located about a 30-minute walk away. Paul's IGA, opposite the Ringwood East train station, has been contacting PTV on a regular basis to have the service installed so that residents are no longer inconvenienced. Paul's IGA are open not just on weekdays but also on the weekends, so it will benefit my local constituents to have them provide Myki services.

Unfortunately, even though Paul's IGA have been in regular contact with PTV, it has still not actioned this, and PTV has actually said that it takes a long time to do this. My issue and my concern with a statement like that is that PTV knew in advance that Myki services would be discontinued, so it had sufficient time to be able to install them or provide that service through another outlet at East Ringwood. It has not done that. It has got a willing provider at Paul's IGA, so it should not be taking a long time. It should be actioned right now. I would appreciate the minister's urgent intervention in this matter so that residents in my local community are no longer forced to travel out of their way in order to get their Myki topped up or to purchase a Myki card — or risk being fined due to not having the time to top up their Myki card.

Melbourne Polytechnic

Mr CARBINES (Ivanhoe) (19:02) — (15 011) My adjournment matter is for the Minister for Training and Skills in the other place. I ask the minister to visit the Ivanhoe electorate and meet with the team at Melbourne Polytechnic's West Heidelberg campus — the campus that of course suffered cuts of $25 million in the very first year of the Baillieu government. It is a TAFE campus in West Heidelberg that also had to institute paid parking for TAFE students who during the day were at work on the tools at their workplace and had to bring their utes and vehicles to do their training courses at the West Heidelberg campus of what was then Northern Melbourne Institute of TAFE, now Melbourne Polytechnic. They had to pay to use the car park to go to TAFE on their way from being out there on the job. I think that just goes to show how things have changed under our government, the Andrews Labor government.

In particular there was the reopening of the Greensborough campus of Melbourne Polytechnic, and there is the $10 million Banyule-Nillumbik Tech School that has been co-located on the Greensborough campus of Melbourne Polytechnic. Of course Melbourne Polytechnic is now going from strength to strength and offering great services also at their West Heidelberg campus.

It would be greatly appreciated if the minister could spend some time out there with us at West Heidelberg. She has certainly been a big supporter. She has met with Melbourne Polytechnic board members and the management team in the past, but we have got some exciting proposals and work that we would like to take forward with the further support of the government. Certainly we would appreciate the opportunity to take the minister through some of that work along with my colleague from Eastern Metropolitan Region in the other place, Shaun Leane. He is also someone who is doing a lot of work with our infrastructure investment and opportunities for trades and training for people in my local community, particularly the 3081 community. I look forward to catching up with the minister along with the team at Melbourne Polytechnic, and I commend my adjournment matter to the house.

Princes Highway east

Mr D. O'BRIEN (Gippsland South) (19:05) — (15 012) My adjournment matter is for the Minister for Roads and Road Safety, and the action I seek is that the Minister for Roads and Road Safety actually come to Gippsland and explain to Gippslanders in the electorates of Morwell, Gippsland South and Gippsland East why his government has failed to fund the duplication of the Princes Highway between Traralgon and Sale. This is a very important project. It has had bipartisan support at both levels of government until this year's budget. Only a 20 per cent contribution is required by the state government — about $33 million, as I understand it — but this was not forthcoming in the budget just gone. I have asked the minister about this previously, and his answer of course was, 'There's not another budget until next year'. So given the election is looming and also given that the Labor Party does not have a candidate yet in Gippsland South, I think it is incumbent on the minister to come to Sale and explain to the people of Gippsland why this project has not been funded.

He could also, while he is there, explain his statements published in the newspapers in recent times that the federal government is at fault because there is only $10 million in its budget for this project. In fact the commonwealth has put on the table, subject to the Victorian government's contribution, its $132 million contribution. I suspect the minister might say, 'But there's only $10 million in this year's budget'.

Mr Donnellan interjected.

Mr D. O'BRIEN — That would actually allow us to get on with the job, Minister, because at the moment it is $10 million more than what you have put in, and you actually own the road. It is time for the state government to stop playing political games with the motorists of Gippsland and actually get on with the job of this very important project that will duplicate the entire Princes Highway between Traralgon and Sale — if the minister actually puts the money up for the Victorian government's contribution. The community is frustrated about this. I have been getting petitions signed left, right and centre. The business community is concerned. They know that when the road is duplicated it will engender a lot more confidence in our area, it will improve freight movements and, most importantly of course, it will improve safety in the region.

The people of Gippsland are frustrated beyond the extreme. I can tell the minister to come and stand outside Aldi in Sale for a little while. They are frustrated about the wire rope barriers going up everywhere but not actually seeing important projects like the duplication of the Princes Highway occurring. So I invite the minister again to come down and explain when the government is going to fund this project and why it has not funded it in this year's budget.

Riddells Creek railway station

Ms THOMAS (Macedon) (19:07) — (15 013) The matter I wish to raise is for the attention of the Minister for Public Transport, and the action I seek is that the minister join me at Riddells Creek railway station to better understand the very real need for additional car parking spaces at the station.

Minister, last week you announced that a re-elected Andrews Labor government will deliver 11 000 new car parking spaces across Victoria as part of our government's $150 million Car Parks for Commuters Fund. This is a fantastic initiative. Commuters in my electorate have certainly welcomed the safety and security upgrades and additional sealed car parking spaces delivered at Gisborne and Kyneton while works are underway at Macedon, Clarkefield and Woodend stations. Riddells Creek, however, is one of the busiest stations in my electorate, and the existing car park is full. This is having an impact on local businesses as car spaces intended for shoppers are being taken up by commuters. I look forward to welcoming the minister to Riddells Creek so that she can see the importance of funding additional car parking spaces as a first priority of a re-elected Andrews Labor government.

Eildon electorate roads

Ms McLEISH (Eildon) (19:09) — (15 014) My adjournment matter tonight is directed to the Minister for Roads and Road Safety, and I am thrilled to see him sitting at the table over there. The action I seek is for the minister to make safety improvements to the Maroondah Highway on the corner of Badger Creek Road and Wilson Street. This is probably the third time I have raised this matter with the minister. Previous advice has been that VicRoads seems to think that this is an okay intersection. It is a very busy intersection; it is a mix of pedestrians, buses and regular traffic.

The coaches turn right from the Maroondah Highway onto Badger Creek Road, which is the road to the Healesville Sanctuary and so it is an extremely busy road. There is a little cafe, Habituel, on the corner. You can stand in that elevated cafe on the Maroondah Highway and watch that intersection. The people at the cafe have now dedicated themselves to getting 1000 signatures of people who believe the intersection is dangerous. I have run a campaign on this as well, and the constant feedback is that it is dangerous. People do not want traffic lights in town, but they certainly do want safety improvements.

I have received two letters from the minister. The one in April 2017 says:

> VicRoads will undertake a site inspection with Victoria Police to assess the intersection ...

to see if any improvements can be made.

A bit later I had another letter from the minister, following a second one to him from me. My favourite line is:

> I acknowledge your concerns with the geometry of the intersection and its weekend operation.

I find it amusing that he has referred to the geometry of the intersection because they are not particularly words that would normally be used. This intersection continues to cause grief. People come up Wilson Street, often after they have been to the supermarket, and that is very busy in itself. Although, as I think the minister has advised me, the road has 7 metres on either side, it is not really enough for passing, and accidents happen on a frequent basis. As I said, people in the Habituel cafe watch this intersection on a regular basis.

Yuroke electorate projects

Ms SPENCE (Yuroke) (19:11) — (15 015) My adjournment matter is for the attention of the Minister for Local Government, and the action I seek is for the

minister to provide an update on the delivery of the three terrific local projects announced in the Yuroke electorate as part of the latest round of the Andrews Labor government's Growing Suburbs Fund. Yuroke residents have strongly welcomed the announcement of $4.6 million to help deliver Craigieburn's first-ever softball centre, a huge new community hub in Kalkallo, and a play space upgrade at the Hume Tennis and Community Centre.

These build on other projects that are well underway or have already been delivered in the Yuroke electorate, thanks to this great initiative, including the Craigieburn Park Inclusive Playspace, the Annadale Interim Community Centre, the Aston Recreation Reserve development and the Arena pavilion. A big thankyou to the minister for all these great investments. I am sure Yuroke residents would appreciate any information that can be provided on the next steps delivering these projects.

Native species protection

Ms SANDELL (Melbourne) (19:12) — (15 016) My adjournment is for the Minister for Energy, Environment and Climate Change. I ask the minister to write to me and outline whether this Labor government is going make any announcements on policies before November to protect our precious native species in Victoria. Unfortunately over the past four years the Andrews government has done very little to protect nature. In fact the extinction crisis does just keep getting worse.

For those not keeping score at home, here is the record. Firstly, on our forests, Labor continues to log and burn precious native forests just to make cheap paper, and in fact taxpayers pay money to do so. Our forests are home to threatened species like the Leadbeater's possum and the greater glider. This government came to power in 2014 promising to do something about them, but in fact our forests just keep getting logged at a rate of five MCGs per day.

Secondly, on oceans and beaches, the list of failures is quite long. This government has opened up our western coastal waters to gas exploration, explicitly ruled out creating any new marine parks, opened up hooded plover habitat to be trampled and destroyed by racehorse training, and is proudly supporting AGL's plan to bring a monster gas ship into Western Port Bay, threatening internationally recognised wetlands. Labor and the Liberals have in fact three times voted down a Greens bill for a refund on bottles and cans, condemning our ocean life to more plastic pollution and more litter.

Thirdly, on animals, this government continues to allow cruel duck shooting. It has even allowed VicForests, the state logging company, to deliberately log sensitive native forests as a so-called experiment to see how many threatened animals they kill in the process. Domestic and farm animals are no better off under Labor, which continue to support battery farms for chickens, sow stalls for pigs and cruel jumps racing.

Lastly, right across Victoria our habitat is disappearing. We have not seen funding levels for national parks restored to the levels that are needed. Our national parks are being destroyed by invasive species and new national park creation is at its lowest level in 50 years. Habitat on public and private land is being eaten away by unchecked development, including for sprawling housing estates, new roads and mining. This government has also refused to support Greens' amendments to our toothless environment laws to bring them up to scratch with places like the USA.

When you see this shocking record laid out, it is pretty damning. I call on the minister to tell the people of Victoria how the government will make amends for four years of failure to protect nature, because if we go to the election with Labor again having no plan to protect our environment and we have to wait another four years for action, for many endangered species and habitats it simply will be too late.

Hurstbridge visitor economy

Ms GREEN (Yan Yean) (19:15) — (15 017) I am delighted to rise in the adjournment debate tonight. My adjournment matter is for the Minister for Tourism and Major Events, and the action I seek is for him to meet with the traders of Hurstbridge to assure them that, unlike the Liberal Party, Labor sees the visitor economy at the heart of the economic development of Hurstbridge and that we have no intention of turning Hurstbridge into yet another suburb.

The Shire of Nillumbik and my Liberal opponent are in lock step in calling for the full duplication of the Hurstbridge rail line all the way to Hurstbridge. They are saying that this will deliver 20-minute services for Diamond Creek, Wattle Glen and Hurstbridge. Their call is just dressed up as a reason for them to have full development of the green wedge and urban development within Hurstbridge.

What the traders in Hurstbridge want is a dynamic tourism economy. I want the minister for tourism to reassure them that Labor's plan can actually deliver this. We know that there are a number of lessees on

VicTrack land in Hurstbridge that have visitor economy proposals and that these would be under threat if the Liberal Party were to duplicate the line fully to Hurstbridge and also if they were able to fulfil their stated aim to relocate train stabling from Eltham further along the line. I also think the Nillumbik Shire Council's proposal for $20 million of recreational facilities in Hurstbridge in their election advocacy statement is simply dressed up so that they can say, 'There's now the infrastructure. We'll be able to deal with the Leader of the Opposition as Premier to assist him with the 300 000 additional housing lots that he wants to have in Melbourne'.

The green wedge boundary remaining exactly where it is in the Shire of Nillumbik will protect Hurstbridge's amenity and the value that it has to the visitor economy more broadly across the Yarra Valley and Dandenong Ranges. It is a wonderful little town. It has the 13th most popular eating venue in Melbourne — I think it is even better than that — in Greasy Zoes. The food is outstanding. There are numerous other businesses there that could really expand in the visitor economy if they had the certainty of knowing that there will be no expansion of the VicTrack footprint in Hurstbridge.

Mount Fyans wind farm

Mr RIORDAN (Polwarth) (19:18) — (15 018) My adjournment matter is for the Minister for Planning. The action I seek is for the minister to ensure that an environment effects statement (EES) is asked for and completed for the proposed wind farm at Mount Fyans near Mortlake.

In recent weeks this government has again committed the state of Victoria to an ambitious renewable energy target of 40 per cent by 2025. This of course does not come without cost or change to many small country communities. Despite the projected investment of billions of dollars, including those projects announced last week by the Premier in Ararat, in hiding — projects such as Mortlake South, Berrybank, Dundonnell and other future projects that will be built leveraging off these, such as the Mount Fyans project — this government has not sought in any way to coordinate or strategically manage this massive industrial investment on a scale that western Victoria has never experienced before.

Contrary to the rampant urban myth perpetuated by this government, green groups and others, farmers, country communities and local jobseekers are not queueing up for these massive landscape-changing projects. In fact nothing could be further from the truth. It is not true to say that the rush to wind is without cost. There was the recent decision to not insist on an EES for Mount Fyans when there will clearly be a large cumulative effect, with the recent Dundonnell and Mortlake South projects having been approved. This was highlighted very graphically on Monday night, when 470 people again gathered at the Mortlake memorial hall to express their deep concern and frustration at the way the government is handling this rollout of renewable energy.

It is time for the government to start managing its renewable energy rollout. The infrastructure and location of these projects should not be arrived at by accident. Local communities need to know that their homes, their environment, their landscape and their way of life will not be given away on a whim, that they will be protected and valued in the rush to invest billions in renewable energy-generating plants that the government is committing to across western Victoria.

Issues such as transmission lines, access, landscape pollution and the operation of these projects needs to be done in a coordinated and managed way. The state of Victoria is currently creating a blight across western Victoria, and it has no management plan whatsoever in place. The communities are becoming distrustful, and we are now seeing on a regular basis community meeting after community meeting in affected townships and local areas where people have deep and genuine concerns about the way their landscape and their community will be left by the time this government has finished implementing a policy that is purely designed to keep inner-urban greens happy.

Diamond Hills Preschool

Ms WARD (Eltham) (19:21) — (15 019) My adjournment matter is for the Minister for Early Childhood Education in the other place, and I seek the minister's support for Diamond Hills Preschool in my electorate. The inclusive kindergartens facilities program buildings and playground funding for early childhood services is very important for helping preschools ensure there are spaces where children of all abilities can learn through play.

I draw the minister's attention to the application to this program made by the Diamond Hills Preschool in my electorate of Eltham. I understand they have applied for funding to support stage 3 of a large renovation project. If successful, the project will provide the preschool with a rear playground with inclusive learning spaces embedded within the outdoor play environment for children of all abilities, and it will install a new ramp with handrails to meet Disability Discrimination Act 1992 requirements. This will address the access issue at the rear play space for the preschool.

I call on the minister to support Diamond Hills Preschool's application for an inclusive kindergartens facilities program buildings and playground grant. This grant will benefit all children at Diamond Hills Preschool, including those with disabilities and additional needs, to ensure they are getting the best possible start in life.

Responses

Mr DONNELLAN (Minister for Roads and Road Safety) (19:22) — In relation to the member for Gippsland South's matter, it was in relation to the Princes Highway duplication between Traralgon and Sale. As I indicated at the time when I previously mentioned this, we had no indication that the federal government was going to continue with its duplication, so we were not able to actually allocate funding in the budget. As the member would be well aware, we have actually reallocated $700 million, which went into regional Victoria from the east–west link money, which was worked up together very well with Darren Chester —

Mr D. O'Brien interjected.

Mr DONNELLAN — Well, obviously the state government needs to match that, so that is fine. Darren Chester was very good to work with, but unfortunately he was massacred in some exchange along the way and we have lost our Victorian infrastructure minister who was great to actually work with. I have said to the member for Gippsland South before that Darren Chester was very good to work with. Unfortunately we were not given an indication that they were going to do that, but obviously we will look at that in the next budget —

Mr D. O'Brien interjected.

Mr DONNELLAN — We did not ask for the money. We are always asking for more regional money —

Mr D. O'Brien interjected.

Mr DONNELLAN — No. Let us be very clear: unless we have an indication from the federal government that they wish to match us with funding, we will not allocate that in our state budget. Our state budget comes first, and unfortunately we had no connection with the federal government at the time because we kept having the deck chairs change. That is a bit disappointing.

I note that the local Victoria State Emergency Service unit is overjoyed with the wire rope barriers. They have indicated quite clearly that they are going out to less accidents on the road and that the barriers are saving lives. So let us wait for the return of someone like Darren Chester and we will have a whole lot more done on regional and country roads, because we will have someone who will articulate what they want to do and who will work with us very clearly in partnership. I would be happy to do that because I think that was a person who was very good to work with.

In relation to the member for Eildon, VicRoads have obviously looked at that intersection at Badger Creek Road and Wilson Street, Healesville. They have obviously undertaken that assessment. I take my advice from road safety experts, and they have very clearly indicated that they believe that intersection is safe.

The members for Ringwood and Macedon had issues for the Minister for Public Transport. The member for Ivanhoe had a question directed to the Minister for Training and Skills. The member for Yuroke had an issue for the Minister for Local Government. The member for Melbourne had an issue for the Minister for Energy, Environment and Climate Change. The member for Yan Yean had an issue for the Minister for Tourism and Major Events, which I will refer on. The member for Polwarth had an issue for the Minister for Planning. Lastly, the member for Eltham had an issue directed to the Minister for Early Childhood Education.

The SPEAKER — The house now stands adjourned.

House adjourned 7.25 p.m.

Thursday, 20 September 2018

The SPEAKER (Hon. Colin Brooks) took the chair at 9.33 a.m. and read the prayer.

NOTICES OF MOTION

Removal

The SPEAKER (09:34) — I wish to advise the house that notice of motion 13 will be removed from the notice paper unless the member wishing their notice to remain advises the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Woorayl Street reserve, Carnegie

To the Legislative Assembly of Victoria:

The petition of the residents, businesses and broader community of the City of Glen Eira points out to the house that:

> the City of Glen Eira has the least amount of open space per person of any council area in Melbourne; and
>
> more residents live beyond the recommended 400 metres distance from open space than anywhere else in Victoria.

Yet a precious opportunity to protect and secure vital open space in central Carnegie is about to be lost with the state government's plans for development of the Woorayl Street reserve, Carnegie.

This will also be at the expense of significant river red gums, each more than 100 years old — in addition to the numerous established trees already lost to level crossing removal works in Carnegie, Murrumbeena and Hughesdale.

The linear park being created along the rail corridor will be narrow and at times overshadowed, without the direct physical and community links essential to the livability of our rapidly growing suburbs and not close to our local shopping villages.

Glen Eira deserves quality open space with good access to natural light close to our villages, like the Woorayl Street reserve in Carnegie.

The petitioners request that the Legislative Assembly of Victoria put a stop to anything that will further eat up precious opportunities for open space in Glen Eira by:

> abandoning its plans to build a large, high-rise development on the Woorayl Street reserve in Carnegie and gifting this open space back to the community.

By Mr STAIKOS (Bentleigh) (851 signatures).

Blackburn–Railway roads, Blackburn

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the safety issues for pedestrians and other road users at the roundabout intersection of Blackburn Road and Railway Road in Blackburn.

The petitioners therefore request that the Legislative Assembly of Victoria call on the Victorian government to improve safety at this intersection as a matter of priority.

By Mr CLARK (Box Hill) (79 signatures).

Voluntary assisted dying

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws the attention of the house to:

1. the inherent value of every human life;
2. the fact that the state of Victoria has legislated to end the execution of convicted criminals;
3. the state of Victoria has promoted campaigns to reduce the large number of suicides in this state;
4. prior to the passage of the Voluntary Assisted Dying Act 2017 to assist a person in an act of suicide was a felony in Victoria;
5. the Voluntary Assisted Dying Act 2017 legalises doctor-prescribed suicide in which a doctor facilitates a patient's act of self-killing, or suicide, by prescribing a lethal poison which the patient takes to kill himself or herself;
6. the act legalises state-sanctioned extrajudicial executions of patients by doctors when patients cannot kill themselves by suicide.

The petitioners therefore request that the Legislative Assembly of Victoria introduce and pass a bill for an act to repeal at the first possible opportunity the Voluntary Assisted Dying Act 2017.

By Mr WATT (Burwood) (450 signatures).

Drug driving

To the Legislative Assembly of Victoria:

We the undersigned citizens of Victoria draw to the attention of the house community concerns about people who drive while under the influence of drugs and, in particular, those who repeatedly offend.

The petitioners therefore respectfully request the Legislative Assembly of Victoria calls on the Victorian government to legislate harsher penalties for drivers who have been found guilty of driving while under the influence of drugs and subsequently reoffend.

By Mr BURGESS (Hastings) (158 signatures).

Police numbers

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the legislative Assembly that Premier Daniel Andrews has failed to commit lo providing additional police numbers and subsequently, as Victoria's population grows, the number of police per head goes backwards under Labor every day.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria calls on the Andrews Labor government to commit to providing additional frontline police numbers as a matter of priority.

By Mr BURGESS (Hastings) (18 signatures).

St Dunstan's Anglican Kindergarten

To the Legislative Assembly of Victoria:

The petition of residents of Camberwell, Glen Iris and Hawthorn draws to the attention of the House the unsafe driving practices such as speeding which are occurring around St Dunstan's kindergarten on Wattle Valley Road, Camberwell, putting at risk the safety of the children attending the kindergarten.

The petitioners therefore request that the Legislative Assembly of Victoria call on the Victorian government and VicRoads to reduce the speed limit outside St Dunstan's kindergarten on Wattle Valley Road, Camberwell to 40 km.

By Mr PESUTTO (Hawthorn) (38 signatures).

Baimbridge College

To the Legislative Assembly of Victoria:

This petition of residents in the state of Victoria draws the attention of the house to concerns regarding the failure of the Andrews Labor government to fund the redevelopment of Hamilton's Baimbridge College.

The petition requests that the Andrews Labor government immediately provide funding to enable redevelopment and site consolidation works at Hamilton's Baimbridge College to support its students, staff and the wider school community.

By Ms KEALY (Lowan) (66 signatures).

Warracknabeal education precinct

To the Legislative Assembly of Victoria:

This petition of residents in the state of Victoria draws the attention of the house to the need for urgent funding to allow consolidation of the Warracknabeal special school, secondary college and primary school on the one site.

The petition requests that the Andrews Labor government immediately provide funding to enable the Warracknabeal education precinct to be completed for the direct benefit of students and their teachers.

By Ms KEALY (Lowan) (309 signatures).

Walmer Street bridge, Kew

To the Legislative Assembly of Victoria:

The petition of Walmer Street bridge users, and as Victorian residents, draws to the attention of the house the following:

The Walmer Street bridge, comprising the river and land bridge sections, which is heavily used by pedestrians and bike riders, is narrow, crowded and a hazard to all users.

Its width (1.7 metres at its narrowest) is insufficient to cope safely with the heavy utilisation by pedestrians and bike riders, as determined by Boroondara City Council usage counts and a recent safety audit.

The bridge is strategically important as it is a key link in the principal bicycle network and a bicycle priority route.

As such, it provides a vital link for the communities of Kew, Richmond, Abbotsford and beyond, providing sustainable and ready access to nearby parkland, transport hubs, businesses and community services.

A new bridge urgently needs to be built across the Yarra River at Walmer Street for the changing needs of the rapidly increasing population of the Abbotsford and Kew areas.

Your petitioners therefore request that to ensure the safety of the rapidly growing number of users, and to avoid potential closure of the bridge, the state government urgently fund a replacement, with a contemporary design, that meets both current standards and the needs of the growing number of users, in keeping with Melbourne's reputation as a world-class liveable city.

By Mr T. SMITH (Kew) (3080 signatures).

Capel Caravan Park

To the Legislative Assembly of Victoria:

The petition of the residents of the electorate of Nepean draws to the attention of the house:

1. The recent sale of the Capel Caravan Park in Capel Sound, currently with a 90 per cent occupancy of permanent residents, equating to 100 families and individuals Who now face an uncertain future.

2. That the government take all steps necessary to assist residents to find alternative affordable accommodation should they choose to relocate.

3. That, as part of the current review of the Residential Tenancies Act 1997, the government investigate protections for tenants against financial loss should a residential caravan park be sold.

4. A compensation regime already exists in NSW and could at a minimum be considered in Victoria in order to assist vulnerable residents to relocate.

5. That the costs for such relocation assistance may be far less than providing emergency housing and rental subsidy over the longer term to otherwise homeless residents.

By Mr DIXON (Nepean) (19 signatures).

Metro railway station announcements

To the Honourable the Speaker and members of the Legislative Assembly:

This petition of residents of the state of Victoria draws to the attention of the house that the below signed request the Minister for Public Transport direct Melbourne metropolitan train authority (Metro) to reduce the noise pollution created by announcements at stations on the sky rail between Caulfield and Dandenong and in particular the removal of the bell tones at the start of the announcements. The amenity of residents has been further diminished by the intrusive nature of the announcements as the sound travels far further with the introduction of the elevated rail.

We respectfully request that the minister acts without delay to direct Metro to delete the notification bells from the start of announcements and reduce the volume of the announcements.

By Ms STALEY (Ripon) (30 signatures).

Tabled.

Ordered that petition presented by the honourable member for Burwood be considered next day of sitting by Mr WATT (Burwood).

Ordered that petition presented by the honourable member for Nepean be considered next day of sitting by Mr DIXON (Nepean).

Ordered that petition presented by the honourable member for Hawthorn be considered next day of sitting by Mr PESUTTO (Hawthorn).

CONSUMER POLICY RESEARCH CENTRE

Report 2017–18

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation), by leave, presented report.

Tabled.

PENALTY RATES AND FAIR PAY SELECT COMMITTEE

Penalty rates and fair pay

Ms HUTCHINS (Minister for Industrial Relations), by leave, presented government response.

Tabled.

DOCUMENTS

Tabled by Acting Clerk:

Accident Compensation Conciliation Service — Report 2017–18

Adult, Community and Further Education Board — Report 2017–18

Agriculture Victoria Services Pty Ltd — Report 2017–18

Albury Wodonga Health — Report 2017–18

Alexandra District Health — Report 2017–18

Alfred Health — Report 2017–18

AMES Australia — Report 2017–18

Asset Confiscation Operations — Report 2017–18

Auditor-General:

- Contract Management Capability in DHHS: Service Agreements — Ordered to be published
- Report 2017–18
- State Purchase Contracts — Ordered to be published

Austin Health — Report 2017–18

Australian Centre for the Moving Image — Report 2017–18

Australian Grand Prix Corporation — Report 2017–18

Ballarat General Cemeteries Trust — Report 2017–18

Ballarat Health Services — Report 2017–18

Barwon Region Water Corporation — Report 2017–18

Bass Coast Health — Report 2017–18

Benalla Health — Report 2017–18

Bendigo Cemeteries Trust — Report 2017–18

Bendigo Health Care Group — Report 2017–18

Casterton Memorial Hospital — Report 2017–18

CenITex — Report 2017–18

Central Gippsland Region Water Corporation — Report 2017–18

Central Highlands Region Water Corporation — Report 2017–18s

City West Water Corporation — Report 2017–18

Cohuna Community Nursing Home Inc — Report 2017–18

Coliban Region Water Corporation — Report 2017–18

Commission for Children and Young People — Report 2017–18 — Ordered to be published

Commissioner for Privacy and Data Protection — Report 2017–18 — Ordered to be published

Community Visitors — Report 2017–18 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Confiscation Act 1997 — Report 2017–18 under s 139A

Consumer Affairs Victoria — Report 2017–18 — Ordered to be published

Corangamite Catchment Management Authority — Report 2017–18

Coronial Council of Victoria — Report 2017–18

Dairy Food Safety Victoria — Report 2017–18

Dental Health Services Victoria — Report 2017–18

Djerriwarrh Health Services — Report 2017–18

Docklands Studios Melbourne Pty Ltd — Report 2017–18

East Gippsland Catchment Management Authority — Report 2017–18

East Gippsland Region Water Corporation — Report 2017–18

East Grampians Health Service — Report 2017–18

Eastern Health — Report 2017–18

Echuca Regional Health — Report 2017–18

Education and Training, Department of — Report 2017–18

Emergency Services Superannuation Scheme — Report 2017–18

Environment, Land, Water and Planning, Department of — Report 2017–18

Essential Services Commission — Report 2017–18

Evidence (Miscellaneous Provisions) Act 1958 — Report 2017–18 under s 42BI

Film Victoria — Report 2016–17 *(in lieu of report previously tabled on Tuesday 21 September 2017)*

Film Victoria — Report 2017–18

Financial Management Act 1994:

Financial Report for the State of Victoria 2017–18, incorporating Quarterly Financial Report No 4 — Ordered to be published

Reports from the Minister for Agriculture that she had received the reports 2017–18 of the:

Phytogene Pty Ltd

Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee

Report from the Minister for Women that she had received the Report 2017–18 of the Queen Victoria Women's Centre Trust

Forensic Leave Panel — Report 2017

Geelong Cemeteries Trust — Report 2017–18

Geelong Performing Arts Centre Trust — Report 2017–18

Geoffrey Gardiner Dairy Foundation Ltd — Report 2017–18

Gippsland and Southern Rural Water Corporation — Report 2017–18

Glenelg Hopkins Catchment Management Authority — Report 2017–18

Goulburn Broken Catchment Management Authority — Report 2017–18

Goulburn Murray Rural Water Corporation — Report 2017–18

Goulburn Valley Health — Report 2017–18

Goulburn Valley Region Water Corporation — Report 2017–18

Grampians Wimmera Mallee Water Corporation — Report 2017–18

Greater Metropolitan Cemeteries Trust — Report 2017–18

Harness Racing Victoria — Report 2017–18

Health Complaints Commissioner — Report 2017–18

Health Purchasing Victoria — Report 2017–18

Heathcote Health — Report 2017–18

Hesse Rural Health Service — Report 2017–18

Infrastructure Victoria — Report 2017–18

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General

Justice and Regulation, Department of — Report 2017–18

Kardinia Park Stadium Trust — Report 2017–18

Kilmore and District Hospital — Report 2017–18

Latrobe Valley Mine Rehabilitation Commissioner — Report 2017–18

Legal Practitioners' Liability Committee — Report 2017–18

Library Board of Victoria — Report 2017–18

Lower Murray Urban and Rural Water Corporation — Report 2017–18

Mallee Catchment Management Authority — Report 2017–18

Maryborough District Health Service — Report 2017–18

Melbourne and Olympic Parks Trust — Report 2017–18

Melbourne Health — Report 2017–18

Melbourne Port Lessor Pty Ltd — Report 2017–18

Melbourne Recital Centre — Report 2017–18

Melbourne Water Corporation — Report 2017–18

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2018 and Summary of Variations Notified between 10 July 2018 and 14 September 2018 — Ordered to be published

Mental Health Tribunal — Report 2017–18

Mercy Hospitals Victoria Ltd — Report 2017–18

Mildura Cemeteries Trust — Report 2017–18

Monash Health — Report 2017–18

Museums Board of Victoria — Report 2017–18

National Gallery of Victoria — Report 2017–18

National Parks Act 1975 — Report 2017–18 on the working of the Act

National Parks Advisory Council — Report 2017–18

North Central Catchment Management Authority — Report 2017–18

North East Catchment Management Authority — Report 2017–18

North East Region Water Corporation — Report 2017–18

Northeast Health Wangaratta — Report 2017–18

Northern Health — Report 2017–18

Numurkah District Health Service — Report 2017–18

Orbost Regional Health — Report 2017–18

Otway Health — Report 2017–18

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Peninsula Health — Report 2017–18

Peter MacCallum Cancer Centre — Report 2017–18

Phillip Island Nature Parks — Report 2017–18

Police Registration and Services Board — Report 2017–18

Port of Hastings Development Authority — Report 2017–18

Port Phillip and Westernport Catchment Management Authority — Report 2017–18

Portland District Health — Report 2017–18

Premier and Cabinet, Department of — Report 2017–18

PrimeSafe — Report 2017–18

Public Interest Monitor — Report 2017–18

Public Record Office Victoria — Report 2017–18

Public Transport Development Authority — Report 2017–18

Racing Integrity Commissioner — Report 2017–18

Radiation Advisory Committee — Report 2017–18

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2017–18 Progress Report

Residential Tenancies Bond Authority — Report 2017–18

Road Safety Camera Commissioner — Report 2017–18

Roads Corporation — Report 2017–18

Robinvale District Health Services — Report 2017–18

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2017–18

Rolling Stock (Victoria-VL) Pty Ltd — Report 2017–18

Rolling Stock (VL-1) Pty Ltd — Report 2017–18

Rolling Stock (VL-2) Pty Ltd — Report 2017–18

Rolling Stock (VL-3) Pty Ltd — Report 2017–18

Royal Botanic Gardens Board Victoria — Report 2017–18

Royal Victorian Eye and Ear Hospital — Report 2017–18

Royal Women's Hospital — Report 2017–18

Seymour Health — Report 2017–18

Shrine of Remembrance Trustees — Report 2017–18

South East Water Corporation — Report 2017–18

South Gippsland Region Water Corporation — Report 2017–18

South West Healthcare — Report 2017–18

Southern Metropolitan Cemeteries Trust — Report 2017–18

St Vincent's Hospital (Melbourne) Ltd — Report 2017–18

State Electricity Commission of Victoria — Report 2017–18

Statutory Rules under the following Acts:

County Court Act 1958 — SR 134

Crown Land (Reserves) Act 1978 — SR 122

Forests Act 1958 — SRs 123, 124

National Parks Act 1975 — SRs 125, 126

Subordinate Legislation Act 1994 — SR 121

Supreme Court Act 1986 — SRs 131, 132, 133

Transport Superannuation Act 1988 — SR 130

Water Industry Act 1994 — SR 127

Wildlife Act 1975 — SRs 128, 129

Stawell Regional Health — Report 2017–18

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 121, 130, 131, 132, 133, 134, 137

Surveillance Devices Act 1999 — Reports 2017–18 under s 30L (three reports)

Swan Hill District Health — Report 2017–18

Terrorism (Community Protection) Act 2003 — Report 2017–18 under s 13ZR

Timboon and District Healthcare Service — Report 2017–18

Transport Accident Commission — Report 2017–18

Treasury and Finance, Department of — Report 2017–18

Treasury Corporation of Victoria — Report 2017–18

Victims of Crime Assistance Tribunal — Report 2017–18

Victims of Crime Commissioner — Report 2017–18

Victoria Grants Commission — Report 2017–18

Victoria Police — Report 2017–18

Victorian Arts Centre Trust — Report 2017–18

Victorian Assisted Reproductive Treatment Authority — Report 2017–18

Victorian Broiler Industry Negotiation Committee — Report 2017–18

Victorian Catchment Management Council — Report 2017–18

Victorian Coastal Council — Report 2017–18

Victorian Commission for Gambling and Liquor Regulation — Report 2017–18

Victorian Curriculum and Assessment Authority — Report 2017–18

Victorian Electoral Commission — Report 2017–18

Victorian Environmental Water Holder — Report 2017–18

Victorian Funds Management Corporation — Report 2017–18

Victorian Government Purchasing Board — Report 2017–18

Victorian Industry Participation Policy — Report 2017–18

Victorian Information Commissioner, Office of — Report 2017–18

Victorian Inspectorate — Report 2017–18

Victorian Institute of Forensic Mental Health — Report 2017–18

Victorian Institute of Teaching — Report 2017–18

Victorian Legal Services Board and the Victorian Legal Services Commissioner — Report 2017–18 — Ordered to be published

Victorian Managed Insurance Authority — Report 2017–18

Victorian Pharmacy Authority — Report 2017–18

Victorian Planning Authority — Report 2017–18

Victorian Ports Corporation (Melbourne) — Report 2017–18

Victorian Public Sector Commission — Report 2017–18

Victorian Rail Track — Report 2017–18

Victorian Regional Channels Authority — Report 2017–18

Victorian Registration and Qualifications Authority — Report 2017–18

Victorian Responsible Gambling Foundation — Report 2017–18

Victorian Small Business Commission — Report 2017–18 — Ordered to be published

Victorian Veterans Council — Report 2017–18

Victorian WorkCover Authority — Report 2017–18

Wannon Region Water Corporation — Report 2017–18

West Gippsland Catchment Management Authority — Report 2017–18

West Wimmera Health Service — Report 2017–18

Western Health — Report 2017–18

Western Region Water Corporation — Report 2017–18

Westernport Region Water Corporation — Report 2017–18

Wimmera Catchment Management Authority — Report 2017–18

Wimmera Health Care Group — Report 2017–18

Yarra Valley Water Corporation — Report 2017–18

Youth Parole Board — Report 2017–18

BUSINESS OF THE HOUSE

Adjournment

Ms ALLAN (Minister for Public Transport) (09:40) — I move:

That the house, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the house.

Motion agreed to.

MEMBERS STATEMENTS

Multicultural Festivals and Events Program

Ms HENNESSY (Minister for Health) (09:41) — I rise to pay tribute to some of the fantastic multicultural organisations in my district. I was delighted last week to be able to advise many of my multicultural groups about support of $36 630 through the multicultural festivals and events grants. In speaking to many of my multicultural organisations I was very heartened to hear how sometimes small amounts of funding can make an important difference for community-based organisations in getting cultural organisations to support their festivals as well. It particularly helps them improve their capacity.

When we have got newer community organisations delivering events, it can be quite a challenging and confronting experience for them when they are dealing with all of those issues around insurance matters and trying to ensure that they are supported with their corporate overheads. Congratulations to those organisations, particularly to Myly Nguyen, who runs the Moon Festival Feast and the Hobsons Bay Tet festival. They are two excellent events that our whole community enjoy. An important part of running those events is also trying to build greater inclusion in very diverse communities, so a very big thanks to all those organisations.

Felicitations

Ms HENNESSY — I would also like to place on the record my thanks to my staff for their support over the past four years at both an electorate and ministerial level. They have endured much and they have my long-term appreciation.

Fruit fly

Mr WALSH (Murray Plains) (09:42) — I want to raise the concerns of the fruitgrowers in my electorate who live and run businesses in the Gannawarra shire, and those concerns are around fruit fly. Mildura Rural City Council and Swan Hill Rural City Council do very good work with the fruitgrowers in their areas, but Gannawarra shire, I believe, has been dragging the chain. That is what the fruitgrowers have explained to me. I raise their concerns in this place and urge the minister to have a word with Gannawarra council to improve their program around fruit fly management, particularly for those fruitgrowers close to Kangaroo Lake.

Trevaskis–Hawdon roads, Wyuna

Mr WALSH — I would also like to raise the concerns of constituents of mine around the lack of VicRoads signage at Trevaskis and Hawdon roads at Wyuna. One of my constituent's family members suffered a serious injury at that intersection because it is poorly signed. There is a channel there and vegetation around the intersection, and it cannot be seen clearly. My constituent believes it should have better signage. They have actually approached VicRoads. VicRoads staff said that it was not a high-priority intersection and that at least six people needed to be killed at that intersection before they would actually take any action. My constituent finds that abhorrent. I find it abhorrent that VicRoads would believe there has to be a fatality at an intersection like that before they can actually do something about putting increased signage there. I would urge VicRoads to put additional signage there so there are no fatalities there in the future.

Purnell Road Integrated Child and Family Centre

Mr EREN (Minister for Sport) (09:44) — Last Friday I was honoured to turn the sod on the new Purnell Road Integrated Child and Family Centre. This project is a great example of what can be achieved in education when people work together with a common purpose. There are economic benefits from the state government and the City of Greater Geelong pooling their resources to jointly fund this integrated hub. Together we have achieved incredible value for our $1.6 million investment and the $11.72 million contribution from the council. There are education benefits from the construction of a new early learning facility. More children from the Corio community will be able to learn and develop in modern facilities, providing them the best start in their learning life.

As well as providing a modern 21st-century learning environment for these children, the new integrated hub will have facilities to provide health services. There is also a multipurpose space which can be used for parent groups, playgroups and other community events. Bringing all these elements together will make the new Purnell Road Child and Family Centre a one-stop shop for developing the potential of local children, supporting their families and building community bonds. Congratulations to one and all on this project, and I look forward to seeing the completed product hopefully mid-next year.

Carbon Revolution

Mr EREN — The same day, I was proud to join the Premier and the Minister for Industry and Employment at Carbon Revolution in Waurn Ponds to announce the company's $100 million expansion. This expansion will create 500 jobs, will almost triple Carbon Revolution's existing workforce and will increase production capacity from 10 000 to more than 150 000 wheels each —

The SPEAKER — The member's time has expired.

Crime statistics

Mr BURGESS (Hastings) (09:45) — I would like to put on the record my condemnation of the Andrews government. Since they were elected in 2014, common assaults are up 38 per cent, rape is up 20.82 per cent, sexual offences against children are up 56 per cent, aggravated robbery is up 24 per cent, non-aggravated robbery is up 85 per cent and aggravated burglary is up 43 per cent.

Ms Neville interjected.

Mr BURGESS — And we are getting, unbelievably, heckled by the Minister for Police, who is under investigation. That is just incredible.

Government performance

Mr BURGESS — Over the past four years I have visited the majority of electorates across Victoria, many of them numerous times, to meet and talk to many hundreds of small and medium-sized businesses. Often it is not what they say that you learn from; it is what they do not say. Numbers of these businesses described how they had met with their local MP and a few had even met the minister, but the feeling they were given was that they were expected to sit there and listen while the MP and/or minister spoke.

There are basically two types of MP: ones who believe they were elected by their community to represent their needs in government and others who believe they were elected by their party to do their job and run their government's line with their community. From observing them in here and talking to people in their electorates, it is clear that the majority of Labor MPs are of the second type, and I have no doubt that comes from their union upbringing.

Bayside Christian College

Mr BURGESS — I want to acknowledge Bayside Christian College, Langwarrin. On 12 September I was pleased to be invited to address year 9 Bayside Christian College students, which was great fun because it was about the role and responsibilities of a member of Parliament. I get a real buzz out of meeting with students and telling them about the role of an MP —

The SPEAKER — The member's time has expired.

Airport West Football Club

Mr CARROLL (Minister for Industry and Employment) (09:47) — 'Extraordinary. Remarkable. Unthinkable' — that is how the *Moonee Valley Leader* newspaper described the Airport West Football Club's premiership win over Tullamarine in the Essendon District Football League division 1 grand final on Saturday, 8 September. It was a game for the history books. After trailing by 46 points at half-time, Tullamarine made a comeback during the third quarter, booting 9 goals, 5 while holding Airport West scoreless to grab a six-point lead at three-quarter time. But coach Geoff Maddern's men responded with the determination the club is known for, defeating Tullamarine 107 points to 94. It capped off a historic day at Windy Hill with the division 1 reserves also beating Taylors Lakes. Taking home one flag is wonderful; two flags is brilliant.

The celebrations continued back at the club and were a great prelude for the gala celebration night. I had the pleasure of attending and presenting Bior Malual with his best and fairest medal. Congratulations to Graeme Marr, awarded Best Club Person, and also congratulations to Rob Smith. I am proudly wearing the Airport West club tie today, Speaker, in the Parliament. Thank you, Rob, for your wonderful job as a football administrator.

Jesse McVeigh was elevated to life membership, richly deserved, joining his brother Ricky, who gave an outstanding speech on what the club means to him and his family. From president Pauline McShanag down, to the mums and dads in the junior teams, to Nick Murphy on social media and all the volunteers, this is a wonderful club that should be very proud. They should also be very proud, though, of what they do in NAIDOC Week every year. They are a leader in the community, a leader in the Essendon District Football League. They recognise our Indigenous Australians and the club helps make our local community even better.

Surf Coast Secondary College

Mr KATOS (South Barwon) (09:48) — On Thursday, 13 September, I was pleased to attend the Surf Coast Secondary College school production of *The*

25th Annual Putnam County Spelling Bee, a lighthearted and humorous look into the world of spelling bees, which was done to great success. It comprised various year levels and the school should be very proud of an excellent production. Well done to the entire school community, especially principal Scott Diamond, director Adelaide Gray, the band and the extensive crew. I would also like to congratulate the main actors Maya Supple, Levi Watson, Meg Bauerle, George Oakley, Max Neal, Charlotte Polwarth, Isabel Pekin, Hayley Isaacs and Finn Henderson, as well as the entire ensemble for a terrific show.

Modewarre Football and Netball Club

Mr KATOS — I would like to also congratulate Modewarre Football Club on their maiden premiership win over Barwon Heads, 93 to 46, in the Bellarine Football League. Not content with just winning the football, the Modewarre A-grade netball team also took out the premiership against Geelong Amateurs, 34 to 30. It was another great performance by both teams. Unfortunately the senior men's reserves lost by one point in a very thrilling game. Congratulations to the entire club — players, friends and supporters.

Recreational water users

Mr KATOS — Last week I was pleased to stand with the Leader of the Opposition and the Liberal candidate for Bellarine, Brian McKiterick, and members of the Torquay Angling Club as we discussed the positive impacts that the Liberal-Nationals Blue Infrastructure Fund will have on the local community and Victoria. The fund will see first-class infrastructure and services for recreational water users, like more boat ramps, jetties and navigational lighting, as well as onshore facilities such as bigger car parks and cleaning tables being built and maintained. All the proceeds collected from boating fees will be put into improving facilities for the boating community.

Education State

Ms GRALEY (Narre Warren South) (09:50) — The slogan is on the car numberplates for everyone to see: Victoria the Education State. It means every student at every school, irrespective of their postcode, background, ethnicity, gender or sexuality, will receive a quality education. It is all about equity and excellence, and the Andrews Labor government is achieving that with record investment across the sectors — Catholic Education Office take note.

Labor has invested $3.8 billion in Victoria's school infrastructure since being elected. More than 1300 school upgrades and 70 new school projects are being rolled out across the state, and I must mention the 10 new tech schools — state-of-the-art facilities for world-class learning. An array of innovative curriculum and student wellbeing programs is up and going, including the primary mathematics and science specialists initiative; Respectful Relationships, the Victorian anti-bullying and mental health initiative; and a favourite of mine, the Victorian Independent Office for School Dispute Resolution. And we have got the best NAPLAN results ever.

I would like to take the opportunity to commend the Minister for Education, a very determined leader. I say a big thankyou to the true believers on Team Merlino. I admire you as amazing young people, and it has been a pleasure to work with you, Ilsa Coulson, Beth Poulter, Libby Buckingham, Paul Frayne, Chris Carpenter, Ash Munoz and Sinead Mildenhall. Your commitment to our young people in our schools means they will have happier, healthier and more successful lives. Again, a big thankyou.

Ron Philpott

Ms McLEISH (Eildon) (09:51) — Ron Philpott passed away in Yea surrounded by loved ones on 8 September. A large group of Murrindindi locals attended his funeral service at the Murrindindi-Woodbourne Community Hub, which included a Country Fire Authority (CFA) guard of honour. A passionate CFA volunteer since 1986, Ron was a member of the Highlands, Glenburn and Murrindindi-Woodbourne brigades, becoming captain of Murrindindi in 2002.

Living hundreds of metres from where the Marysville fire started on Black Saturday, he was first to call in the blaze over the radio. But despite evidence of electrical faults, within a week of the fire, police claimed that arson was the cause and began investigating Ronnie. Political leaders were shamefully quick to latch onto the investigation, with Kevin Rudd speaking of 'mass murder' and John Brumby and Mike Rann declaring arsonists to be terrorists. For two and a half years Victoria Police doggedly pursued their theory, which they dumped in 2011.

A small statement exonerating Ron was issued years later, but no public apology on behalf of the government was ever forthcoming. In 2014 Ron was awarded a National Emergency Medal for his service during Black Saturday. Fittingly, at his funeral he requested donations to the CFA in lieu of flowers.

Government performance

Ms McLEISH — The behaviour of the Victorian Parliamentary Labor Party, whilst astonishing, is believable because time and time again their actions reveal their true colours. On one hand they try to hide behind the veil of secrecy and privacy, such as during the red shirts rorts, while on the other hand they show little regard for the privacy of others. We saw them reveal private details of staff employed in the former Napthine government and then again try to embarrass the Leader of the Opposition.

Diabetes at School

Ms HALFPENNY (Thomastown) (09:53) — On 12 September I attended the celebration of the launch of the new guidelines, policy and development of training tools for schools to support students with type I diabetes. This was initiated by a number of parents who have children with type I diabetes who had difficulties while at school. Many parents have been raising these problems for many years and originally met with then Department of Education representatives during the Liberal-National coalition's time in state government. They got nowhere.

I am so proud of these parents, who have never given up in their efforts to change the system. A number of the children are now at university or have left school and are working full-time. However, these parents have continued to fight to ensure things are better for children in future, and now I believe they most definitely will be. I want to thank Julie Merritt, Kerrie Treveitt, Kerry Allen, Lisa Oro, Shannon MacPherson and Andrea Smith for their perseverance, determination and invaluable suggestions and comments to formulate and achieve the new Diabetes in Schools guidelines and policy. Their hard work and effort will now ensure students with diabetes have equal opportunity to participate in all aspects of school life, whether it is school camps, school excursions or sport. The Labor Minister for Education has made this happen together with great support from Libby Buckingham in his office.

The finalisation of this policy and these guidelines does not mean we can do nothing; we have got to continue to —

The SPEAKER — The member for Gippsland South.

Gippsland South electorate football

Mr D. O'BRIEN (Gippsland South) (09:54) — Spring means footy finals time, and clubs in the Gippsland South electorate have been dominant over the past two weeks. I wish to congratulate Yarram Football Netball Club on its maiden North Gippsland Football Netball League senior premiership last weekend. The Demons have been strongly competitive since entering the league from the Alberton league in 2014 and, after losing last year's grand final, made amends this year with a strong win over Churchill. Yarram also won the reserves, while Rosedale won the A-grade netball. Congratulations to all clubs.

In the Ellinbank league Nyora was the stand-out team all season but looked in trouble in the low-scoring grand final against Longwarry before steadying the ship to record a 4-point win. Well done to all at the Saints on a fantastic season.

This weekend is the culmination of the Gippsland League, and my team, Leongatha, will meet the member for Gippsland East's Maffra in the big dance for the third successive year. The score is one-all, so good luck to the Parrots this weekend.

Drought assistance

Mr D. O'BRIEN — Drought is tightening its grip in central and East Gippsland, and it was good to have the Leader of The Nationals, the member for Murray Plains, in the region last week to sit with farmers and hear their concerns firsthand. A number of issues were raised with us, including the need to speed up the approval process for authority to control wildlife permits, as kangaroo numbers get out of hand and eat precious grass, as well as the need for flexibility with groundwater licences to allow farmers to get the water to where it is needed. I again call on the Premier to visit our region to see the issues firsthand and to ensure government is responsive to the moderate requests our farmers are making.

Newcomb Secondary College

Ms NEVILLE (Minister for Police) (09:56) — On Tuesday, 11 September, I had the pleasure of announcing that a re-elected Andrews government would deliver a $6 million upgrade of Newcomb Secondary College. Joining me was the highly respected principal, Phil Honeywell, and student representatives Zoe Bell, Luka Binks and Presley Johannesen. This funding would completely upgrade the school's maths, music and technology wings.

Newcomb is the zoned school for students living in Leopold. Currently these students make up about a third of the school population. The school has the capacity for 1370 students, and with 431 now attending there is significant scope for the school to meet the future needs of Leopold. In recent months I have discussed these needs with a number of active Leopold parents, led by Joshua Robins. Although they were initially hesitant about Newcomb, having met with the school leaders to discuss their concerns, view firsthand the school in operation and learn of the great programs on offer, it is accurate to say these parents are now very much in support of Newcomb Secondary College. I commend the work of Joshua and the other parents for the open and positive steps they have taken in addressing their concerns.

Of course we have the great Leopold Primary School as well, which we completely rebuilt back in 2002 and are now also upgrading with a further $3.2 million upgrade. So the community of Leopold have access to some of the best education, and this $6 million will ensure Newcomb Secondary College is at the standard that it needs to be.

Drysdale bypass

Ms NEVILLE — Also on Monday I was very pleased to turn the first sod on the Drysdale bypass, which will be an extraordinary outcome for the local community down there, freeing up High Street through Drysdale and creating better connections to Portarlington.

Prahran electorate

Mr HIBBINS (Prahran) (09:57) — I love living in the Prahran electorate. It has been my home for a decade now. Our shared commitment to values like diversity and equality is what makes it such a special place. When I was elected as one of the first Greens MPs in the lower house I had three local priorities: to make sure the new Prahran High School went ahead, and that is opening next year; to upgrade South Yarra station, which we finally got funding for this year, and we are still fighting for that connection with Melbourne Metro; and to care for people most in need, and our public housing tenants have now had their kinder upgraded and security doors installed on their homes.

In Parliament my Greens colleagues and I have fought and won on dying with dignity laws, a renewable energy target, a ban on fracking and better rights for renters. As a community we have achieved so much together, but there is still more to do: developing a long-term plan to transform public transport by investing in trains and trams rather than tollways; increasing renewable energy and cutting bills by putting solar and batteries on homes and schools; improving housing affordability by building more public housing, not selling it off; protecting our environment for future generations by ending logging of our native forests; and reducing waste. With your support we can do all this together, so I look forward to continuing to keep Prahran livable, holding the other parties to account and fighting for a future for all of us. Let's keep it going.

Could I just put on the record my sincere thanks to all my electorate staff in my office. They work really hard. They do a great job, and I want to put on the record my sincere thanks to them.

Northern Football Netball League

Ms WARD (Eltham) (09:59) — Congratulations to the Lower Plenty Bears on winning the Northern Football Netball League division 2 grand final this weekend. The Panthers led the Bears on this blustery day for three quarters; however, Lower Plenty put in a strong fourth quarter and secured the winning goal as the siren sounded. A shout-out to captain and best on ground, Patrick Flynn, coach Ben Turner and the rest of the successful team.

The Eltham reserves resoundingly won the division 2 premiership against Diamond Creek on Saturday. Congratulations to all at this terrific club, including best on ground, Thomas Burns, and Luke Russell and Matthew Lillie for their exceptional efforts. The member for Yan Yean owes me 20 bucks, thanks to our bet on the game.

This Saturday I wish the Montmorency under-19s all the best in their grand-final encounter against Macleod — go Mont!

Country Fire Authority Eltham brigade

Ms WARD — Saturday was a lovely, friendly and informal night at the Eltham Country Fire Authority (CFA) brigade 2018 awards presentation, a great evening acknowledging the outstanding work of the Eltham CFA volunteers and honouring the achievements of individuals within the brigade. Congratulations to the firefighter of the year award winner, James Morrison, and fellow nominees Andrew Heath, Matt Thomas, Andrew Stein and Brian Dalton. I congratulate the following brigade members on their achievements: recruit of the year, Andy Gammon; operational member of the year, Brian Dalton; and encouragement award winner, Nick Collinson. Thank you to the following for their service: Cam McCormick

and Jackson Riley for five years; Anthony Owen for 10 years; Rhett Hoyne for 15 years; and Guy Bishop and Brian Dalton for 20 years. It was a wonderful effort by Evan Thomas for the 40-year class and Greg Heaven for his brigade life membership. I wish all my CFAs the best for the upcoming fire season.

Stillbirth Foundation Australia

Ms WARD — Congratulations to Simon and Sally Heppleston of Montmorency for their tireless — some would say marathon — efforts in fundraising for the Stillbirth Foundation Australia over the weekend. Over the weekend Simon ran the Berlin marathon, completing it in the remarkable time of 3 hours, 21 minutes and 8 seconds. This effort has raised more than $23 000 for the Stillbirth Foundation Australia. I commend their dedication to this important cause and thank the Montmorency community for their support of this lovely family.

Felicitations

Ms WARD — Thank you to my staff for their support and friendship over the last four years, and I thank everyone in this place.

Essex Heights Primary School

Mr GIDLEY (Mount Waverley) (10:00) — I rise in the Parliament to congratulate Essex Heights Primary School for their continued participation in communicating with the International Space Station (ISS) through the Amateur Radio on the International Space Station (ARISS) program. Through this program students learn about life on board the ISS and explore Earth from space through science and mathematics activities. The experience is invaluable in developing knowledge and encouraging student participation in these areas. When I attended Essex Heights Primary School I could see the community was so excited to have that opportunity. I thank and acknowledge Essex Heights Primary School principal, George Perini, and Jenny Austin, who has been so committed and dedicated to this project.

I also want to acknowledge and thank ARISS, which provides these opportunities for our school communities to become more aware of the substantial benefits of human space flight and the exploration and discovery that occurs during these journeys, along with learning about radio technologies. Those involved with ARISS are volunteers and commit their valuable time and resources for the benefit of school communities.

Mount Waverley electorate planning

Mr GIDLEY — Today in the Parliament I again call on the Andrews Labor government to reverse its terrible planning changes that are causing massive overdevelopment in quiet residential streets in Glen Waverley and Mount Waverley. Over the last 12 months the Andrews Labor government has changed state planning laws to increase the maximum building height of residential buildings to 11 meters and remove any limit on the number of dwellings that can be built on a property. These and other changes to residential planning zones introduced by the state Labor government are delivering significant overdevelopment in Glen Waverley and Mount Waverley. I have campaigned against these changes, as so many quiet residential streets in Glen Waverley and Mount Waverley were simply not designed to have so many houses crammed into them as these are under these laws. I am pleased that the Victorian Liberal-Nationals have committed to reversing these horrible planning changes if we are given the privilege of being elected to government at the November 2018 state election.

Melbourne Airport rail link

Ms SULEYMAN (St Albans) (10:02) — Last week I joined the Premier and the Minister for Public Transport in Sunshine in my electorate to announce the opening of expressions of interest to build the airport rail link. We will build a super-hub station at Sunshine. This is a game changer for the west, connecting Sunshine and the west to Victoria and the world.

Labor has a proven track record when it comes to building infrastructure in my electorate of St Albans. We have removed the level crossings at Main Road and Furlong Road in St Albans, we are building the new $200 million Joan Kirner Women's and Children's Hospital, we are investing $29.3 million directly towards building a new emergency department at Sunshine and of course we are investing a record amount into education, upgrading and building new schools in my electorate. But we are also building the Metro Tunnel, unlocking the city loop so we can have more services, and if re-elected, we will build the Suburban Rail Loop so you can jump on the train from Sunshine and go all the way to Cheltenham.

The Labor government is making things happen, and there is much more work to be done.

Turkish Museum of Australia

Ms SULEYMAN — On another matter I would like to congratulate Mr Kemal Benli of the Turkish

Museum of Australia. He is the chairman and founder of this fantastic collection, from which an incredible exhibition is being held in Queen's Hall this week. It has a number of items, historical and cultural artefacts, dating back to the 10th and 11th centuries — 900 years worth of pieces. I thank him for his collection.

Government performance

Mr BLACKWOOD (Narracan) (10:03) — On 24 November Victorians will have a choice between a Greens-Labor coalition and the Liberal-Nationals coalition. There are massive risks for all Victorians if the outcome is a Greens-Labor coalition. Over the last four years the Andrews government may not have been in formal coalition with the Greens, but many of the decisions they have made have been in response to the ultra-left ideology of the Greens and the risk they pose to preference deals Labor need and the seats they hold.

Putting it simply, the Premier has tried to out-green the Greens in his desperate bid to stay in power. Premier Andrews has sold out the very people who elected him — hardworking Victorians and their families. And guess where most of them reside and work? That is right: country Victoria, in the main the Latrobe Valley. Hazelwood closed as the ageing plant was priced out of the market by massive increases in coal royalties — 4000 direct and indirect jobs trashed. And why? To please inner-city Melbourne voters — voters who will never feel the pain of the decisions they have imposed on country communities.

But wait, there is more to come if a Greens-Labor coalition is elected to govern in November. The Yallourn power station will close within five years — another 4000 direct and indirect jobs trashed — bringing to 50 per cent the reduction in baseload power at the hands of Premier Andrews. Now plans to shut down the Victorian native forest timber industry will shed another 20 000 jobs in country Victoria. It is a disgrace that this Premier, with such close links to the union movement, is prepared to sacrifice the financial and social wellbeing of country communities for his own political gain.

Every Opportunity initiative

Mr LIM (Clarinda) (10:05) — It is estimated that nearly 100 000 Victorians are blind or have low vision and that this number will continue to rise as our population ages. It is well known that people with a disability still remain significantly underrepresented in Australian workforces. Forty-five per cent of Australians with a disability live at or below the poverty line. This is unacceptable and largely due to people with disability facing multiple barriers to employment, which restricts economic participation and independence. I am proud of our government's Every Opportunity initiative. We have set a target of 6 per cent employment of people with disability across all Victorian government departments by 2020, increasing to 12 per cent by 2025. We are taking action through public sector employment and government procurement and through strong partnerships with Victoria's community and private sectors.

I hope that we can build on our work in procurement to mandate AS EN 301 549 — the standard that exists to guide the procurement of accessible information and communications technology within the Victorian public sector. I also hope that we can work to ensure that Victorians with a disability are not disadvantaged by the growing challenges of the national disability insurance scheme and can investigate maintaining and expanding the multipurpose taxi program card, introducing audio announcements on buses and the quality of audio announcements on trains.

Shepparton bypass

Ms SHEED (Shepparton) (10:06) — It was great to have the opportunity to host a deputation from the Shepparton district yesterday to meet with the Minister for Roads and Road Safety at Parliament House. I was joined by Greater Shepparton City Council mayor Kim O'Keeffe, CEO Peter Harriot, chair of the Shepparton Bypass Action Group Peter Johnson, general manager of Kreskas Bros Transport Peter Hill and Committee for Greater Shepparton CEO Sam Birrell to continue our advocacy for the much-needed first stage of the Shepparton bypass.

This is a huge project that will require federal funding on what is part of the Melbourne to Brisbane national highway. Stage 1 alone is expected to cost $260 million, but the value to the region is immeasurable. The Shepparton district is a powerhouse of agricultural production across dairy, horticulture and mixed farming. It is also a major centre for transport logistics and has one of the highest concentrations of food processing industries in this country within its boundaries.

Felicitations

Ms SHEED — I arrived in this place four years ago knowing very little about the operations of Parliament, and all my staff were in the same position. We have learned so much and achieved so much. I would like to thank them for their incredible support to me in my electorate office, out in the community and here at Parliament. It has been a great privilege to serve on the

crossbench here and be able to work with the government of the day to achieve amazing outcomes for the Shepparton district.

Lord's Prayer

Mr PERERA (Cranbourne) (10:08) — In 1966, 88 per cent of Australian people identified as being Christian. By 2016 this had fallen to 52 per cent. Over the same period people with no religion have grown from 0.8 per cent to 30.1 per cent. Today the most popular form of identification is no religion, well ahead of those who are Catholic. In Victoria only 53 per cent have declared their religion as Christian. In 2014, 31 members of the Victorian Legislative Assembly took the affirmation — that is, 35 per cent.

The mantra here in the Parliament is multiculturalism is bipartisan and all parties support multiculturalism. Religious diversity is linked to multiculturalism; nobody can dispute that. Parliament should reflect the diversity of the Victorian community — the diversity of faith and spirituality — and also should recognise non-believers. Therefore, in my view, reciting the Lord's Prayer every sitting day is very hypocritical of all those who stand tall as supporters and defenders of diversity. First and foremost, Australia is a secular society. Our parliaments are secular parliaments. Since the European civilisation of Australia our country has been run as a secular society. We have no state religion, and the founders of the country planned it that way. This practice should never have existed at any time in history. Members of Parliament should wake up to reality and recite a prayer that reflects their duties as representatives of the Victorian community.

South-West Coast electorate

Ms BRITNELL (South-West Coast) (10:09) — Since joining this place three years ago I have been blown away by what can be achieved when a community gets together and advocates strongly to get things done. In South-West Coast we have seen time and time again what happens when we band together and have a strong and active local member. We had $15 million committed to our cancer centre, a project the now Premier said would never happen. We banded together and shamed this government into fast-tracking the brand-new special development school in Warrnambool. That money arrived six months early because of the pressure applied, and the build is well advanced. We fought hard and saved Portland Aluminium from closing with the assistance of the federal government, and we have made plenty of noise to ensure our roads are properly funded. There is more work to do, but there has been a start, and it was only because the community said, 'Enough is enough'. It is the same with the Warrnambool rail service — the worst in the state at one point, completely ignored by those on that side of the house. But once again we started making noise and rattled the cage, and we have a planned upgrade for the line, and the federal government's money is contributing to the majority of this.

From Nelson to Warrnambool, and up to MacArthur and Caramut, I have worked one on one with my constituents to achieve life-changing results for them. Many times it took persistence and determination, but I do not give up and do not rest until it is done. It has been an absolute honour to stand up in this place for the people of South-West Coast during the 58th Parliament, but I am not done yet.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed from 19 September; motion of Mr SCOTT (Minister for Finance).

Mr DIMOPOULOS (Oakleigh) (10:11) — I am pleased to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. I think the Minister for Women, formerly the Minister for Local Government, last night said that it was probably one of the longest names of a bill that we have had for a while. It is such important legislation though, because it improves the governance framework and the strength of the independent regulator, effectively the regulator that deals with Victorians' essential services. This government, as other speakers have said, completed a review of the Essential Services Commission Act 2001 in December 2016. The government's response was tabled in the Parliament in the first half of 2017. The review looked at improving governance arrangements and other procedural and administrative arrangements.

Probably the biggest change the bill is proposing is to replace appeals panels that are currently provided for under the act with a review jurisdiction conferred on the Victorian Civil and Administrative Tribunal, which is consistent with many other appeals processes in the Victorian jurisdiction. The bill will enable the minister to nominate a person to act as acting chairperson in the absence of the chairperson or a vacancy in the office,

which makes absolute sense and probably should have been put in the initial bill. The bill clarifies that the Essential Services Commission (ESC) has a function of reporting on the market structure and performance of regulated industries. This is required under enabling legislation. It also provides for a further review of the act to be completed by the end of 2026.

The bill contains a range of technical changes, but they are really important ones, because the ESC is an organisation, I would hazard a guess, which has very little visibility in the community, but the industries it seeks to provide regulation for have high visibility in the Victorian community, whether they be the energy power companies or commercial passenger vehicles. Last night I think the Minister for Women also talked about the Fair Go Rates system. Both industry sectors and regulatory bodies provide an important service to Victorians. The ESC has coverage of all those and it has a mandate to develop reports on how markets operate; deliver price determinations, as we saw with the feed-in tariff decision earlier this year; produce compliance assessments and audits; and take enforcement actions. It is a really important authority in the state apparatus.

I want to focus on a couple of examples of the importance of it. Last night the minister talked about the Fair Go Rates system. I was in the chair and I was very pleased to be there to listen to the minister's contribution because it is a prime example of the importance of this regulator and explains why strengthening the regulator through this bill is important. The Fair Go Rates policy effectively — in my words, not those of the Minister for Aboriginal Affairs, a former Minister for Local Government — sought to put a downward pressure on rates. It was an issue that was screaming out for attention for a long, long time, as there was such a difference in the rates applied by different councils. I think you, Acting Speaker Carbines, when you were speaking on this bill, referenced your experience as a local government councillor and spoke of how easy it really is when you are finding it a pressure in dealing with a whole bunch of demands in local government to just increase the rates. It probably is a default option for some councils and we saw that with extreme rate rises. I remember that there were rate rises in some councils in excess of 9 per cent in one year alone. They then stepped down to 7 per cent or 6 per cent but over the four-year cycle there were rate increases of over 20 per cent — way beyond the CPI.

Mr Gidley interjected.

Mr DIMOPOULOS — I will pick up the interjection by the member for Mount Waverley who says that Monash increased them. That is right; Monash did. In fact, the minister yesterday referenced Monash as the only council that applied for an exemption because of the waste issues that were confronting the local government sector generally. Monash never had what many other councils had, which was a differentiation in the rates notice between the rates and the levy charge. They were all bundled into one. Monash, as the minister said, put up a compelling case, had done community consultation and, through an Essential Services Commission review, it got an approval. I think that proves the point. Only one council did that but nonetheless that council had a good case and it went forward.

The rates bill is probably the biggest single bill that many families will receive in the course of the year, so having a regulatory body that oversights or puts downward pressure on that is important. I think it is a successful policy in relation to rates.

The other bill that is obviously a big impost on families generally and has been for the best part of a decade really, as the member for Essendon said, is the power bill. I am really pleased that we are not only strengthening the regulator that has some coverage and a role to play with energy prices but that we have done a lot more than that as a government. Other than strengthening the regulator, we sought the John Thwaites review. Three people were involved in that review, but in shorthand it is known as the Thwaites review. That review showed that, amongst other things, the retail part of the energy system was in effect the price-gouging part of the system. The rest of the system seems to be operating well but the retail arm has a fair bit of work to do, and that is where this government has already taken some action and will continue to take action.

The action we have already taken is to provide a greater sense of market knowledge. You cannot make choices as a consumer if you do not have the knowledge. We have set up our independent government website, the Victorian Energy Compare website, which effectively does not favour any energy provider. You cannot get to the top on the search engine because you pay extra money to the government. The energy providers are all equal and are benchmarked on the search parameters input by the customer. I have used the Energy Compare website both for my parents and for myself and my partner and it has been extraordinarily beneficial.

So we have done that. We are also deepening supply in the energy market. We were the first government in Victoria's history, and one of the leading governments around the world, to actually invest in policy terms through the first-ever climate change act and carbon emission targets and to actually invest in the clean energy market through the reverse auction scheme that was referenced in question time in the last couple of days. We are supporting good, innovative projects in my electorate; for example, one of many will be the Monash University microgrid program where Monash University, across its entire campus, will try to capture energy information to better utilise that for building efficiency.

We do things like that, but the most profound change in the last few weeks — I think the member for Bentleigh said it was a game changer — was the 650 000 houses that are potentially eligible for the solar panel scheme. That is a profound change in the energy mix in this state, and I cannot wait until next July, I think it is, when consumers will be able to go into solar panels without an up-front cost.

They are some of the big initiatives this government has been involved with, with an essential service being power prices and power provision, but we are also strengthening the regulator, that is, the Essential Services Commission. It does a whole range of other work, the Essential Services Commission, not just with the energy market but also with commercial passenger vehicles and the fares they charge and a whole range of other things — the essential services that every Victorian relies on. In a sense it is a bit of a circuit-breaker between the excesses of the market and the needs of the consumer and the taxpayer. I am pleased that we are supporting this commission. I commend the bill to the house.

Ms SULEYMAN (St Albans) (10:22) — I am also pleased to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. I echo the sentiments of by the member for Oakleigh that this is a fantastic opportunity for us to regulate and further empower the Essential Services Commission (ESC). This follows from a review conducted by the Andrews Labor government. The review was conducted with a number of consultations with various stakeholders. The review concluded that the Essential Services Commission was working very well as an economic regulator but found there were some areas that needed to be strengthened, including the improvement of governance, procedural and administrative arrangements.

The bill proposes to replace the appeals panel established under the act with a review jurisdiction conferred on VCAT. The bill also enables the minister to nominate a person to act as acting chairperson in the absence of a chairperson or a vacancy in the office. It streamlines the process to clarify that the Essential Services Commission has the function of reporting on the market structure and performance of regulated industries.

We have heard about the very important responsibility of the ESC, from energy, water and power companies to local government and of course administering rate capping. We have heard about, as the member for Oakleigh has just said, the Fair Go Rates system for Victorians. In particular in my electorate of Brimbank, where we do have everyday pressures, whether it is your rates or your bills, we need the Fair Go Rates system. I commend the Andrews Labor government for introducing this system because there were unfortunately some councils that were going beyond the means of their ratepayers and there were a number of ratepayers and constituents that were not able to keep up with the rate increases. But now with the essential services commissioner there is an absolute, responsible cap which allows ratepayers to understand what kinds of rates they are paying, and that they are in line with the CPI and day-to-day living costs.

This bill will make sure that the cost-of-living pressures that I know exist in my electorate of St Albans are eased, that rates are fair and that there are options and effective policies in place for local government so that councils do understand when it comes to spending and forecasting expenditure that that needs to be within their means and within community expectations as well. We cannot have councils — and unfortunately there have been some in the past — going beyond their means; we have seen some councils operating for over a decade without any form of capping or any form of a border on spending and raising rates in their municipalities.

As previous speakers have said, the Essential Services Commission is unseen, but it is critical and plays a very vital role in areas ranging from electricity energy to local government and in making sure that the appropriate procedures and administrations are in place.

I also note the recent announcement by the Andrews Labor government of the solar panel scheme. What a fantastic announcement that has been. I know that many residents in my electorate have taken up the scheme. Not everybody can afford an upfront payment, and this Labor scheme gives people, including those in

my community, the opportunity to access the scheme. The government pays 50 per cent of the cost, and people can pay the other 50 per cent in instalments over time. It is really important to note that among my constituents in St Albans this has been extremely warmly welcomed, and I am looking forward to the continuing rollout of this important scheme to the rest of St Albans and Victoria.

Mr Dimopoulos interjected.

Ms SULEYMAN — Absolutely. As my colleague the member for Oakleigh has just said, it does apply to hot-water systems as well. This is the only government that has done this. When you look at the Andrews Labor government and the schemes, incentives, programs and support that it has introduced, it cannot be matched by any other state across Australia. We are leading the way when it comes to providing the appropriate support mechanisms to our communities not only in metropolitan Melbourne but also in regional Victoria.

I just want to reiterate, as previous speakers have said, that this bill deals with an essential part of the lives of everyday Victorians, but it is also making sure that the governance, the procedures and administrative arrangements are in place. It is strengthening the regulator, promoting long-term interests of course, making sure that we have respectful prices and that quality and reliable essential services are available to all Victorians. This bill will also regulate the Victorian energy efficiency target scheme, which aims to reduce greenhouse gases by making energy efficiency improvements much more affordable to consumers.

As I said previously, the review undertook pretty specific consultations with key stakeholders. It included the industry, government departments and agencies, and consumer agencies and organisations. This was really an opportunity to seek opinions and make sure that we have the right structures in place. This was also broadly supported by government, and all recommendations were accepted. There has been broad-based support and consultation to improve the Essential Services Commission, the regulator of Victoria's energy, water and transport sectors, including local government and other agencies, and more importantly to provide good structural outcomes for all.

To conclude, I commend the minister for introducing this bill and making sure that the regulator has the appropriate mechanisms to keep the balances and checks for our essential services throughout Victoria. It will also ensure that the Fair Go Rates cap is monitored and assessed each year so that rates in our municipalities are not over the top but remain within the CPI and that local governments operate within their means and keep the rates down so that they are affordable for residents in the City of Brimbank, keeping in mind the cost-of-living pressures on families in my electorate. I commend the bill to the house and commend the work of the Essential Services Commission.

Ms THOMAS (Macedon) (10:31) — It is my pleasure to rise this morning to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. The proposed changes aim to improve the operation of the Essential Services Commission Act 2001 and the Essential Services Commission (ESC) and implement the government's response to the review of the act.

In 2016 a review of the Essential Services Commission Act was conducted in accordance with the requirements of section 66 of that act. The bill implements several of the recommendations of the review, including replacing appeal panels established under the act with a review jurisdiction conferred on the Victorian Civil and Administrative Tribunal; enabling the minister to nominate a person to act as chairperson in the absence of the chairperson, or in the event of a vacancy in the office; clarifying that the Essential Services Commission has the function of reporting on the market structure and performance of regulated industries if this is required under enabling legislation; and providing for a further review of the act to be completed by the end of 2026. The bill also makes a range of statute law revision amendments to the act.

The Essential Services Commission is of course an independent regulator that promotes the long-term interests of Victorian consumers with respect to the price, quality and reliability of essential services. The ESC regulates Victoria's energy, water and transport sectors and administers the Andrews Labor government's very successful Fair Go Rates system for the local government sector.

The ESC also regulates the Victorian energy efficiency target, now known as the Victorian Energy Upgrades scheme, which aims to reduce greenhouse gases by making energy efficiency improvements more affordable for consumers. It is important to note that no government ever in the history of this nation has done more to positively reform energy markets than the Andrews Labor government. We have been resolute since we came to power in 2014 in our commitment to both transform the energy market away from emissions-intensive brown coal — the dirtiest coal you can find — to a vibrant, thriving renewable energy

sector, and at the same time working to drive down prices.

We have had a comprehensive energy plan the likes of which have never been seen in this nation, and I might say it is opportune to reflect on the paucity of policy from the current Morrison government. What a disgrace it is in Canberra. The upcoming Council of Australian Governments meeting has been cancelled. Do we have a national energy policy? No, we do not. The National Energy Guarantee, which the Andrews Labor government opposed for a range of very good and solid reasons, was opposed by those in Canberra who had nothing in mind other than to roll an incumbent Prime Minister. That is what their opposition to the National Energy Guarantee was about. So here we are in 2018 and we do not have an energy policy in this nation, and the forum at which an energy policy could be agreed to has been cancelled by the illegitimate Prime Minister, Scott Morrison.

In contrast, this government has been working very, very hard. We introduced ambitious renewable energy targets: 25 per cent of our electricity generation will come from renewables by 2020 and 40 per cent by 2025. Let the record reflect in this, the last contribution that I will make in the 58th Parliament, that the Liberal-National opposition intend to ditch those targets. It is vitally important that the people of my electorate understand this very, very clearly because the Macedon Ranges is one of four or five shires that has the highest take-up of solar panels anywhere in Victoria. My community loves renewables. They are right behind this government. They are right behind our commitment to those targets for renewable energy. It is important that they understand that a Liberal government would ditch those renewable energy targets. They have nothing in its place. They have no energy plan. We have a plan to grow renewables and to drive down prices. We have got our renewable energy targets.

We have also just seen the hugely successful reverse auction. I congratulate the Minister for Energy, Environment and Climate Change because, as I said, she is leading policy development in this state. I might not have this quote absolutely correct, but I did see — I think it was even in one of the Murdoch papers, or perhaps it was the *Australian Financial Review* — they said about our minister for energy that she might have been 'the smallest person in the room' at the ministers' council meeting but she had the biggest ideas. She had the biggest ideas and made the biggest impact. Absolutely. So I congratulate our minister for energy on all of the work that she has done and continues to do. We have had the hugely successful reverse auction. That reform of ours was initially expected to deliver 650 megawatts of renewable energy but that goal has been smashed, and the auction is instead going to deliver 928 megawatts of renewables — almost 45 per cent more power than originally anticipated. Those projects will generate $1.1 billion of economic investment in regional Victoria. Can you believe that in the face of this fantastic news that those on the other side of the house condemn this process? They have not got one single policy idea in this space. They are opposed to renewables. They will get rid of our energy targets. We all know what happened under the Baillieu-Napthine governments: the wind industry in this state was smashed and destroyed. Whereas our $1.1 billion economic investment is going to create more than 900 jobs, including 270 apprenticeships and traineeships.

So I for one am very, very pleased with the results of our innovative reverse auction scheme, and I can tell you this: so are the members of my community in Macedon. Indeed the more those on the other side want to talk about how they want to ditch our renewable energy targets, the better, because they are totally out of step with the Victorian community and the aspirations of people across this state and particularly in my electorate. I did want to let you know that the Hepburn shire, again in my electorate, is the first shire to sign up to be a shire of zero net emissions through our government's TAKE2 initiative. Hepburn Shire Council, the Coalition for Community Energy, Hepburn Wind and Sustainability Victoria have partnered together. We have invested $81 000 in this pilot. I have got to tell you the results are fantastic. When you invest in communities and you give communities the tools to make their own decisions about how to best drive down emissions, so much innovation flourishes, and that is what we are seeing in Hepburn. I anticipate continuing to support everything that the Hepburn shire is doing to achieve zero net emissions. Indeed the Macedon Ranges Shire Council are keen to follow in their footsteps.

In conclusion, it is probably also important to mention the Victorian Energy Compare website. That has been a hugely successful initiative of this government. It has been my pleasure to host a couple of sessions in my community, including with pensioners, to help them access the best energy deals for themselves, using our easy-to-use Energy Compare website, and they are getting their $50 bonus for going online. We are working to drive down prices in the energy market and put some competition back into the privatised retail energy market — privatised of course by those on the

other side of the house. This is a good bill. I commend it to the house.

Mr CRISP (Mildura) (10:41) — I rise to make a contribution on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. The purpose of the bill is to amend the Essential Services Commission Act 2001 to achieve outcomes outlined in the provisions of the bill and to make consequential amendments to VCAT, the Accident Towing Services Act 2007, the Electricity Industry Act 2000, the Grain Handling and Storage Act 1995, the National Electricity (Victoria) Act 2005, the National Gas (Victoria) Act 2008, the Port Management Act 1995 and the Rail Management Act 1996. There are so many things one could talk about.

The bill repeals the provisions for panels specific to the Essential Services Commission (ESC) to hear appeals in relation to requirements, decisions or determinations made under the principal act and confers jurisdiction on VCAT to replace the appeals panels; allows the minister rather than the Governor in Council to appoint the chair of the commission; further provides for the commission to report on the market structure and performance of regulated industries; and provides that the act will be reviewed by the end of 2026.

Certainly the ESC has a large number of roles in our community. They perform quite a number of functions. They are responsible in my area for water rates and reviewing those. They have a role in the local government rates. The Fair Go Rates system is also a creature of the ESC, though indirectly. Rates in local government have certainly become a big issue in recent times in my electorate. The Victorian Farmers Federation are fighting strongly for a better deal for farmers on farm rates. We then also have the fire services levy, which pays in part for the Country Fire Authority (CFA). As part of that CFA budget, there is an aerial response process, which is managed through Emergency Management Victoria.

Certainly we look to this year being one of the driest years, and in the latest briefing our rainfall and soil moisture conditions were at the lowest 10 per cent of records. Traditionally the Mallee is the first to go into the fire season with restrictions. This year East Gippsland has gone first because they have been in drought longer, but the Mallee will have its challenges. Experience shows that in years after you have had a great deal of rain and there are large fuel loads on the ground, you can have fires, but equally you can have them in very dry years because of the low humidity rates, particularly in the Mallee where we do not really have an understorey or an overstorey; it is really a single storey. There is, I think, considerable risk.

To help manage that risk, Mildura Airport has installed a fantastic system there to reload the tankers, and I will read from their recent release to me, which says:

> I would like to … pass it on to the relevant parties, that Mildura Airport now has a refilling point for the large aerial fire bombers …

They are the Hercules and BAe 146 aircraft, as well as the Elvis category of helicopters. The release continues:

> From now on you can bring a fire bomber up to Boeing 737 size and have immediate capability to refill directly from the hydrant point adjacent to taxiway B.

Aircraft refuelling is also available. No advance notification is required, nor is ground tanker support because it is just a matter of plugging in.

> This makes Mildura the most capable aerial firefighting refilling airport in Victoria, NSW and SA …
>
> It means that you can deploy a large aircraft to a location proximate to Mildura and not have to worry about logistics …

Previously there were delays in refuelling the aerial fleet, as I understand, and one of the things that was discussed in January this year when the aerial point was completed was that there would be consideration this fire season by Emergency Management Victoria to in fact place a tanker on standby in Mildura. What they can supply, from a high-pressure volume pipeline, is a hydrant that can directly load a tanker located on taxiway Delta: 20 000 litres can be moved into the aircraft in 10 minutes, and that is without any other ground support. This is truly an excellent facility provided by Mildura Airport.

All that remains I think is for those in fire management to realise that now we are in fire season we need a tanker located in Mildura at the airport, that such a tanker can service a wide area from that airport and that should a fire break out, Mildura is in a very strong position to support a large number of aerial appliances that may well be dealing with a fire. Also, Mildura does have all the other services necessary to support such deployment. In the meantime it would I think give the Mallee great comfort to know that there is a large tanker sitting at Mildura Airport ready to deal with any fires that break out in the electorate of Mildura. The proximity of a large airport in being able to deliver that service quickly to those CFA volunteers on the ground could well make a significant difference in the spread of a fire and thus the damage that is caused by the fire

and the need to deploy large numbers of ground staff. Having something located in Mildura offers that very early attack on the fire, strong support for our volunteers and certainly the knowledge that any fire will be contained quickly. With those words, The Nationals in coalition are not opposing this bill.

Ms GRALEY (Narre Warren South) (10:48) — It is a pleasure to rise this morning to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. I would like to commend the member for Mildura for being the second Nationals member to speak on this bill and for turning up and making a contribution, because we have only had one member of the Liberal Party come in here to talk about what is a very important bill. I will give credit to the member for Mornington who did turn up and took his full half-hour to explore this bill, but, as he said, he was effectively keeping up appearances — keeping up appearances for a whole lot of people over there in the opposition who have barely shown their faces in this chamber this week. I do not know what they are up to, but it is not fulfilling their duties as parliamentary participants and representing their local community, and I would suggest —

Mr Nardella interjected.

Ms GRALEY — Yes, maybe they are having a look at that whiteboard, member for Melton, but one of our important roles is to debate legislation.

Apart from the contributions from the member for Mildura, the member for Ovens Valley and the member for Mornington, we have heard nothing about this from members opposite, and the reason for that is this bill actually creeps into an interesting space for us. We want to talk about these things because we are very proud of being a government that has really committed to a strong energy policy. Yes, we have committed to try to support the renewable power industry so that we make sure we have good supplies of energy for the future, that we protect our environment and that we support businesses. Most of all, you do not have to support the environment at the expense of the economy; you can support them both at the same time. They are not mutually exclusive, and in the case of our energy policy you see that happening because our energy policy and our climate policy will create thousands of jobs for Victorians and some of them I hope will be in Mildura.

To return to the bill, the bill is a very important one, and as a person that does believe in the role of government and does believe in making sure that government decisions are open and transparent and also as a participant in civic life, I am a strong believer in the independent umpire — places like the Ombudsman and, in this case, the Essential Services Commission (ESC) that people can go to and that organisations can access if they sometimes have got disputes or sometimes are looking for some better advice.

The Essential Services Commission is a very, very good institution. It has served us very well in Victoria. It is, as I said, an independent regulator that promotes the long-term interests of Victorian consumers, and consumers need protecting. We have a very volatile energy market. We know that people are doing it tough with all their household bills. So to have such an independent and good, working regulator that looks at the price, quality and reliability of essential services is a very important part of our government's governance infrastructure. They do regulate Victoria's energy, water and transport sectors and administer the rate capping system for the local government sector, and they also regulate the Victorian energy efficiency target, the VEET scheme, which aims to reduce, as I said earlier, greenhouse gases by making energy efficiency improvements more affordable for consumers.

I do want to spend what time I have left on talking about why it is very important that we have the ESC monitoring rates in this state. At the last election the Andrews Labor government committed to rate capping of sorts in that local governments could only increase their rates by a certain amount. That was, I have got to say, very, very warmly welcomed by people in the Narre Warren South electorate. One of the issues that constantly has come through my door in the 12 years I have been a member of Parliament is the issue of, frankly: 'What is the City of Casey up to a lot of the time?'. Secondly, 'What are they spending money on?', and thirdly, 'I am a bit unhappy about the level of my rates bill'.

Get the picture we have here: mostly people in the City of Casey have invested enormously in building their first home or their dream home, and they do experience — many of them — high energy bills, high mortgage rates and all the other things that come with looking after a family. So when they get their rates bill, they often get very, very upset. They do not get much of a hearing from the City of Casey, so what do they do? They toddle on down to my office and we sit down with them and have a chat.

It was only in 2016, not that long ago, that the City of Casey decided — I think it was one of only two councils in the whole state that decided they could not

live within their means — they could not live within the rate cap. The council could not look outside their Taj Mahal and see what was happening in the homes of ordinary Narre Warren South residents. They decided they wanted to put the rates up by, I think, 3.47 per cent. Thank goodness for the Essential Services Commission. The council had to go to that organisation, and I have got to say the ESC was completely on to them. It was a great relief that the independent regulator had a really thorough look at the City of Casey's books. They realised that Casey's overall financial position was strong and that they were actually forecasting an underlying surplus of — can you believe it — $33.9 million. Casey had also, the ESC discovered, been receiving state government funds at the same time as they were saying they did not have enough money for capital build projects.

Local government never, ever says thank you to the state government for the interface fund, the Growing Suburbs Fund, and all the extra support we have provided to them, especially in the last four years, which has enabled them to build infrastructure in the local area that would have still been in the never-never if we had not been, I have got to say, generous but also very targeted in making sure that the facilities that the community needed were being provided as a result of the partnership between state and local government.

I am a big fan of the ESC. They do a very good job, and this new legislation will allow them to do an even better job. The government completed a review of the Essential Services Commission Act 2001 in December 2016, and now this bill before the house proposes a number of changes which will make the ESC much more efficient. It will set up a very good clear, transparent review process that will enable people to take their case to VCAT on appeal. Anybody who has been to VCAT, as I have, knows it is a good court in which to air your disputes and get on with the job after the decision has been made.

Without further ado, it is a pleasure to commend the work of the Minister for Finance, who brought this bill to the house, and wish it a speedy passage through to the next Parliament, which I will not be here to see. I have no reservations in saying that those on this side of the house — and I do thank the opposition for not opposing this bill at this stage — should be back on this side of the house again, and they will make sure that this bill gets the wind in its sails and becomes law in the future.

Mr EDBROOKE (Frankston) (10:58) — It is a pleasure to rise this morning to speak on the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. I will just take this chance to speak about the member who spoke prior to me, the member for Narre Warren South, and say what an incredible contribution she has made to this house over the many years she has been involved in public life.

As a fairly junior member of Parliament I learned much from the member for Narre Warren South, and I just want to put in *Hansard* that she has been a friend to many, many Labor colleagues and given some very sound and sage advice to some of us in the house. It is a very sad day to see her go, along with many other members of the Labor caucus who have made magnificent contributions to their communities and to policy in Victoria as well.

I come back to the bill. Some members opposite have actually come in now to listen to the bill, surprisingly. We have had, I think, two Nationals members speak on the bill. It is something that I love, seeing people come in to hear me speak about bills that are so good for my community. As I said, I am really pleased to make a contribution on the Essential Services Commission bill. This bill arises from a review that was initiated and completed by the Andrews government in December 2016. The review and the response were tabled in this place on 7 March 2017. The review and the response, which we see reflected in this bill, made some really important changes to the Essential Services Commission. The commission itself, as many members of this house —

The ACTING SPEAKER (**Mr Carbines**) — The member for Frankston will have the opportunity to continue when debate on the bill resumes. The time has come for me to interrupt business under sessional orders for questions without notice and ministers statements.

Business interrupted under sessional orders.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Government performance

Mr GUY (Leader of the Opposition) (11:01) — My question is to the Premier. Premier, over the last four years your government has faced investigation by the Ombudsman for theft, the Parliament for rorting, Victoria Police for fraud, WorkSafe for bullying, IBAC for printing deception and the Victorian Electoral Commission for electoral deceit. You have got six ministers under investigation by the fraud and extortion squad. No wonder there is a crime wave in Victoria

when some of the biggest law-breakers in the state are the crooked rorters of the Victorian Labor Party.

Honourable members interjecting.

The SPEAKER — I ask the Leader of the Opposition to resume his seat. I am not going to allow that level of shouting across the chamber. I remind members that at 12 o'clock today I am required to interrupt business for valedictory speeches. I am sure many members would like to be in the chamber to hear some of their colleagues' speeches. Please do not put me in a position where you are asked to leave the chamber for an hour and you are not there to see people make those speeches.

Mr GUY — No wonder there is a crime wave in Victoria when some of the biggest law-breakers in the state are the Victorian Labor Party. Premier, can you tell Victorians exactly how many investigative bodies you and your government are being investigated by at this moment?

Honourable members interjecting.

The SPEAKER — The Minister for Roads and Road Safety and the member for Euroa! I warn members they will be removed from the chamber without warning.

Mr ANDREWS (Premier) (11:03) — I thank the Leader of the Opposition for his question. I am pretty sure the Ombudsman is having a look at the Leader of the Opposition at the moment, a very close look at you and your convicted criminal mate, Damien Mantach — a very close look. The Leader of the Opposition made reference to, as he put it, a crime wave. I might just remind him that statistics released by the independent Crime Statistics Agency Victoria today show the criminal incident rate down by 7.8 per cent, the offence rate down by 7 per cent, the alleged offender incident rate down by 1.3 per cent, the unique alleged offender rate —

Honourable members interjecting.

Mr ANDREWS — The victim report rate down by 9.5 per cent, the unique victim rate down by 9.2 per cent, the family incident rate down by 2.7 per cent —

Honourable members interjecting.

Mr ANDREWS — The facts are no good. We don't want any of those.

Honourable members interjecting.

The SPEAKER (11:04) — Order! The Premier will resume his seat. The member for Ripon can leave the chamber for the period of 45 minutes.

Honourable member for Ripon withdrew from chamber.

Mr Guy — On a point of order, Speaker, on relevance, the Ombudsman, the Parliament, the police, WorkSafe, IBAC, the electoral commission — the question was about the Premier and his government. How many investigative bodies are looking into this sordid government at this point in time?

The SPEAKER — Order! The Premier is being responsive to the question.

Mr ANDREWS — I do thank the Leader of the Opposition for shouting at us all. That is always good. On this, the last day, still shouting and screaming, as per usual. I am asked about a crime wave, and I am quoting statistics released by the independent Crime Statistics Agency this very day. I could not be more relevant to the question asked. The reason that those numbers are occurring — that that trend is being delivered — is that this government does not cut police numbers or resources. We instead invest in them.

Mr Walsh — On a point of order, Speaker, the question was very clear about how many government agencies were investigating the Andrews government. If the Premier wants to quote statistics, I believe the statistics for ministers being investigated by the police is through the roof.

Honourable members interjecting.

The SPEAKER — Order! The Leader of The Nationals knows that is not a point of order.

Supplementary question

Mr GUY (Leader of the Opposition) (11:05) — Premier, speaking of crimes, your government is the first in Australian history to have so many members and ministers under active police investigation. Premier, can you guarantee to Victorians that between now and the election none of your ministers will be arrested?

Mr ANDREWS (Premier) (11:06) — I am invited to appoint the Leader of the Opposition now as the official keeper of Australian history, apparently. Not likely. He cannot get his own story straight, let alone be the writer of Australian history. I do not think so, Leader of the Opposition.

Mr R. Smith interjected.

Mr ANDREWS — And to be told by the member for Warrandyte that I don't know what I am talking about. Imagine the wound I have sustained! How might we go on? You haven't got to 10 past the hour yet, so we will wait and see. The Leader of the Opposition is ridiculous, and so are his questions.

Ministers statements: education

Mr MERLINO (Minister for Education) (11:07) — It is my absolute pleasure to update the house on how the Andrews Labor government is making Victoria the Education State. On Monday I toured Mount Clear College with the member for Buninyong, where the new trade wing is almost complete. But there is more to do, and that is why a re-elected Labor government will invest a further $5.5 million into that great school.

That is just one of the regional schools that we have invested in. This government has doubled the investment in regional schools compared to those opposite — across the state, 70 new schools and 1300 upgrades. It is about priorities, and we know where others stand. We know that there are others opposite who talk about investment in school infrastructure as a distraction. When we came to government education was in crisis — $1 billion of cuts. Our most disadvantaged students had the education maintenance allowance ripped away from them, but what a difference four years makes. Now all students can go on camps and excursions. Kids are fed in the morning through our school breakfast program. Our kids have uniforms on their backs and shoes on their feet through State Schools Relief.

Four years ago those opposite were at war with our teachers and support staff. We have respected and rewarded their work, including moving 10 000 from contract work to permanent employment. Four years ago results were stagnating. This year we have delivered Victoria's best ever NAPLAN results. Those opposite cut education; on this side of the house we deliver the Education State.

Election commitments

Mr WALSH (Murray Plains) (11:09) — My question is to the Premier. As the Premier for Melbourne you have repeatedly short-changed country Victoria. You spent country roads money on Mulgrave. You have broken your promise to spend 10 per cent of the port lease money in country Victoria on new transport infrastructure. You have allowed the gap between city and country education standards to widen. You will not help when the country is in drought, and you have botched the once-in-a-generation project, the Murray Basin rail project.

Honourable members interjecting.

The SPEAKER — Order! I ask the Leader of The Nationals to resume his seat. There is too much shouting across the chamber and from the table. I warn members again: people will be asked to leave the chamber.

Mr WALSH — As the Premier for places with only tram tracks, why have you broken your election night commitment to govern for all Victorians and made it clear you just do not give a stuff about country Victoria?

Honourable members interjecting.

The SPEAKER (11:10) — Order! The member for South-West Coast and the member for Macedon can leave the chamber for the period of 1 hour.

Honourable members for South-West Coast and Macedon withdrew from chamber.

Mr ANDREWS (Premier) (11:10) — I do thank the Leader of The Nationals for his question. If only his fixation —

Honourable members interjecting.

The SPEAKER — Order! The member for Gembrook!

Mr ANDREWS — It is great being lectured on the country by the member for Gembrook, isn't it? It is great. The Leader of the National Party has asked a nonsense question. I suppose you could double the amount of investment in country schools, but that would apparently be a bad thing for regional Victoria. You could have a job growth rate that is more than double the rate delivered by those opposite, you could be investing in hospitals the length and breadth of regional Victoria and you could rebuild TAFE essentially from the ground up because of the cuts of those opposite, and apparently all of that would be a bad thing for regional Victoria. If only the Leader of the National Party's record matched his rhetoric, and if only his work rate for regional Victoria matched his work rate to get a white car, maybe this question would have some credibility. Much like the party that he represents, it has no credibility whatsoever.

Supplementary question

Mr WALSH (Murray Plains) (11:12) — Premier, you have let down country Victoria for four long years.

Their energy bills are higher than ever, their roads are crumbling, the drug problem across rural and regional Victoria is the worst it has ever been and you are still trying to destroy the Country Fire Authority. Will you finally admit that you care more about Greens preferences in inner-city seats than you care about the welfare and the wellbeing of country Victorians?

Mr ANDREWS (Premier) (11:13) — I do not actually know that there was a question in there. The Leader of the National Party thinks he can come in here and just read from his latest leaflet and that passes as a question. More jobs, more investment in health, more investment in schools, more investment in roads, every single passenger train line in regional Victoria being upgraded —

Honourable members interjecting.

The SPEAKER (11:13) — Order! The member for Polwarth can leave the chamber for the period of 1 hour.

Honourable member for Polwarth withdrew from chamber.

Mr Walsh — On a point of order, Speaker, on relevance, there was a very clear question there which I would ask you to bring the Premier back to answering, and that is: does he care more about Greens preferences for inner-city seats than he does about country Victoria? That is a very clear, simple question, and I ask the Premier to address that question.

The SPEAKER — It is a very broad question, but I ask the Premier to come back to answering the question.

Mr ANDREWS — The answer to the question is no, but I do wait to get the call from the National Party about Labor Party preferences in a few three-cornered contests, member for Murray Plains. I will wait for the phone call. I have received them before, and no doubt I will receive them again. There are a number of tight three-cornered contests, so we will see who wants Labor Party preferences.

Speaking of which, let me take the leader to the Morwell electorate — a $51.27 million education funding boost under our government. Under the government he was a member of, $292 000.

Ministers statements: government achievements

Ms HENNESSY (Minister for Health) (11:15) — I rise to update the house on our government's achievements in the health portfolio. I am very hopeful that this afternoon in the other place the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018 will be debated, and if that passes that will be the 18th piece of reforming health legislation that has been passed in the health portfolio since coming to term.

I am exceptionally proud of the reforms and achievements of our government in the health portfolio. We absolutely are committed to improving and protecting the health and wellbeing of Victorians. Examples of this include safe access zones around termination clinics to stop women being harassed when they are accessing lawful health care; no jab, no play laws to protect our youngest and our most vulnerable from disease and the quacks that peddle antivaccination science; a new health complaints commissioner to crack down on dodgy practitioners and those that peddle horrific abuse, whether that is fake cancer cures or gay conversion therapy; the first laws to give access to medicinal cannabis to some of our sickest children; and, one of my proudest achievements, we were the first state in the nation to successfully pass voluntary assisted dying laws.

The contrast with the other side is very, very stark. On the one side we invest, we empower and we protect.

Honourable members interjecting.

The SPEAKER (11:16) — Order! The member for Hawthorn will leave the chamber for the period of 1 hour.

Honourable member for Hawthorn withdrew from chamber.

Ms HENNESSY — Those opposite cut $1 billion out of the health system. They went to war with the health workforce. They disrespected our nurses and our paramedics. They delivered the worst elective surgery results on record.

Mr Clark — On a point of order, Speaker, the minister is now proceeding to debate issues rather than make a ministers statement. I ask you to bring her back to compliance with sessional orders.

The SPEAKER — I uphold the point of order. I ask the minister to come back to making a statement.

Ms HENNESSY — Of course that sits in stark contrast with having delivered the best ambulance response times on record, the lowest elective surgery wait lists, extraordinary investment — the highest level of investment in health capital across the state — the

best vaccination rates across the state and the highest number of nurses and doctors employed in this state, all because Labor governments invest in health.

Fire services

Mr GUY (Leader of the Opposition) (11:17) — My question is to the Premier. More than three years ago you said that the Country Fire Authority (CFA) dispute had to be ended and 'I ended it'. Three years on and our fire services remain a mess. We face one of the highest fire risks since 2009. Because of you, hundreds of years of firefighting experience have been lost and Victoria now has 3000 fewer volunteers than when you came to government. Premier, after all the turmoil, after all the fire services careers you trashed, after all the people you bullied, abused and disrespected in order to do the bidding of the United Firefighters Union, has it all been worth it? Has it all been worth trashing our proud CFA?

Mr ANDREWS (Premier) (11:18) — Here I was, thinking that the Leader of the Opposition might get some new material for today; it would seem not. A question littered with errors, littered with inaccurate and, quite frankly, shameful statements as we head into what will be a long, hot, dry and dangerous summer. Rather than reflecting so very poorly on our firefighters, I will put on record on behalf of every member of this government that we are proud of our firefighters, career and volunteer, and that is why we have not cut $66 million from their budget as others did. We have instead invested more than $100 million in additional equipment and resources so that those dedicated and brave men and women of our career and volunteer firefighting services can protect life and property in the coming fire season, just as they do every fire season. The Leader of the Opposition has put to me a whole range of completely inaccurate statements. There is one statement that is wholly accurate, and that is that we invest in our fire services and those opposite cut them.

Supplementary question

Mr GUY (Leader of the Opposition) (11:19) — Lucinda Nolan, the CFA CEO; Joe Buffone, the CFA chief officer; Peter Rau, the Metropolitan Fire Brigade (MFB) chief officer; the MFB assistant chief officer; the MFB deputy chief officer; the CFA deputy chief officer; Paul Stacchino, the MFB acting chief officer; Jim Higgins, the MFB CEO; Andi Diamond; the entire board of the CFA; and your own minister — Premier, with all these people, all this lost experience, how can you sit there with that smug look on your face and explain to Victorians and justify that this was actually the right thing to do — to smash up the CFA — all for nothing?

Mr ANDREWS (Premier) (11:20) — Again, I am not sure there was a question there, but I have really only got two words for the Leader of the Opposition: Good Friday!

Ministers statements: employment initiatives

Mr CARROLL (Minister for Industry and Employment) (11:21) — I rise to update the house on the number of strategic projects and jobs started under the Andrews Labor government — 93 strategic projects are underway under our government versus those opposite's eight. Seventy-five thousand new jobs are being created in our record infrastructure programs. The Minister for Energy, Environment and Climate Change, I know, is particularly proud of what we are doing with the Phillip Island Visitor Information Centre. Can anyone tell me where the new visitor centre is located? Can the Leader of the Opposition tell me? If he will not, I will. Ventnor Road is where the new Phillip Island visitor centre is going to be located.

Honourable members interjecting.

The SPEAKER — Order! The member for Ringwood will resume her seat.

Mr CARROLL — I do not know how the penguins would have gone when he tried to turn the Bass Coast into the Gold Coast, but under our government we are actually mandating local content, in fact 93 per cent.

In four years 3500 apprentices are not only shaping our city but shaping their own lives as well. Manufacturing has grown for 17 consecutive months, the best record in two decades. But our Jobs Victoria program is all about putting people facing barriers to employment into work, just like the women in the Liberal Party. Jobs Victoria is about looking after everyone. The Leader of the Opposition has been out spruiking population growth today while he is having a fire sale of 104 Exhibition Street. Whether you want to call it Kroger's Castle or Mantach's Museum given the number of skeletons in the closet there, we know his —

Mr Hodgett — On a point of order, Speaker: Minister, are you okay?

The SPEAKER — The minister to continue.

Mr CARROLL — An interjection from one of the four Davids! You have got to be a David to get on the front bench there, Speaker.

Mr Foley — On a point of order, Speaker, in the last few weeks we have had R U OK? Day. It is a serious mental health movement, and I would ask the

honourable member to consider very carefully the degeneration of language he has used there to belittle people with mental health issues and through it add to the stigma and discrimination that one in five people in our society suffer through mental health illnesses. The honourable member should know better than that, and I would ask him to withdraw his comments.

The SPEAKER — Order! I ask the Deputy Leader of the Opposition to withdraw.

Honourable members interjecting.

The SPEAKER — I apologise. There is no point of order.

Mr CARROLL — Whether it is supporting Alcoa workers or my good friend the member for Williamstown who should be congratulated on the support he gave to the auto industry, under the Andrews Labor government we will not leave anyone behind. We put people to work, and we will continue to do so.

Suicide prevention

Mr NORTHE (Morwell) (11:24) — My question is to the Minister for Mental Health. Minister, as you would be aware, Lifeline Gippsland recently celebrated its 50 years of existence, and over that time an army of volunteers and staff have helped save lives right across the country through its telephone crisis support centre and the programs it runs in various communities. Unfortunately and despite the best efforts of many service providers, including Lifeline, our community has had a horrendous couple of weeks with multiple suicides, including that of 19-year-old Jack Strong, whom I paid tribute to in Parliament on Tuesday. Minister, can you please advise what measures your government is taking in the Morwell electorate to reduce the incidence of suicide in my community?

Mr FOLEY (Minister for Mental Health) (11:25) — Can I thank the member for Morwell for raising one of the most serious mental health issues, not just in the state but in Australia. Certainly, when it comes to regional and rural Victoria, the issues that the honourable member raises are of, literally, life-and-death significance to hundreds of communities right around the state. In terms of the support for Lifeline, Lifeline as a national organisation receives support from all levels of government, including from this government, and there have been increases in that support over the term of this government. Of course that is as part of this government's record $325 million investment in new mental health, alcohol and drug services, which captures the work involved there. In terms of this government's plan to halve the suicide rate — the suicide rate that in this state sees twice as many people die through their own hands than do on our roads — that strategy to halve that rate over the next period between now and 2025 is already being rolled out through a series of arrangements, including in partnership with the public health networks with the commonwealth right across the state, including in areas of Gippsland.

I would add to that the complex relationship between alcohol and drug addiction and mental health and sadly suicide, and point out indeed, as the honourable member would know and certainly as the honourable member for East Gippsland would know, this government is doubling residential rehabilitation beds right across the state from 205 to over 420 during the term of this government's investment cycle. As a part of that, over 50 per cent of those new beds are in regional and rural Victoria, including in Bairnsdale — yes, not in the honourable member's electorate but in the honourable member for East Gippsland's electorate — through the Hope consortium, which again I stress is one in partnership with the federal government, providing much-needed support and capital there, the community providing access and this government providing the recurrent funding and support.

In terms of further measures, whether it be in the acute area of Morwell hospital and Latrobe hospital more broadly, the recent investments we have made in that community about the outreach support programs that deal with this area are very, very pertinent to the issues that the honourable member raises. I know that there is more to be done in this space, and I know that all honourable members, regardless of which community they come from, take this issue very seriously because, as the honourable member for Morwell has indicated, this is a life-and-death issue that touches nearly every family and every community right across our state.

Supplementary question

Mr NORTHE (Morwell) (11:28) — Minister, in July 2016 the government announced some suicide prevention initiatives by way of a media release that was titled, as you just mentioned, 'Halving the Rate of Suicide in Victoria'. I applaud you for having set such an ambitious target. In the said media release you say that you would invest in local solutions in seeking to halve the suicide rate by 2025. Minister, for the sake of an extra $135 000 in state government funding, Lifeline Gippsland could make a real difference in our community by providing additional training to increase the number of crisis support volunteers, enhancing and expanding the Connect Call Back service, and

implementing local face-to-face peer support groups for people at risk. So, Minister, will you commit to providing Lifeline Gippsland with this extra $135 000 a year so they can deliver these critical services and programs and help to prevent and reduce suicide in our community?

Mr FOLEY (Minister for Mental Health) (11:28) — Again I thank the honourable member for his question, and refer him to the content of my answer to the substantive question that he asked. In those terms, again I restate the Lifeline organisation nationally and indeed at local community levels deliver fantastic frontline crisis support and have saved many, many lives. In terms of the advocacy the honourable member has made in this regard for this particular organisation, like many members make for these particularly localised embedded organisations in their own community, there continues to be increased funding from this government as part of that record investment of over $300 million in new money invested in this space. I would continue to urge the honourable member, as I would any member, to work with my department and to work with their local communities to make sure that this available increased pipeline of support, which is dealt with in a competitive way, is dealt with in the way that most impacts on that issue of halving the suicide rate over the next few years. And I would more than happily sit down with the honourable member and through that process assist him in making sure that we land that goal.

Ms Knight — On a point of order, Speaker, just with your indulgence, can I let everyone in the chamber — the visitors, the media — know that if they are feeling distressed that the number is 13 11 14.

Ministers statements: public transport infrastructure

Ms ALLAN (Minister for Public Transport) (11:30) — There was a period of time between 2010 and 2014 when not a single major public transport project was started and we saw every single public transport commitment that was given was indeed broken. Contrast that with the last four years under the Andrews Labor government: the contrast could not be more stark. There is more than $30 billion of investment being spent on getting rid of 29 dangerous and congested level crossings and delivering the Metro Tunnel ahead of schedule, which means we can run more trains more often across the city. There is a train line to Mernda with three new stations along the line, and we have duplicated part of the Hurstbridge line as part of our stage 1 project. Every single regional passenger line is also being upgraded with the $1.75 billion of investment. There are 65 new high-capacity trains on order. There are 40 new E-class trams and 87 V/Line VLocity carriages, and they are all being built right here in Victoria. There is $200 million that has been allocated for around 500 new and improved bus routes. Ten thousand new train station car parks are being created. And of course this has created tens of thousands of jobs for Victorians right across the state.

We have achieved a lot. We have turned around the investment in public transport, but we know there is so much more to be done: 21 more level crossings to go, the next stage of the Hurstbridge line works, an airport rail link that is going to provide more connections for the suburbs and the regions, high-speed rail to Geelong, the Cranbourne line duplication, 11 000 new train station car parks, and we will get started on the Suburban Rail Loop — the rail loop that the city needs for the future. Victorians know that it is only the Andrews Labor government that delivers what it commits to. We have got more work to do, and we are determined to get that done.

Government performance

Mr GUY (Leader of the Opposition) (11:32) — My question is to the Premier. You lost your Speaker and Deputy Speaker for rorting the second residence allowance, your Deputy President went for rorting his printing allowance, your TAFE minister resigned for chauffeuring his dogs in his ministerial limo, your emergency services minister was bullied out for daring to stand up to you, and your small business minister was dispatched in a factional hit. We have witnessed Labor members abusing each other, knives wielded in the parliamentary dining room and sordid text messages by your health minister against the Deputy Premier, and you distrust your own cabinet so much you even tried to audit their mobile phones. Premier, a fish rots from the head.

Honourable members interjecting.

Mr GUY — A fish rots from the head. Will you finally accept responsibility for the sordid, corrupt mess of a government that you lead?

Mr ANDREWS (Premier) (11:33) — I have got to say, it is pretty gutsy, talking about seafood, I would have thought. A pretty gutsy effort there. Good on you. What a hero you are. Where does a lobster rot from, I wonder? And surely even a rotting lobster would taste okay if you washed it down with Grange?

Mr Burgess interjected.

Mr ANDREWS — You were there.

Mr Burgess — On a point of order, Speaker, perhaps the Premier would like to tell the house where he got his free fruit from every week. Where did you get your free boxes of fruit, Premier, every week? Who was it? Are you prepared to answer that question?

The SPEAKER — Order! The member for Hastings will resume his seat. There is no point of order.

Mr ANDREWS — I do thank the member for Hastings for that stunning interjection to protect his leader, having asked on the last day about seafood.

Honourable members interjecting.

Mr ANDREWS — No, I won't move past it. I will say it again: he just asked me a question about seafood. Apparently what I put in my kids' lunchboxes is on par with what this one puts in his pocket — Mafia money.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, the Premier has clearly said numerous times that he will take responsibility for whatever happens on his watch. The question very clearly says: will he take responsibility for the stinking, corrupt government that he has led? I ask you to bring him back to answering that question, please.

Honourable members interjecting.

The SPEAKER — Order! It was a very broad, long question. I do ask the Premier to come back to addressing the question.

Mr ANDREWS — They can take 50 points of order, but it will not change the fact that the tactical genius over here asked me about seafood on the last day of Parliament. And that is my answer to your very, very helpful question. We probably could not have written it better ourselves.

Supplementary question

Mr GUY (Leader of the Opposition) (11:36) — Victoria is going into this fire season at risk because you trashed the Country Fire Authority. We risk blackouts this summer because you closed Hazelwood, and Victorians are living in fear because of your soft-on-crime policies. Bushfires, blackouts and bashings — and all the while, six of your ministers remain under police investigation. Premier, don't Victorians deserve better than your rorting, cheating, corrupt and incompetent government?

Mr ANDREWS (Premier) (11:36) — And here I was, thinking he would want to send them home happy. Talk about the Bs from the B team over here. I have had the great honour of being here for a while, a few years, and you know what? In my judgement, I reckon the member for Malvern would have asked a much better question than that. And you know what? I think an increasing number of his colleagues think the same — and I reckon he might just get the chance to ask a lot of questions in a few months time.

Ministers statements: government achievements

Mr ANDREWS (Premier) (11:37) — Four years ago we said that we would remove deadly and congested level crossings, and we have. Four years ago we said we would fix the ambulance crisis and end the war on our ambos, and we have. Four years ago we said that we would repair the shameful damage done to our TAFEs by this miserable lot opposite, and we have. Four years ago we said we would make Victoria the jobs engine room of our national economy, and we have — 370 000 extra jobs, more apprenticeships and using the powers of the government's purchase to embed skills in our economy and to make sure that we look after those retrenched workers, those who are doing it tough, those who had been long-term unemployed. That is why we are the jobs engine room of our national economy.

We said we would upgrade schools, and we have: 1300 upgrades across the state and 70 brand-new schools. We said we would upgrade local roads, and we have, whether it be in the west or in the south-east.

Honourable members interjecting.

Mr Watt — On a point of order, Speaker —

Honourable members interjecting.

The SPEAKER — Order! The member for Burwood, in silence.

Mr Watt — On a point of order, Speaker, the Premier —

Ms Allan interjected.

The SPEAKER — Order! The Leader of the House!

Mr Watt — On a point of order, Speaker, the Premier speaks about upgrading local roads — he could try and fix Warrigal Road. Nine months ago there was a landslip on Warrigal Road —

The SPEAKER — Order! Is there a point of order?

Mr Watt — That is a local road in my electorate. If the Premier wants to talk about fixing local roads, maybe he could just invest a bit of time and money into fixing Warrigal Road. Nine months! It is a bit of a joke —

The SPEAKER — Order! The member for Burwood will resume his seat. There is no point of order.

Mr ANDREWS — Four years ago we said we would have Australia's first royal commission into family violence, and we did. We are investing $2.5 billion to keep Victorian women and children safe. Do you know what else we did? When Rosie Batty stood here, everyone on this side of the house stood up, and we are proud of it.

It tells a powerful story of delivering on your commitments, getting things done, putting people first and making sure that we lead our nation in jobs, in road and rail infrastructure, in hospitals and schools, and in reform and improvements. That is Victoria at its best with a government that is not simply content to occupy the office but a government that gets things done.

Ms Sandell — On a point of order, Acting Speaker, I have three unanswered questions which I would like to draw your attention to: numbers 14 778, 14 776 and 14 671.

The ACTING SPEAKER (**Ms Spence**) — I will refer them to the Speaker to follow up.

CONSTITUENCY QUESTIONS

Rowville electorate

Mr WELLS (Rowville) (11:41) — (15 025) My question is again to the Minister for Energy, Environment and Climate Change. Minister, what reasonable precautions do you recommend businesses take to mitigate against 'risk of loss or damage to their equipment, premises or business' from electricity supply interruptions, as stated in section 16(c) of the *Electricity Distribution Code*? Minister, 69 businesses in my Rowville electorate were asking themselves this question when for the second time in August they had less than 2 hours notice that Ausnet Services had again cancelled the planned maintenance to their power supply due to weather. Ausnet Services, in their denials of compensation to business owners, did not even once acknowledge the impact of two cancellations for businesses who lost wages and interrupted their manufacturing processes and supply chains for nothing.

Bentleigh electorate

Mr STAIKOS (Bentleigh) (11:42) — (15 026) My constituency question is to the Minister for Energy, Environment and Climate Change, and I ask: how will Bentleigh residents benefit from the fantastic new solar policies recently announced by the Andrews Labor government? With the federal Liberal-National government so dysfunctional that they have abandoned trying to develop an energy policy, I certainly welcome the leadership demonstrated by this government through these new initiatives. Solar systems are increasingly popular among households in my electorate not just for their environmental benefits but also because they put power back in the hands of consumers. There has been strong interest in this announcement from Bentleigh residents, and I am sure they would welcome any information that the minister can provide to me on their behalf.

Gippsland East electorate

Mr T. BULL (Gippsland East) (11:43) — (15 027) My constituency question is to the Minister for Health on behalf of the Bairnsdale Ambulance Auxiliary. The information I seek is why funding has been withdrawn from the second Bairnsdale ambulance afternoon shift, which will be forced to cease operations on 24 September, and what consideration has been given to the impact of this decision to abandon the shift. This second afternoon shift was initiated as a trial to improve ambulance response times in Bairnsdale and the surrounding districts, and from all reports it has been very successful. The Bairnsdale hospital routinely transfers large numbers of patients by ambulance to other facilities to access intensive care, orthopaedic, mental health, advanced obstetric and paediatric care. Previously evening patient transfers to Latrobe Regional Hospital in Traralgon were delayed and people needing an ambulance were forced to wait for the off-duty paramedic from Paynesville to respond or they waited for the ambulance to travel from Lakes Entrance. For the past 16 months there has been a second ambulance available, and the community wants to know why this has been cut.

Carrum electorate

Ms KILKENNY (Carrum) (11:44) — (15 028) My question is for the Minister for Education. When will the school community of Bonbeach Primary School in my electorate find out if their school's application for funding through the Andrews government's Inclusive Schools Fund has been successful? Bonbeach Primary School is a wonderful local school which this government is proudly investing in, with $6.3 million

for a major rebuild funded out of this year's budget. The school has applied for funding to build an inclusive space for students, including a sensory room, a shade pergola, large climbing rocks, balance beam and play equipment. The Andrews Labor government is building the Education State so every student in my electorate can get a great education and access to a great local school. We look forward to hearing from the minister.

Eildon electorate

Ms McLEISH (Eildon) (11:44) — (15 029) My constituency question is directed to the Minister for Roads and Road Safety. The minister will be familiar with the beautiful section of the Maroondah Highway between Healesville and Narbethong known as the Black Spur. I would like to know when the white lines both on the sides of the road and in the middle of the road were last painted. As you can appreciate, this section of road poses a number of risks to motorists as it is steep and winding. Motorists rely on the white lines to assist with driving safely, especially in foggy or misty conditions, which are not uncommon on this road. I have been informed that currently the white lines in some sections of the road have good clarity and others do not; I drove this road recently to confirm this. I understand that this section of road has two different VicRoads regions involved, so that might complicate things a little. Those VicRoads regions change in line with the change to council boundaries. It might complicate it a little, but it should still be sortable.

Dandenong electorate

Ms WILLIAMS (Dandenong) (11:45) — (15 030) My question is for the Minister for Housing, Disability and Ageing, and I ask the minister: how will the new assertive outreach homeless team in Dandenong work to support local members of our community experiencing homelessness? Local residents have raised concerns about the wellbeing of those people in our community who are doing it tough and sleeping rough. I am proud to be part of a government that has committed $1 billion in additional homeless and housing supports, which is the largest response to homelessness in the past decade. These commitments include the recently announced assertive outreach homeless team that will be working in Dandenong. Early intervention and tailored supports are the key to helping those at risk of or experiencing homelessness. The announcement of the new outreach team was very well received locally, and Dandenong constituents would now like to know more about how the new team will work and assist our local residents.

Melbourne electorate

Ms SANDELL (Melbourne) (11:46) — (15 031) My question is to the Minister for Public Transport and is in regard to South Kensington railway station. I received a distressing email this morning from a man named Michael who informed me that a young woman collapsed on the train at South Kensington station this morning. I still do not know if she is ok; I sincerely hope so. I also want to thank Michael for his quick thinking in providing assistance to her. Michael told me that the emergency intercom and cameras in the carriages were not working and that the lack of emergency buttons or staff at South Kensington station and the woeful, run-down infrastructure at that station further delayed the emergency response. In his words: the condition of South Kensington station is a disgrace.

Minister, I have been campaigning for years for an upgrade of South Kensington station, including for these very safety reasons, so my question is: given how clearly dangerous this station is, will the government now commit to an upgrade of South Kensington station before more lives are put at risk?

Essendon electorate

Mr PEARSON (Essendon) (11:47) — (15 032) I direct my constituency question to the Minister for Sport, and I ask: what is the latest information about providing funding for the Chris Lane memorial Little League field at Boeing Reserve in Strathmore?

Bass electorate

Mr PAYNTER (Bass) (11:47) — (15 033) My question is for the Minister for Planning. Minister, residents of Ryan Road are seeking your answer in regard to the proposed residential development at Pakenham East. The current plans give vehicles access to and from the new estate onto the Princes Highway via Ryan Road. I have a petition with 115 signatures from residents living on or around Ryan Road asking the minister to prevent Ryan Road being used as a way for traffic to enter and exit the proposed Pakenham East precinct development.

Currently Ryan Road is a relatively small dead-end country lane used by the local residents living on larger style blocks. Adding a large volume of vehicular traffic to Ryan Road would have a significant and detrimental impact on the lifestyle and amenity of those currently living along the road and the surrounding smaller style courts and drives. The current residents certainly did not anticipate a significant increase in traffic volumes when they purchased in the area, some, many years

ago. The petitioners and other residents would like an answer to their question.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) (11:48) — (15 034) My constituency question is for the Minister for Roads and Road Safety, and the question I ask is: will the minister consider upgrading the intersection of Sussex Street and Gaffney Street in Coburg/Coburg North? This intersection has a big roundabout in it, and with the development of the homemaker precinct and the Coles precinct this has become a particularly busy intersection. It was never actually built to carry the amount of traffic that is going through it. It has become particularly difficult for the buses that are stopping at the precinct and the passengers who are disembarking from the buses, and it has become particularly difficult for cyclists and pedestrians as well. I ask the minister if he would consider upgrading this intersection and putting traffic lights there.

DISTINGUISHED VISITORS

The ACTING SPEAKER (**Ms Spence**) (11:49) — I would like to acknowledge former Frankston MP Andrea McCall in the gallery today.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed.

Mr EDBROOKE (Frankston) (11:49) — As I was saying before question time, the review and the response which we see in this bill make some very, very important changes to the Essential Services Commission (ESC), including replacing the current appeals panel which was established under the act with a capacity for appeals to be referred to the Victorian Civil and Administrative Tribunal. It also enables the minister to nominate a person to act as a chairperson where there is a vacancy or the chairperson is in fact absent, and it clarifies that the Essential Services Commission has the function of actually reporting on the market structure and performance of regulated industries if so required under enabling legislation.

The bill also, quite wisely in my mind, provides for a further review of the act to be completed some years hence. There are a range of technical statute law revision amendments to the act as well. I think this would be a good stage right now to reflect on what the ESC actually does. I think there has been some confusion on the opposition benches —

Mr Watt interjected.

Mr EDBROOKE — We can tell from the interjections that there is some confusion there about what the ESC actually does. I would like to focus in my contribution —

Mr Watt interjected.

The ACTING SPEAKER (**Ms Spence**) — Member for Burwood, there is no need to interject across the chamber.

Mr EDBROOKE — If we can get past the interruption from the member for Burwood, I would like to focus some of my contribution on the role that the ESC plays in monitoring our energy services.

The Andrews Labor government of course understands that Victoria is growing at a huge rate, roughly 140 000 people per year, that this in turn places a greater demand on all of our infrastructure and services and that there is a greater need to build more roads, more schools and better health services and of course to continue to upgrade the infrastructure that services our local communities. I would say that nothing at this stage is more important than energy for the people of Victoria. It is a subject people talk about quite often. It is a hot topic.

This government understands that whether it be gas, water or electricity, paying the bills for these services is often very challenging for some people in our communities, and I know that from talking to my constituents in Frankston. Of course that is why we are working so hard to increase supply, with the single biggest investment in renewable energy in the state's history. These are genuinely exciting announcements, and people in my community are very, very excited about them. The announcements over the last few months regarding solar and wind energy and hot-water units have been received with open arms in my community.

I would like to say, though, that one thing my community found quite amusing — and I would say some Liberal Party members that I know in my community found this very concerning — was that the shadow environment minister was down in Frankston when he had his little sojourn from Parliament a few weeks ago and he was campaigning down there on the

cost of energy and what this government is apparently doing so wrong, even though we are making these record-breaking announcements. He was down there with no alternative. He was not telling them what the opposition would do in government. And some of these people actually came to me and asked, 'Does it worry you that you have a shadow minister coming down' —

Mr Watt — Is he shadow minister for environment?

Mr EDBROOKE — energy — 'into your seat and going around telling people all these stories but he's actually bringing nothing to the table?'. My response, I think, was quite measured. I just said, 'Well, it does not surprise me. If you want to get out there and campaign like a 19-year-old, that is fine, but if you want to actually do your job, get back to your desk and make some actual policy on the renewable industry, which is blossoming and providing cheap energy, that would be fine too'. These people who are Liberal members in my community of Frankston walked away shaking their heads.

Mr Watt interjected.

Mr EDBROOKE — They are so disillusioned by you lot that they are actually thinking of quitting the party. So just take that into consideration. They do not know who that guy is, member for Burwood.

Back on the bill, as members before me have said —

Mr Clark — On a point of order, Acting Speaker, the honourable member has strayed a long way from the subject matter of the bill and is proceeding to debate matters and make imputations. I ask you to bring him back to debating the bill.

The ACTING SPEAKER (**Ms Spence**) — I ask the member to come back to the bill, but I also ask the member for Burwood to stop interjecting across the chamber. He might not be interested in listening, but I am.

Mr EDBROOKE — In my electorate of Frankston we have the Environment Victoria #Repower campaign happening just a few doors up from my office. We speak regularly about some of the responsibilities that the ESC would be looking after. They had an opening recently, and it was really interesting to note that the only political party that was not represented at that opening, which was full of community members, was the Liberal Party. They are absolutely dormant, vacant and hopeless in this space, and it is not just at the state level. We know that at the federal level they are fighting amongst themselves. There is now no national energy policy. At the moment I am seeing pictures of the Prime Minister in a truck looking like he is excited about driving the truck when he probably should be at the table at the Council of Australian Governments (COAG), a meeting of which they just cancelled, because it is the forum and instrument to make sure that we can get national energy guarantees up across the states.

I think for my community it is a huge responsibility of this government to ensure that our communities can actually pay their bills and that they have on-demand power when they need it. The ESC is an independent regulator that promotes the long-term interests of the Victorian community and consumers with respect to the price of this energy and the quality and reliability of other essential services as well. They regulate Victoria's energy, water and transport sectors and administer the rate capping system for the local government sector. On rate capping, I congratulate the minister, who is at the table, on that piece of legislation. That has gone down so well in my community of Frankston.

We did have a local journalist ask me a question the other day. There had been some statements from the local council complaining about the rate capping policy, and he asked, 'Would you like to tell me something? Would you like to give me a line?'. I said, 'Yes, sure. Let me think about it. I would say that if local councils, especially those like Frankston with the likes of $28 million surpluses, can't afford the basic essential needs of their community, the essential services, then maybe they need to reprioritise what they do and how they spend their money and maybe they need to talk to some more community members about where they want that money spent'.

The ESC have a fair bit to do with that as well. But, as I said, they also regulate the Victorian energy efficiency target scheme, which reduces greenhouse emissions by making energy-efficient improvements in our community and affordable power for consumers.

In Frankston, which is on the beach, the community is very in tune with our environment. It is the best place in Victoria — and there are no arguments from those opposite. I can tell the member for Brighton that Frankston is the best place in Victoria. We know that our youth in particular are very vocal when it comes to ensuring that the representatives of government are looking at all the possible policy options to make sure that our globe is clean and it is green for their kids and their grandkids, and to make sure that people actually embrace the future, which is renewables. I commend this bill to the house.

Ms WILLIAMS (Dandenong) (11:58) — In the very short amount of time available to me I would like to speak in support of the Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018. As we have heard, the Essential Services Commission (ESC) is a vital body in the operation of essential services in Victoria. We know that they regulate Victoria's energy, water and transport sectors, that they administer the rate capping system for the local government sector and regulate the Victorian energy efficiency target scheme — all incredibly important in the day-to-day lives of so many Victorians.

We have also heard from previous speakers that the Andrews government completed a review of the Essential Services Commission Act 2001 in December 2016, and the review and government response was tabled in Parliament on 7 March last year. That review concluded that the Essential Services Commission was working well as an economic regulator but found scope to clarify its role and to improve governance, procedural and administrative arrangements.

The bill before the house today proposes a number of changes, including replacing the appeals panel established under the act with a review jurisdiction conferred on VCAT. It enables the minister to nominate a person to act as acting chairperson in the absence of the chairperson or if there is a vacancy in the office. It also clarifies that the Essential Services Commission has the function of reporting on the market structure and performance of regulated industries if this is required under enabling legislation. It provides for a further review of the act to be completed by the end of 2026. The bill also includes a range of technical statute law revision amendments to the act. It is a sensible act, as we have heard. It strengthens the ESC, and I commend the bill to the house.

Business interrupted in accordance with resolution of house.

VALEDICTORY STATEMENTS

Mrs FYFFE (Evelyn) (12:00) — It is very difficult to think what to talk about after 19 years in this house. Walking into the chamber this morning I said to the member for Williamstown, who is also retiring, 'What do we talk about?' and 'How much does it matter?'. He really put the pressure on me when he said, 'It's the only speech they read when you die'. With all that pressure I have now got copious notes. When we first came in here we were allowed to read our whole speech. On this occasion I have copious notes. I have them because I am worried I might get emotional, but the member for Gembrook, who is very young and a little bit ageist, will say, 'It's probably because she thinks she is going to forget what she is going to talk about'.

Mr Battin interjected.

Mrs FYFFE — You will too.

Well, what a journey it has been. When I came here in 1967 as a ten-pound Pom my first home was a metal hut called a Nissen hut at a migrant hostel at Nunawading. I came from a tiny village, actually a hamlet. My dad on occasion was a coalminer who hated the Tories, and he frequently told me, 'You're getting above your station, my girl'. It was a very typical old-fashioned working-class area.

I met David in 1975, and we established a vineyard, winery and restaurant. We became very involved in the community, a community we have really loved in the Upper Yarra. In 1994 I was appointed a commissioner for the amalgamation of the four councils in the area in which we lived, the Yarra Ranges. The two-plus years that I was a commissioner was good training for coming in here. There was lots of heckling, posters defaced, rubbish dumped on the council steps and animosity from many. In 1999 I was approached to stand for preselection for the Liberal Party after Jim Plowman announced he was going to retire. I was elected with a good majority for the same area in which I was a commissioner, so they probably did not dislike me as much as I thought they did sometimes.

The last 19 years have had highs and lows. Like a book, some chapters have been sad, some happy, some exciting and some downright boring. A number of times I have wanted to put the book down or even throw it away. There is the part you know, and if you do not keep turning the pages, you will never know what the next chapter will bring. Today this chapter ends, and it is time to reflect and flick back through the pages.

If asked how I would describe myself as a politician I guess I would say I am a grassroots politician. I have enjoyed being the member for Evelyn — my community, my home. I had 5 minutes of fame as Speaker, a position I valued and respected. It is after all the third-highest political position in the state. It was very satisfying to calm down a fractious, bitter Parliament, to make it calmer, to make it smoother and to work better. Or perhaps members were so exhausted by then that it was not due to my skills or abilities at all that the house became a little calmer.

Going back to my preselection in 1999, I was bright-eyed and bushy-tailed, as I think we all are in the

beginning, and I campaigned hard. I doorknocked most of the electorate, attended street corner meetings, put brochures into letterboxes. I went to Powelltown, which is a lovely little timber town in the Upper Yarra. I doorknocked and met a few people I knew. I went to this house, knocked on the door and a little child came to the door. I said, 'Hello, is Mummy home?'. 'No, Mummy's not home'. 'Is Daddy home?'. 'Yes'. 'Can I talk to Daddy?'. She said, 'He's round the back'. I went striding around the back, all bright, with my brochure in my hand. It was the neatest backyard. There were rows and rows of black pots with very healthy looking plants. I said, 'Good morning, sir, I'm Christine Fyffe, what wonderful tomato plants you've got'. The gentleman told me to go in very strong language, called his dog, and I think I was so surprised that I actually jumped the fence. There was a little old gate and I jumped over it; I do not think they were tomato plants at all.

I doorknocked the part of Mooroolbark in the Evelyn electorate quite extensively. We were going down one street — I had three other helpers working with me — and I knocked on a door. I had not quite finished knocking when the door was thrown wide open and this man, wearing a beaming smile, opened the door. That was the only thing he was wearing. It was Saturday afternoon and he thought I was his girlfriend who he was expecting at any time. I tried to keep my eyes focused on his face as I said, 'I'm terribly sorry, sir, I'm Christine Fyffe', blah, blah, 'I'll go', and I left.

An honourable member interjected.

Mrs FYFFE — I cannot remember if he was tall or fat or anything. All I remember was this exposure of flesh. As members of Parliament we certainly do experience many things.

It is fascinating that when I came in here I thought I was going to be part of the Kennett team — led by a man whom I deeply admire and who truly believes in service before self. He transformed Victoria from being a rust bucket into an economic powerhouse, and he is still serving this state. The first term in Parliament I worked at forming relationships: working out how Parliament works, on committees and also in the electorate. I lost my seat in the 2002 election by 220 votes. I curled up in the foetal position and sucked my thumb for a couple of days, and then I thought, 'Blow this, I'm getting out. I'm going to win this one back'. I must have driven Heather McTaggart mad because I went to everything that was happening, wrote letters to the editor and made comments all over the place, and I won the seat back in 2006. I came back wiser and more sure of the type of local member I wanted to be.

Like all members I got involved in committees. I was on the Environment and Natural Resources Committee, an all-party committee, and we had very divergent views on many things. One of the references we had was to look at the 2006–07 bushfires that destroyed over 1 million acres of public land. By the end of our meetings, by the end of that committee's research, we were unanimous in our recommendations of what should happen with the management of public land in preparing for bushfires. Those recommendations were accepted by the government and were included in the 2009 Victorian Bushfires Royal Commission report into Black Saturday.

The last committee inquiry I have been on has been looking at career support and advice to young people. It was a self-reference by the committee, because we were all concerned about the fact that young people are going to university, with many dropping out. They do not know what direction to take, and are being encouraged to go into training that does not suit the jobs that are there at the end. The recommendations, again, were unanimous, and I hope that any future government will look at them seriously and take them on board.

I also chaired a committee of experts on how sufferers of eating disorders and their families could better access services and how services can be improved. I have been for a long time deeply concerned about the increasing prevalence of eating disorders. They have the highest morbidity rates of any mental illness. It was a very distinguished committee of highly qualified experts, who came down with recommendations that were excepted by the then Minister for Health, Mary Wooldridge, and, thankfully, the Minister for Mental Health, Martin Foley, has kept those and is following them through. It was an excellent committee. I was daunted by the fact that I had very learned professors and very high-quality people.

At the first meeting that we had they were talking about FBT, and in my world FBT is fringe benefits tax. I did have to interrupt in the end and stop them. They were talking about family-based therapy, which shows that we come in here with expertise from certain areas, with knowledge that we bring in, and then we have to work in areas that we have no knowledge about. We really have to learn to stop and ask questions to make sure we understand what is going on. With the eating disorders, it seems to be getting more prevalent, with as many boys as girls now being involved and the age is getting younger. So the work must continue.

Being in this place is important but the electorate has been far more fulfilling for me: guiding people through red tape; advocating for schools, roads, better health

care, including for mental health issues, through the Department of Health and Human Services. There is a myriad of other personal issues that come up as a member of Parliament: meeting and assisting businesses, visiting schools — how I adore going to the schools, particularly the primary schools when the preps sit in the front row and they look at you so big-eyed. It is so important that you give the right impression to those children. I have been involved in my RSLs with their Anzac Day, Remembrance Day and Veterans Day ceremonies. They are all very special to me. The citizenship ceremonies have meant a lot. It is a very emotional time when people take the oath to become an Australian, and what I have enjoyed over the last few years is the diversity of backgrounds that we are now getting in the Yarra Ranges. It has been a very narrow Anglo-Saxon, Dutch, Italian-type of area, but now we are getting people from many more different nationalities coming in.

Reflecting back through the pages of the book of my time in here, I have been deeply saddened by the increasing lack of respect now being shown in this place. The personalising of attacks on individual members is increasing and is to be deplored, and I have been bitterly disappointed by the rorting of allowances by the previous Speaker and the Deputy Speaker. This deliberate fraud, with the red shirts saga, is going to leave a stain and actually will reflect on all members forever in this house. There will always be questions.

As I come to the end of this, and ironically it is from the same seat — this was my first seat when I first came in in 1999, and I do not know if David Hodgett planned that when he gave me this seat —

Mr Katos — Probably not.

Mrs FYFFE — Probably not. He would not have known, would he?

Mr Hodgett — Absolutely.

Mrs FYFFE — Oh absolutely, yes. I really have a lot of people to thank: all the staff who look after us here from catering, cleaning, security, the backroom administration, Hansard — and I have much appreciated your assistance when you have made my speeches into something readable. You have really made silk purses out of sows' ears to get them through. I have mispronounced words, I have mangled words. The member is not here, but he is continually correcting my pronunciation of certain words, but Hansard always knew what it was that I meant.

I especially want to thank the former Clerk, Ray Purdey, and the Acting Clerk, Bridget Noonan. Their help and guidance when I was thrust into the role of Speaker was immeasurable. Also I thank Peter Lochert, Secretary of the Department of Parliamentary Services, who advised and guided me through all the issues a Speaker has to deal with outside of this house. There is so much the Speaker has to do that people are not aware of. I want to congratulate Peter and his staff on the building of the new offices. I have enjoyed my short time over there. It is great to have a window. It is great not to have to go over the dome and fear breaking your leg. It is great not having to come down those horrible stairs when the lifts are not working. I have really enjoyed it.

I want to thank the Liberal Party for preselecting me, the Liberal Party whose values I treasure and have been part of my life for so long now; my electorate chairs over the years, June Delbridge, Dot Hill, Bryan McCarthy and Aaron Violi; all the wonderful branch members who turned out in all weathers to hand out for me; Maria McCarthy, who slaved over hot stoves as we held fundraising dinners; and so many, many more in my community.

I would like to thank Matthew Guy for his support and friendship. You are going to make a great Premier, Matthew, and I look forward to watching you from outside. I will of course give you lots of unasked for advice, but you would expect that from me. You would not expect less. To all my colleagues, I will miss you — well, almost all of you. Yes, some of the young ones you have got to keep in check, and some of those on the opposite side that I have had a good relationship with.

I would like to thank my older brother, Clive Barningham, who has come out for every election except in 2002, and he said that is why I lost. He worked tirelessly on my signs, repairing them when my opponents damaged them, handing out how-to-vote cards. In fact in the 2006 election somebody said to him, 'Why should I vote for her?'. He said, 'She's my sister. Why wouldn't you?', and they said, 'All right, I'll go in and vote'. I would like to thank friends, like Andrea McCall, who has always been there for me, and my family who have gone on the booths. Even my little grandchildren when they were small went on the booths at every election.

Last but not least I thank David, who has always been there — now, this is when I get emotional — putting up with meetings, and dinners that I know he did not want to be at. He would much rather have been at the football or drinking wine with his friends. He has grounded me. He has supported me at all times, and he is now probably panicking at the thought that he is going to have me at home all the time.

I would like to leave you all with a thought. As you get caught up in the hurly-burly of this place and all the intrigue and so on that goes on, never forget that what you do in here, each piece of legislation that comes in, affects some, if not all, Victorians. It has an impact on their lives. Be careful of unintended consequences. Respect the positions that you are fortunate enough to have, and, to those of you who come back, try and respect each other more in this house. It really has not been a nice place to be in on so many days. It started half-way through the last Parliament. It has now been six years, and it is time for it to stop and for people to be more polite and more caring to each other. Thank you, Speaker; it has been a great journey.

Honourable members applauded.

Mr LANGUILLER (Tarneit) (12:16) — I acknowledge the traditional custodians and 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.

Speaker, congratulations to you personally. Allow me to do the acknowledgement to country, if I may, in my mother tongue, with your indulgence, that of the house and particularly that of the member for Northcote: reconozco a los pueblos originarios de esta tierra, a sus ancianos pasados y presentes. También me gustaría reconocer mi lengua y mi patrimonio Latino Americano.

The Honourable the Speaker, the Honourable the Premier, the Honourable the Leader of the Opposition, parliamentary colleagues and friends, more than anything I have always been a political activist. At 13, I joined the student and trade union movements and fought for workers' rights, student rights and human rights. I grew up in Uruguay, a military dictatorship where police brutality was rife — I experienced this personally. I was forced to flee as a refugee to Argentina and then Australia. I will always be grateful to both nations and peoples for giving me and my family safe haven.

Like all migrants and refugees, when I came to Australia I worked long hours in hard jobs, including factories, abattoirs and farms. Hard work was and is important, but education changed my life. I have always drawn much inspiration from Nelson Mandela, who said that education is the most powerful weapon which you can give to a young man or woman to transform their lives and that of their families, their community and indeed their nation. Australia provided me and my family shelter, access to affordable housing, employment and, importantly, access to formal education. For that my family and I are grateful.

As I reach the end of my parliamentary career my convictions, vocation and passion remain as vibrant as in my youth. That is why I stand with people with disabilities, injured workers, multicultural communities, Indigenous communities, the LGBTI community, people fighting for gender equality and indeed older Australians. That is why I am so proud of the Disability Act 2006. That is why I remain strongly committed to working with the International Federation on Ageing to continue to argue the case in the Open-ended Working Group on Ageing in the United Nations in order to establish a convention to protect the human rights of older persons. Much has been improved in those areas over the last decades, but much more must be done.

I also stand with the government and this Parliament in fighting the scourge of domestic violence. As my friend the late Fiona Richardson said:

> We don't just want to reduce family violence — we want to stop it before it starts. That requires dedicated, long-term action.

I commend her work. I commend the work of the Premier.

I first joined the labour movement and the Australian Labor Party because they are the story of working men and women. It is the story of migrants. It is the story of refugees. It is indeed the story of women and social justice. And it is the story of multiculturalism.

Multiculturalism is about celebrating diversity of cultures, language and faith. I also believe the best way to practice multiculturalism is through the empowerment of diverse communities through education. This government's strong commitment to education, especially in the northern and western suburbs of Melbourne, in rebuilding the TAFE system and in the low-income earners of Victoria is a great expression of that, because multiculturalism goes hand in hand with social justice.

At this point I wish to note and thank the only university in Melbourne's west, Victoria University, then the Footscray Institute of Technology, which provided me the opportunity to acquire a tertiary education underpinned by the policies of the former Labor Prime Minister Gough Whitlam. That is the Labor story, that is my story — the story of migrants, refugees and solidarity.

Immigration and multiculturalism will continue to be challenged. There are people in this country, but I am

proud to say not many in Victoria, that would want to turn back the clock. We need to be mindful and vigilant against such regressive divisiveness. Australia has legislated for the respect of all Australians from all backgrounds through acts of Parliament such as the Racial Discrimination Act 1975. We must all continue to stand up for human rights. Despite some of the regressive rhetoric coming from some voices in Canberra, I believe that for most of the 43 years of the Racial Discrimination Act the act has done its job. It is an effective expression of fair dinkum multiculturalism. As the former race discrimination commissioner said of the act:

> … it has proven to be a powerful instrument of justice. It has become an important part of Australia's human rights architecture.

Multiculturalism works in Victoria not because it is something we do but because it is who we are.

Multicultural communities have underpinned our commercial engagement with China, India and indeed now Latin America. I commend the Premier of Victoria for his vision and the Victorian Minister for Trade and Investment for his vision and their outstanding work in launching *Globally Connected: Victoria's Latin America Trade and Investment Strategy*. As the Premier stated:

> This ambitious blueprint for Victorian engagement with Latin America will see our trade double in value in the next decade.

I believe we must continue to change the paradigm that used to define our relationship with Latin America from one of competition to one of collaboration and complementarity. I quote my friend the Minister for Trade and Investment, who said:

> Our Latin America strategy will help Victorian companies deliver our products and services to new markets while expanding and creating more jobs here at home.

The Victorian government is also committed to working with Aboriginal Victorians towards Australia's first treaty. May I repeat this: towards Australia's first treaty. The Andrews Labor government has provided more than $37 million to support the treaty process and promote self-determination among Victorian Aboriginal communities. I am proud to have been Speaker at the time when Parliament first flew permanently the Aboriginal flag alongside the Australian and Victorian flags. I was also proud to have had the Aboriginal and Torres Strait Islander flags permanently placed in my Speaker's office. I was also proud to be the Chair of the house that proposed the motion that Parliament give acknowledgement to country at the start of every sitting week. I commend the Premier and the Minister for Aboriginal Affairs on their stewardship of this issue, and I commend all members of this house who affirmed that motion unanimously. This is indeed a historical legacy for this great Parliament.

I am honoured to be the first Uruguayan to be elected to a Parliament outside Uruguay and to have represented the Latin American and Spanish communities of Victoria in Parliament. I was first elected as the member for Sunshine, then Derrimut and now Tarneit. I have enjoyed working in local communities, making a difference in schools and education, and being involved in the development of the Sunshine Hospital, which was to look after my mother, providing her with quality of care, dignity and much affection. I thank the government and I particularly extend my recognition to the Minister for Health.

For almost 15 years of my parliamentary career, along with hundreds of residents, I enjoyed campaigning — sometimes, not often — for the St Albans and Ginifer railway stations to be put underground, and to finally see it done by this government gives me enormous pleasure. Let me put this in a practical context: this great initiative cut 25 minutes travel time each way, allowing my father to spend more quality time with my mother whilst she was at Sunshine Hospital. I commend the minister on her great work. I commend and thank the ministers for public transport, health and education for their outstanding work in the west of Melbourne in seeing this done.

As the member for Tarneit, it has been my privilege to be involved with the Minister for Education in record funding investments in the electorate of Tarneit, in capital funding for Tarneit West primary school, Tarneit P–9 College and Tarneit Senior College, just to name a few, because every family in every community should have access to a good school close to home. In fact this government has committed greatly to Melbourne's west in health, education, roads and infrastructure. A new ambulance station has been built in Hoppers Crossing, giving paramedics the facilities they need to respond to emergencies. The Tarneit railway station was opened to cater to the needs of the growing community. The West Gate tunnel project has also started. Once complete it will provide a vital second river crossing and greater access to Melbourne's west. Just last week I was with the Minister for Roads and Road Safety to commence the works on Leakes Road, which is the latest road to be upgraded from the Western Roads $1.8 billion budget package. This is good for families, and it is indeed good for business.

Dear friends and colleagues, at the risk of leaving some people out, I would like to make a few personal thanks and acknowledgements. To my staff over my parliamentary life, thank you. There have been many — they have moved on to better things. I want to name especially some of those people: Nick, Sonia, Walter, Valeria, Carlos, Huezo, Mali, Gladys and Gerson. I am grateful. I could not have done it without you. I could not have gotten to this point without you.

Thank you also to my 2014 campaign manager, Jasvinder, and to my former parliamentary staff: the great Ray Purdey, Santhi Sinniah, Jeremy Walsh and Peter Lochert — outstanding servants of this Parliament. I welcome the first woman Clerk of this Parliament, Bridget Noonan. To the staff in the Parliament who make our work look so good — the Assembly, Hansard, maintenance, catering, finance, gardening and IT — you are second to none in this nation and indeed comparable to the best in the world.

To my longstanding friends over and above politics: Carlos, Asuncion, Patricia, Oscar, Henry, Marcia, John, Ruben, Jenny, Alejandro, Fabio, Alexis, Victor, Angel, Gabriel, Ariel, George, Jacqui, Trent, Jimmy, Anthony and indeed the Melbourne Victory family, thank you.

Thank you to my federal colleagues and friends who are ready to govern this great nation: Richard Marles, Tim Watts, Joanne Ryan, Peter Khalil and many others.

To my very special Labor friends in the state caucus who stood by me in good and tough times. I do not want to get emotional. There are too many to mention, but you know who you are. I thank you from the bottom of my heart. Indeed I thank you on behalf of my family.

To Stephen Conroy and Theo Theophanous, we three amigos have done it all together. It has been a tough ride but an enjoyable one. I would do it all again except one or two preselections. I think we could have done them a little bit better.

Thank you to the Victorian Parliament, to the Victorian multicultural community, to the Latin American and Spanish diplomatic and consular corps.

To my children and their mother, Natasha, Sebastian, Liam and Simon, I thank you all for your patience, understanding and support. I love you all dearly. You are amazing human beings. Now I am coming home. To my granddaughter, Antonia and her father, Esteban, to my brother Julio and to Karen and extended family, I look forward. To my mother and father — outstanding, bulletproof, decent, courageous. Everything you need from parents, I had it, particularly in difficult times in Uruguay. To my partner, Tatiana, and her family, I could not have gotten here without you, and you know it.

And finally to this great nation and its people, thank you. Thank you so much. Allow me to say this in my mother tongue: a esta gran nación y a este gran pueblo, le digo salud! Gracias!

Honourable members applauded.

Mr DIXON (Nepean) (12:33) — I was just reminiscing with the Premier. On 5 March 1996 the member for Dromana, Tony Hyams, rang me up and said, 'I'd like to speak to you about the campaign'. I was his campaign manager. I went in to see him, and he told me he was not actually going to continue with the campaign — this was three weeks out from the election. Three days after that, after a fair bit of work and some pushing and shoving, I became the candidate for the seat of Dromana, and three weeks later I was a member of Parliament. It was quite an amazing start.

I remember about three months into my term the class of '96 were having a lunch with Jeff Kennett. There were 16 of us in the coalition who came in in '96. We were all feeling pretty good about ourselves, and Jeff deflated our balloons very quickly by saying, 'You do realise that only a couple of you will end up being ministers and most of you won't last two or three terms.' I thought, 'Well, there goes my career, but I will make the most of it'. As it turned out, I was one of only two who became a minister, and I am the second-last survivor, so I did not think it would work out that way.

I would like to start with a few thankyous. Of course thank you to all the parliamentary staff for making us all look so good through the work you do. I have made friends amongst the parliamentary staff, and I thank them for all their support. To the committee staff: I think our parliamentary committees are great. I have been on about seven or eight of those committees. The staff do an incredible amount of work while putting up with all our political nuances, but I think between us all we have done fantastic work. Thank you to my ministerial staff who supported me, and I know there are a lot of them here. In fact we all still stick together and get together, including some of the department staff. We were actually described once by the Premier's office as being recalcitrant and a bit like the Democratic People's Republic of Korea, so we took that as a badge of honour. From then on I was known as 'Dear Leader' by my staff.

Thank you to my electorate staff. I have not had a lot of electorate staff. Either I have treated them well or the

work was pretty easy, because they have tended to stick around. I would like to pay particular tribute to Barbara Walker, who was with me for 16 years in the electorate and also in my ministerial office, and Meredith Cassidy, who has been with me for 18 years and is going to pull up stumps with me in November.

I thank the Liberal Party and especially the local branch members. I would not be a member of Parliament without being a member of that party. For their fundraising, their support, all the hard work that comes with campaigning and just the maintenance of the party, and for looking after me and keeping me on the straight and narrow, I really do sincerely thank them for what they have done.

To my local community and those who voted for me, I hope I have not let you down. It certainly has been an honour to represent you all. It is just a tremendous community on the Mornington Peninsula. I lived there for many years before I became the local member, and I will continue to live there. They nearly let me down. I was elected by only 114 votes in 2002, and whenever my children want to get a rise out of me they just say, 'Hey Dad, 114', and I assume the foetal position on the floor every single time.

I thank my broader family, especially my brother and my two sisters, who have taken a great interest in my career. They come from different political aspects, but they have certainly been very interested in my career and have been thoroughly supportive of me. To all my many friends who have supported me and helped me and taken a great interest in my career, I thank you very much. To a dear friend Stacey, thank you for your great support.

I would also like to take this opportunity to thank my late wife, Chris, who deserves all the credit — so much credit — for being by my side for 20 years. Chris was not into politics. She did not really like politics, but she supported me; she was by my side. Whatever I wanted to do she just said, 'Yes, you go for it', and it brought us as a family great joy. In fact Chris was a long-time teacher, and I remember when I was shadow Minister for Education and then Minister for Education I would be very excited and tell her about some great new policy I had thought of or something we were doing. She would say, 'Yes, yes, that's nice, dear, but in my classroom today X, Y or Z happened' and she always brought me back to reality.

Julia and Marty, my children: what can I say? Julia and Marty are in the family business; they are both in politics as well. They were aged eight and 12 when I was elected, so they have grown with me right through politics. They really like politics — they get it — but because of that their love and support and understanding of me has just been extraordinary. It is something that binds us together, and I just cannot thank them enough for the support that they have given me through this wonderful career.

With this job we are just so lucky. There is not a job around where you can help so many people and help a community in small ways or really large ways and make a massive difference. We are very, very lucky to have this job. One of the great aspects of this job is that we get to know our beautiful state of Victoria. I have been all over Victoria many, many times. The communities, the geography of it, the people — every single aspect of getting to know a state is a real honour and a privilege.

We all have to know a lot about a lot of things, and I think that is what has kept me young, kept me enthused and kept me interested in the job. You just have to know so much about so many things. I think that is a great challenge, but it is one of the great aspects and endearing qualities of this wonderful role that we actually perform.

You meet a lot of people along the way — a local hero who has done a tremendous thing in their community right up to world leaders. I have been going to a regular conference in Rome for a small group of Catholic legislators from around the world, and last year I had a meeting with Pope Francis. But one of the other participants at the conference was Sean Spicer — late of the White House, for those who do not know, but I think you do. Sean and I actually had a couple of bottles of red one night, which was very, very interesting, as you can imagine. When I came back to tell people, 'I've been to Rome and I met the Pope and I met Sean Spicer', all the politicians said, 'That's nice about the Pope, but tell us about Sean Spicer'.

I will just put my humility aside for a moment. One of the interesting things about being especially the education minister is you end up unveiling a lot of plaques around the countryside in all sorts of places. I do have suspicions that some of them actually come down when you leave, but I like to think that they are still there. My favourite plaque is the one at Kyneton Secondary College. I was invited to go up for the 150th anniversary of the foundation of the school. There was this massive granite block there — beautiful polished granite, very central Victoria, lovely gold lettering on it. I was to unveil the plaque. When I saw the plaque with my name on it, the lettering was all the same size. The plaque is massive. It is all granite and gold lettering. Sometimes I make some of my family

members go up and have a look at it. In fact I said to them, 'I won't need a headstone. This will do me fine', which will save the taxpayer a lot of money for my state funeral, I am sure. I am always thinking of the taxpayer.

It has been an honour and a privilege to serve this Parliament, and it has been an honour and a privilege to work with so many — obviously my colleagues around me, those opposite and those who have gone before us in this place. That was an unexpected highlight. We are all here because we are passionate about our communities, we have got incredible life experiences and we are ambitious, but it is an incredible mix. I never thought it would be as good as this with the people that I have worked with.

One group I have to mention is the country members. The Liberal Party have a country members group. We have a meal together on the Monday before any sitting day. It took me a while to break into this group, because they said I was not a country boy, but I pointed out that I did fulfil five criteria: one was I received the second residence allowance — legitimately; two, I had a Victorian Farmers Federation branch in my electorate; three, the Country Fire Authority served my electorate; four, I could see livestock from my house; and five, I had been audited by the Australian Taxation Office. They are a great group, and I appreciate their friendship.

I have made a lot of friends, people I will always keep in touch with. Two of my closest friends have been involved in politics. One is Nick Kotsiras, the former member for Bulleen. Nick and I used to hold prayers — 'Thank God it's Tuesday. Thank God it's Wednesday' — in the room just next door, and single-malt Scotch was the go there. Nick was a consummate politician and made sure that anybody who came in signed the visitors book. We had members from the Labor Party, the media and the leadership. Everybody came along. Their names are there for posterity. No-one ever complained about our prayers.

There is a rumour that Kim Wells, the member for Rowville, and I actually sleep together, and I want to take this opportunity on this last occasion to actually mention that rumour. It is true. Kim and I have slept in a hiking tent all over the world, all over this country and all over this great state. But, as Kim said, there was always one rule: Catholics on one side, Protestants on the other, and never the twain shall meet — and that has never happened. Thank you, Kim, for your great support and friendship.

My message to you all is please do not devalue this great institution and its great traditions. The committee work and the work we do with our conscience votes and in debates is just first class, and the fact that we can really work together is wonderful. The Westminster system may have its faults, but it is certainly the best system and something we should be very, very proud of and always work to uphold.

It is just great to see that this building is actually being looked after for those who work in it, because I think if you devalue the building you devalue the tradition and the institution. On our salaries and conditions and travel and all of those sorts of things, my message to you all is do not devalue yourselves by devaluing that. Every time you give something away, no-one says thanks for it. We have got to be proud of what we do and respect the importance of what we do. We should always hold fast to that tradition and the great position and honour that we have and not devalue it in a single way.

To my fellow retirees: congratulations on all your great service. I wish you good health and good luck in your future. And for those of you who are going on, good luck — not too much good luck over there. What am I going to do in my retirement? Well, I am going to enjoy my cars. I am going to buy a boat. I am going to take up the guitar again. I am going to travel. I am looking for a couple of board positions if anybody wants to come and talk to me later. More importantly, what I hope to be is a better friend, a better Poppy to Ella and Sienna and a better dad to Julia and Marty, because I think it is now time for me to give back to those I love and who have loved me and supported me all the way through. I really cannot believe it is all over. It has been a fantastic opportunity. It has been a fantastic journey. Thank you, and goodbye.

Honourable members applauded.

Mr HOWARD (Buninyong) (12:49) — In 1971 I was a year 10 student at Geelong High School. In those days schools brought in careers counsellors to talk to year 10 students about their potential futures so that they could plan their subjects ahead of years 11 and 12. When I was asked what career I was considering, I said I planned to become a leader in the government, whereupon they said to me, 'You can't tell us things like that. Politics is something you might be interested in, but you can't plan your future around it'. I said I understood that, so I might study agriculture at university and possibly become a teacher.

Through my upbringing, though, I developed a strong desire to stand up for justice and to support people, particularly people who were not confident to stand up for themselves, and I believed that I could make a difference. This passion for wanting to make a

difference came about through the mentors in my life, most prominently my parents and my grandparents. My grandfather was a Methodist minister, who gave me a strong sense of social justice, of compassion and of the importance of standing up and speaking out. My mother and father provided me with great inspiration. Although we lost mum about six years ago, my father, who just turned 92 last week, is in the gallery and I thank him for his very important support over the years.

By 1980 I had finished my agriculture degree and my teacher training and found myself teaching at Kaniva High School. The vision of going into politics still had not left me, and I knew that if I was going to progress as a potential Labor member of Parliament, Kaniva was not necessarily the place to be, because I did offer to hand out how-to-vote cards in Kaniva on election day and between the three of us we did a very good job. But that was it. In 1983 I moved on to Ballarat and that proved to be a great choice for me. I found myself enjoying teaching at Sacred Heart College, playing tennis with Eureka tennis club and becoming a member of Lydiard Street Uniting Church, Ballarat Light Opera Company and a number of other organisations, including the Labor Party.

In 1989 I was encouraged to stand for Ballaarat City Council in the coming elections. I decided that I would stand and, as twists of fate go, half an hour before nominations were due to close in Eureka ward nobody had nominated. I came in to nominate at that time, along with a Liberal-supported candidate. Fifteen minutes later a second Liberal-supported candidate came in to nominate, but she did not have cash and she did not have a bank cheque to pay her bond so she ran out of time to nominate before the closing of nominations. It became a two-horse race and that twist of fate saw me elected to the Ballaarat City Council and start my involvement in leadership.

Three years later I was re-elected to the City of Ballaarat Council, and the following year I was elected as mayor of the City of Ballaarat, in 1994. Nine months later, however, I was swept out of office by Jeff Kennett in the local government restructure of 1995. Oddly enough that was one of the few things I agreed with Jeff Kennett about because we did need local government rationalisation at that time. In that year I took the opportunity to take four months out of my teaching career and I travelled to India. I found myself working as a volunteer teacher for three months in a multinational community based on the teachings of a fellow called Sri Aurobindo, whose central philosophy was that we really live in one world and we should, as people of all nations, work together, sharing our knowledge and skills for the benefit of all. While I was there I reflected on whether I still wanted to pursue, when I came back to Australia, a life in politics or whether, knowing how fickle politics can be, I would rather go into the good life, enjoy my time on my farm in Waubra and take it easy in that sense.

But when I did come back to Australia, as you have guessed, I did decide I would continue. I stood again for the newly established City of Ballarat and was elected. At the end of that term, though, I decided it was time to turn my energy directly towards the Jeff Kennett government. In 1997 I left teaching, stood for preselection for the Ballarat East seat, which was then the state's most marginal seat, as people might remember, held by Barry Traynor on a margin of just 27 votes. I was preselected, unopposed, as a Labor Party member not attached to any faction. It was a remarkably smooth preselection experience, so just imagine that!

An honourable member interjected.

Mr HOWARD — And your side, too. One of my first challenges after preselection was to choose a slogan for my campaign. It could not be 'Give Geoff the Job' because of course Jeff happened to be the opposing Premier. It could not be 'It has to be Howard' for other obvious reasons. We chose instead 'Geoff Howard. Listens, Cares, Gets Things Done'.

I remember on election eve 1999 being anxious about whether I had made the right decision. I was confident that I would be elected the following day, but the prospect of being one of only a few new Labor MPs that would then come into Parliament as part of a Labor opposition against the Kennett government team was a concern. I thought I would be carved up when I first walked into Parliament and I asked myself, 'What am I in for?'. But as we know, the 1999 election was a remarkable election when Labor won many more seats than we expected and, due to Peter McLellan's death on election day, we had to wait a further month before we knew who was going to be in government. It was clearly an exciting surprise for me to find myself as part of the new Bracks Labor government; and it is a surprise to me that 19 years later I am still here and able to leave on my own terms. It has clearly been a great honour and a pleasure for me to be part of the Bracks, Brumby and now Andrews governments through 15 of my 19 years in this place.

I want to take the opportunity to acknowledge and thank family members, electorate office staff, friends and supporters who have supported me through those many years. I want in particular to note Julieanne Giles, who has been an electorate officer since day one with

me, so for 19 years. But I also want to acknowledge two other important people, the most important people in my life, my two children, Chris and Sarah, who have never known me not to be an MP.

It is time to reflect on whether my time here has been worthwhile. I read over the first speech I made in this place recently, and among other things I talked of the importance of coming to this place with a dream of what we could do. I referred to Martin Luther King and of course his famous speech. I said that my dream was of a compassionate society in which people across all social sectors develop a greater understanding and appreciation of each other, and in which all community members feel included and valued. Sadly, I say I have not completed that dream. There is still work to be done there. But on the ground, however, as I have travelled around my electorate between Malmsbury and Lethbridge, between Bacchus Marsh and Linton, I am reminded of the many, many new facilities and upgrades which I have helped to advocate for. All 45 state schools across the former electorate of Ballarat East, now the Buninyong electorate, have been substantially upgraded. The new and upgraded preschools, childcare centres, fire stations, ambulance stations and police stations, substantial hospital upgrades and our train system are unrecognisable from the neglected tracks, running sprinter trains and diesel-drawn carriages and lines closed beyond Ballarat that we inherited. There is complete change there.

There are upgraded roads, noting the additional passing loops on the Ballarat-Geelong Road, which has just been completed, with improved pedestrian crossings at Ballan, Buninyong and Napoleons; and improved tourism infrastructure, sporting facilities, community halls, men's sheds and so much more.

Achievements also include important environmental gains, with the creation of Woowookarung Regional Park this term, and earlier on, the protection of Wombat Forest and the creation of the Hepburn community wind farm.

Clearly much has changed across the Ballarat East and Buninyong electorates over my 19 years, and it would not have been done without the support and foresight of Steve Bracks, John Brumby and Daniel Andrews leading great Labor governments, with approachable and supportive ministers who understood the need to get on with the job of listening and acting.

On a broader level, in my roles as parliamentary secretary and parliamentary committee chair, I have been able to contribute to policy development in areas ranging from Landcare support to support for organic agriculture and alternative energy projects to drug law reform, with the establishment of the medically supervised injecting centre in Richmond being another highlight. While I have influenced many of these projects and have appreciated the support of Labor governments, I have also enjoyed working with so many passionate and enthusiastic individuals out in my electorate and elsewhere to achieve these visible outcomes.

However, I reckon my greatest satisfaction has come from the many individuals I have assisted — with housing, with health problems, with schooling and parenting issues — sometimes council-related matters, sometimes issues we have not really been able to influence in a major way. But I have enjoyed taking the time with these constituents. I have listened to them and have advocated on their behalf, or sometimes I have just listened to them and advised them. It is always a pleasure for me when I am travelling around my electorate, possibly shopping at the supermarket or doing something else around the electorate, to have people periodically coming up to me, approaching me warmly, to remind me that they came to see me one time and then thank me for my help. There is nothing more satisfying than that.

For me a key part of the role of political representation is about leadership, and leadership to me involves keeping your feet on the ground, listening to people but not reacting always to the noisy voices or to the advice of pollsters. We know that our community is looking for their elected representatives to show leadership, but unfortunately many times we know that they do not believe that we are. Our role has to be about acting always in the public interest, being honest with the public and being prepared to take the time to explain why our plans for action are in the public interest. Too often oppositions particularly can attempt to win government through political opportunism at the expense of leadership. I have to add that I believe that Tony Abbott brought this political opportunism to maybe the lowest standard. As a result of that, we saw the loss of the price on carbon, among other things. And on that subject I have to say I was shocked when in Queens Hall recently a school boy visiting with his school group passed me as he was with his group, looked at me and excitedly told the boy next to him, 'That's Tony Abbott'. How hurtful was that!

In this state I am particularly concerned about the politics of law and order, where tabloid media and some politicians have promoted the sensational and have attempted to focus on crimes committed by individuals from particular cultural groups to present crime as a simple issue, focusing on penal outcomes.

The reality of course is that in order to improve our community's sense of safety we need to be honest in presenting facts and recognise that the best outcomes come from addressing causation.

I believe that a good government should aim to develop a healthy connected society, promoting cohesion not division. We still see too many people becoming disconnected from the community around them — young people and adults falling through the cracks, where they cannot fit in at school, cannot move onto employment and need support to address their challenges. These challenges may include mental health and drug and alcohol problems, and of course may lead to crime. But I believe that while Labor governments have been more aware of this and are focused on addressing support for people in need, we know that still more needs to be done. The alternatives only see more lives wasted and more crime as a result, as people lose connection with a healthy society.

Good leadership will focus on issues such as this, identifying how we can make our communities better while delivering the infrastructure and human services which can support us to a better future. This includes taking on board the advice of scientists and recognising that we need to act to protect our environment. That especially includes taking action to slow climate change. Again we need to be honest with the public and acknowledge the potentially devastating effects that climate change will bring if we do not take real action to provide a better future for the generations to come. It is only through good leadership at all levels that we can overcome the worst that global warming will otherwise bring.

For the years to come I will remain passionate in my community about many issues, including the need to develop a comprehensive system of supporting young people through to seeing positive futures. I will also continue to advocate for the environment. I look forward to continuing to engage with people in a more relaxed way though than I have over recent years and to becoming more involved in community life. After chairing the parliamentary inquiry into drug law reform, I have been invited back to the Rainbow Serpent Festival next year and I look forward to that. I also look forward to spending more time with my children, and supporting them more through their secondary school years.

In stepping aside I am confident that Labor has found a great replacement in Michaela Settle as candidate for Buninyong. I will continue to support Michaela to become the member for Buninyong, who I know is going to be a great member. I will continue to want to see the Andrews Labor government supported and returned because I think it can be a great government in another term. While being the representative in the great seat of Buninyong has been great for me, I am sure I will find plenty of things to do to enjoy life in the future.

I wish you all well in the future, especially those who are re-elected into the new Parliament. May your efforts make the lives of those you represent better. The future of this state clearly depends upon the actions of those who remain here.

Honourable members applauded.

Sitting suspended 1.05 p.m. until 2.06 p.m.

Mr THOMPSON (Sandringham) (14:06) — Charles La Trobe, Lieutenant-Governor of Victoria, once caricatured some fellow travellers on a paddle-steamer whilst travelling in the United States. He noted that the pilot was found to be a drunk, the engineer an ignoramus, the steward an economist, the captain a gambler, the firemen insurgent and the passengers riotous. Welcome to Spring Street!

It has been an honour to serve in the Parliament of Victoria, representing the Sandringham electorate, over the past 26 years. I often reflect upon the history of our nation and the presence of many reminders of our post-settlement and Judeo-Christian heritage and the contributions of many faithful men and women. I outline a few examples. Victoria's motto is 'Peace and prosperity', words found at the front of 1 Treasury Place and in the Old Testament. In the parliamentary vestibule are words taken from the Old Testament:

> Where no counsel is the people fall; but in the multitude of counsellors there is safety.

The German words 'Ich dien', which mean 'I serve', are embedded in the front foyer tiles, an allusion to the master-servant.

At the 2007 unveiling of the statue of Indigenous heroes Sir Doug Nicholls and his wife Lady Gladys Nicholls, some 200 metres from where we are gathered, the *Age* newspaper, in reporting the event, noted that Sir Doug Nicholls's favourite biblical passage was quoted on the day, and it was:

> I press toward the mark for the prize of the high calling of God in Christ Jesus.

To the east of Parliament in Burston Reserve on Macarthur Street is a plaque honouring the memory of Caroline Chisholm, who worked tirelessly to support the women of colonial Australia. In the same gardens, adjacent to Tasma Terrace, there is the *Great Petition*

sculpture honouring the women of the suffragette movement. The first signatory was Margaret McLean, a long-serving president of the Woman's Christian Temperance Union and a feminist. Both Chisholm and McLean were empowered women drawn by their Christian faith to the service of others.

The Bible and the Christ of its narrative have been the cornerstone of our state. The preamble to the Australian constitution includes the words: 'Humbly relying on the blessing of Almighty God'. The Australian House of Representatives convened in this very chamber between 1901 and 1927. The Lord's Prayer is recited in both the Legislative Assembly and the Legislative Council before each sitting day. In a commonwealth address the Queen stated:

> Forgiveness lies at the heart of the Christian faith. It can heal broken families, it can restore friendships and it can reconcile divided communities.

Another theme of the Queen's addresses is her references to Jesus's parable of the Good Samaritan. The injunction from this wonderful story is: 'Go thou and do likewise'.

Lieutenant-Governor La Trobe's family were active in the slave trade abolition movement, as were the family of Victoria's first education minister, James Wilberforce Stephen, an 1866 state election candidate for part of the area now covered by the Sandringham electorate. His step-grandmother was the sister of William Wilberforce.

When La Trobe arrived in Melbourne in 1839, his address included the following words:

> … I pray God, to whom I look for strength and power … that I may be enabled through his grace to know my duty, and to do my duty, diligently, temperately and fearlessly.
>
> …
>
> It will not be by individual aggrandisement, by the possession of numerous flocks and herds … that we shall secure for the country enduring prosperity and happiness, but by the acquisition and maintenance of sound religious and moral institutions, without which no country can become truly great.

In 1838 La Trobe wrote in a report to the House of Commons that the 'gift of education' should be:

> … not merely based upon worldly morality, but built upon the Holy Scriptures.

In 1835, from Tasmania, Henry Reed financed the early settlement of Melbourne. He led the first lay church service in Melbourne in the spring of that year. Reed later helped fund the Salvation Army in England from his Tasmanian wealth. His grandsons founded Qantas Airways and the Heide art gallery. A granddaughter went to China with the China Inland Mission. Reed believed in engaging people in the commercial life of the community, protecting the vulnerable and addressing social structures which created victims. In Tasmania, Reed spent the last night in the cell of six men condemned to be executed and walked with them to the gallows.

Today legislators confront the challenge of whether pluralism will become society's new truth: are everyone's ideas true at the same time? A former Australian Prime Minister noted that we live in a society where children do not know who they are, they do not know where they belong and they do not know what they are here for.

This existential malaise is often compounded by a loss of hope and ever greater levels of addiction, poverty, domestic violence and homelessness. When we have lost the cultural moorings that once gave our community strength and purpose, how can children realise their potential?

There is a portrait of the late Sir Isaac Isaacs some 15 metres away from the Legislative Assembly of Victoria, in the Premiers Corridor. Over the course of a distinguished career across all three arms of government, Isaacs served as solicitor-general of Victoria, Attorney-General of Australia, Chief Justice of the High Court and Governor-General of the Commonwealth of Australia. Writing in 1934, Isaacs observed that:

> The Bible … reminds humanity, if it will but listen, that it is not in the stormy wind, nor in the earthquake, nor in the fire, that salvation is to be found, but in the 'still small voice' that the sacred volume carries as its message of righteousness, mercy and peace through the ages. This, I believe, is the only real hope, the only firm anchorage of a drifting and struggling world.

When I entered politics the issues confronting the Sandringham community were economic: unemployment running at 11.3 per cent, company receiverships, personal bankruptcies and high levels of personal debt. Victoria had lost the Victorian Economic Development Corporation, the State Bank of Victoria and its AAA credit rating. I had the privilege of serving as a member of a reforming government which built infrastructure, transformed a broken economy, created jobs and branded Melbourne and Victoria to global markets. Out of these foundations grew a Victorian community that punched above its weight and took on the world.

Between 2010 and 2014 the coalition government had a strategic focus on maintaining a budget surplus,

increasing productivity, improving service delivery, assisting industries in transition, expanding export markets in the Middle East, Indonesia, South-East Asia, the USA and Chile, and sending trade missions of unprecedented significance into China, India and Japan.

In 1998 I met in Melbourne with Leonid Kravchuk, one of the three people who signed the dissolution of the Soviet Union and later became President of Ukraine, the food bowl of Europe. I asked him why, as a former minister for propaganda in the Soviet Union, he signed the dissolution. He replied to me, 'I saw that people valued their freedom'. *Time* Man of the Year Lech Wałęsa, the shipyard worker who took on the Soviet regime, argued during a visit to Melbourne in 2003 that communism had cost the lives of 200 million people during the course of the 20th century. In the philosophical contest between communism and capitalism, the cause of freedom triumphed. Wałęsa also further argued that Poland needed more generals — General Electric and General Motors.

The ability of nations to develop industries can be hampered by the approach of the left:

> If it moves, tax it, if it keeps moving, regulate it, and if it stops moving, subsidise it —

as noted by Reagan. Margaret Thatcher stated:

> Socialism is a good idea, until of course they run out of other people's money.

Sir Charles Carter, a British scientist, stated:

> Unfortunately in our society in recent years there has been a tendency for bias against wealth creation in favour of so-called socially significant activities, but which, ironically, depend for their support in the first place upon wealth creation.

As a member of Parliament I have seen the realisation of legislative amendments which were first raised in my Sandringham office being written into the statute books of Victoria, including the Crimes (Questioning of Suspects) Act 2000, the National Parks (Marine National Parks and Marine Sanctuaries) Bill 2002, the Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017 and the Legal Practice Act 1996.

I have had the opportunity to oversee the development of major community infrastructure, initiatives and services within the Sandringham electorate, including in the areas of health, education, law and order, planning, sport, public transport, the environment, coastal management and disability support. I have endeavoured in every way to give voice to those who have had no voice in the pursuit of just outcomes.

As the Liberal spokesperson for multicultural affairs, veterans affairs and citizenship, and as shadow minister for housing and Aboriginal affairs, I learned much from these responsibilities and sought to keenly advance policy initiatives. I acknowledge many keen-minded and purposeful Indigenous Victorians with whom I had the privilege of working. I also had the extraordinary privilege of working with many Australians who came to this country as migrants: fleeing tyranny, seeking opportunity or working to provide a better future for their children. One migrant noted that Australia gave him the chance to start a new life. It goes without saying that we live in a wonderful country; let us not take it for granted. Another immigrant once remarked to me that you only understand the true meaning of freedom when it is taken away from you.

Today I wish to acknowledge the undergirding support and sacrifices made by my family: my dear wife, Theana, and our children, Alex, Alithea and Theo. Without their love, commitment and support I could not have pursued my career in politics. I acknowledge my mother, Joan Thompson, who has supported two careers in the Victorian Parliament spanning almost 54 years, the first of which commenced 63 years ago. My father, when he retired in 1982, was described by the *Age* newspaper as having served the state of Victoria with 'rare decency, dedication and distinction'.

I thank my long-serving full-time staff for their extraordinary dedication to their work and service to the constituents of the Sandringham electorate: Robyn McNaught, Annette Burrowes, Leanne Whitechurch, Rachel Reid, Tim Neve, researcher Jenni Howell, Angie Gledhill, Madeleine Grey and Gaelle Broad.

I pay tribute to Matthew Guy, an outstanding leader of the Liberal Party and the coalition team in the 58th Parliament, and all my parliamentary colleagues. I acknowledge the great work of hundreds of federal and state Liberal Party members who have sought to build a better Australia. I acknowledge electorate chairs Ian Cox, John Foley, Paul Nettelbeck, John Knight, Brad Rowswell and Jennifer O'Brien, whose volunteer efforts were integral to the effective work of the Liberal Party. I further pay tribute to Brad Rowswell, a great young Australian and endorsed candidate for the seat of Sandringham. I thank all parliamentary staff, including the highly skilled parliamentary librarians.

The world is in a constant state of challenge, but I am encouraged by and pay tribute to the thousands of my constituents and other good people who I have met through my parliamentary work across Victoria in every walk of life — change makers, mighty citizens, humble people who have sought to build the economic,

community, family, sporting and spiritual life of our nation and outworked the injunction of John Wesley to do all the good you can, in all the ways you can, in all the places you can, to all the people you can, as long as you possibly can. Vale, Spring Street.

Honourable members applauded.

Mr LIM (Clarinda) (14:22) — I did not realise the member for Sandringham had been here longer than I have been — I was just about to claim that title. But still it has been 22 years and eight months. This is indeed a long time in Parliament, but still not long enough to achieve everything I would have liked.

In 1996 I was the first and only Cambodian-Chinese person to be elected to a Parliament anywhere in the English-speaking world. I also was the first Asian to be elected to a lower house Parliament in Australia. As I said in my very first speech at the time, this was something momentous. It is something I am extremely proud of and something I will always be proud of. Back then the Cambodian and Chinese community celebrated my election as the first Cambodian-Chinese person to enter the Victorian Parliament. Given that the Chinese settled in this state more than 160 years ago, it was historically significant for all of them.

It was 161 years ago that the Chinese gold-diggers walked from Robe in South Australia to the Victorian goldfields to avoid the racist £10 poll tax imposed on the Chinese in 1857 in Victoria. Many of the 16 800-plus Chinese who made that terrible more-than-400-kilometre journey by foot died from exhaustion and sickness and suffered race riots and discrimination upon arriving in the goldfields.

Last year I was privileged to represent the government at the commemoration festival in Robe. During the festival there was the parade of lions and dragon dancers, dragon boat races and fireworks and the opening of the friendship gate to mark the commemoration. But most significantly, it included the farewell and send-off of 19 pioneer walkers — three of whom were fourth-generation descendants of the original Chinese walkers. They commenced a 20-day walk retracing the footsteps of the horrible walk from Robe. It was to pay special tribute to the honour, the heroic courage, the tenacity, bravery, sacrifice, suffering and resilience of those who came before them more than 161 years ago.

It was those brave people that cut the path for me and cut the path for the Chinese Victorian community that is such a bright and vibrant part of our state today. I was filled with pride and relief when history was made at the great walk reception in Parliament House on 25 May. The Premier and the Leader of the Opposition received the walkers and apologised for this discriminatory policy and wrongdoing of the past. That truly was one of the highlights of my 22 years in this place. It was an emblematic moment. It was testament to just how far we have come as a community here in Victoria.

I have been honoured to serve my constituents in Clayton and Clarinda. I have been honoured to serve one of the most multicultural electorates in the country. It would be remiss of me not to say that I take pride in the fact that I have been able to bring more than 600 attendees from more than 100 community organisations from around 20 different ethnic backgrounds to my Clayton annual multicultural banquet to celebrate multiculturalism. I am grateful to the Premier, who has supported and attended this celebration for the past many years.

Our community is truly diverse and truly dynamic. I am proud of what we have been able to achieve as a community. I take pride in having advocated forcefully for the family reunion of refugees and asylum seekers and then securing resources for their successful resettlement, especially the Indochinese community, the Timorese and the Burmese.

I am proud of the infrastructure we have been able to build. The list is very long and includes the Westall overpass; the rebuild of Westall station and rail maintenance depot; the Huntingdale railway station bus terminal and car parks; the Clayton and Centre Road level crossing removals — ensuring that ambulances are no longer delayed; the magnificent new Clayton station, with new bus connections; the soon-to-be-completed Clayton RSL remembrance garden and cenotaph near the elevated rail; the open space between Caulfield and Dandenong which will be completed shortly; the Wat Buddharangsee Cambodian Buddhist temple multipurpose hall in Clarke Road, Springvale South; the Springvale Asian Gateway in Buckingham Avenue, welcoming all to the shopping centre; and the soon-to-be-built first Chinese aged-care centre in the south-east of Melbourne. Our community has come so far over the last 22 years.

And what about the Monash Medical Centre? What can I say? Monash Medical has been ever expanding, full of dedicated doctors, nurses and support staff. I am so proud of the massive increase in dollars we have been able to provide for equipment purchases. I would like to say a huge thank you to the staff that treated me there many times over the years. I am also so very glad that we have legislated for nurse to patient staff ratios.

Then there is the Monash Children's Hospital, with a helipad which was cut from the project by the previous Liberal government, and the new school at Monash Children's to ensure our sick kids keep up with their education, with an extra $13 million in the past budget. It was such a pleasure to visit the kids there last May together with the member for Oakleigh. There has been funding for the new Monash Children's emergency room, separating it from the main Monash Medical Centre emergency room. The list goes on and on. There is the John Monash Science School, with 640 year 10–12 students — that was $20 million very well spent; as well as the Australian synchrotron and a myriad of medical research grants in the Monash employment cluster, saving lives every day. It is just amazing.

I have also been extremely proud to be part of a government that believes in the Education State. I remember fondly in 2010 the $3.8 million for Spring Parks Primary School, a most deserving disadvantaged school. At Cheltenham Secondary College there has been a $7 million rebuild, with a new arts precinct created, a senior school and careers centre established and a wing of new senior classrooms, library and multipurpose classrooms developed, with the year 7 area also renovated.

I am going out on a good note after the last budget announcement, which included moneys for the Westall education precinct — $12.3 million for the first stage rebuild of the primary school and commencement of the secondary college to give these kids a greater chance of success in their lives. There is Huntingdale Primary School, with moneys for a new school oval and planning moneys for a master plan. This was done years ago, along with Clayton South Primary School, only to see the Baillieu Liberal government walk away from that commitment. Again I am proud to be part of this government and its investment in education, its efforts to reduce class sizes and increase teacher numbers and support staff numbers. Our children really are in good hands.

Another priority of this government has been community safety. Another proud achievement has been the record investment into new police and proper resources. Several times this year I have spoken about the significant decreases in recorded offences and criminal incidents in my electorate which are a result of more police at the local level. I do not know where some of the honourable members opposite were getting their statistics from yesterday, but as of March this year all of the four cities which make up my electorate saw significant reductions in crime from last year — and those were very significant reductions of between 5.7 per cent and 11.6 per cent across the four cities. Interestingly, of the four cities it was the City of Greater Dandenong — Australia's most culturally diverse community — which had the greatest decrease in criminal incidents. The level of diversity in Greater Dandenong is the highest in the country. Residents come from 157 different birthplaces and more than half were born overseas. More than 70 per cent speak a language other than English and it is home to almost 2000 new asylum seekers. So it pleases me very much, for the last time, to remind all of those who like to dog-whistle about the supposed criminal activities of migrants and refugees, especially the young people, that in the most multicultural community, not only in this state but in this country, crime is down more than 11 per cent.

At this juncture it would be remiss of me not to mention that we have been there and seen that. During the 1980s and 90s we saw the criminality of the young Indochinese. We saw the Vietnamese gangs. We saw them cutting each other. We saw them fight and we saw them overdose in the public toilets in Springvale. I have been there and I saw that. But we responded to those challenges. We went into the prison system and we educated them and prepared them so that they came out not reoffending. We can do that again and we are doing it now. So all the dog-whistling, especially from those in Canberra, has to stop. They probably have to ask the question, 'What can we do to help?' and take up that challenge so that everyone in the country now is a proud Australian.

To all the community-based organisations in my electorate in the south-east and across the state, your invaluable work in assisting some of the marginalised members of our community and in assisting the newly arrived members of our community — the importance of your work can never be overstated. Again, I salute you all for your spirit and generosity, for the long and unrelenting hours you have provided over so many years. In particular I need to thank the Chinese Community Council of Australia, Victorian chapter; the Cambodian Association of Victoria; the Cambodian Australian Federation; the Teo Chew Chinese Association and all the Khmer temples in the south-east. I am so proud to have worked with all of you. I am proud of the programs and initiatives, the infrastructure, the awards and honours for community groups large and small, and the individuals.

I must thank many individuals, particularly Minister Robin Scott, a friend, supporter and a believer in multiculturalism; Cr Youhorn Chea, the refugee who became a four-time City of Greater Dandenong mayor, who stuck by me through thick and thin; Meng Heang Tak, who is going to be my successor; and my many

past and present 'believers' team of staff and volunteers led by the incredible Peter Davis who cannot be here today.

I would like also to mention specially the venerable head of one of the biggest Buddhist temples in the south-east, who is here in the gallery. I finally take the opportunity to thank my wife, Bopha, who is also in the gallery and my two sons, Jeremy and Geoffrey, for their patience in putting up with me for all these long years and giving me the most enormous support.

I can keep on saying thanks to the many parliamentary colleagues, state and federal, who have supported me, who guided me and who never failed in their belief in what we are doing, in the south-east particularly and also nationally. I thank the staff of the Parliament who have treated me with respect and courtesy and always supported me during the years. I will never forget the first day I came to Parliament, when people addressed me as Mr Lim — and that was the staff inside this building. I am grateful for their support and I am grateful for the time I spent in this place. I am grateful for the opportunity, and I thank you all.

Honourable members applauded.

Ms ASHER (Brighton) (14:38) — In 1976, 42 years ago as a 19-year-old, I joined the Liberal Party. I joined the Liberal Party for three reasons. The first was my reaction to the Whitlam government. The second was my mother. She was a staunch Liberal and an ardent admirer of Sir Robert Menzies, and she wanted me to join the Young Liberals. She made the phone call. On reflection, I think this was because my mother was not happy with the quality of the young men I was bringing home.

For the third reason, I joined the Liberal Party because I was studying political philosophy at university. I had some exposure through my tuition to the world of liberalism and the writings of John Stuart Mill, so I read *On Liberty*. Everyone has read extracts of *On Liberty*; it is a driver for me in terms of the liberalism that I aspire to. I also read a treatise written by John Stuart Mill in 1861 called *The Subjection of Women.*

I want to quote from that because it is relevant now:

> … that the principle which regulates the existing social relations between the two sexes — the legal subordination of one sex to the other — is wrong in itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other.

That is the reason I joined the Liberal Party. I immediately signed up to the Burwood Young Liberals, and one young Jeffrey Gibb Kennett was the candidate — not the member — for Burwood. He had just won the preselection, and the Liberal Party had to go back and change the rules after that because he exploited them. One of the first things I ever did as a member of the Liberal Party was hand out how-to-vote cards for Jeff Kennett, and I was involved in many, many of his campaigns after that during the 1980s. Actually, as luck would have it, on the day I was elected Young Liberal President in 1982 — it was by a very narrow margin — Jeffrey was one of the tellers, and he was heard to exclaim very, very loudly, 'Thank God, she's won', until I think it was Dame Margaret Guilfoyle had to point out to Jeffrey that tellers were meant to be neutral. I say this because I have always been a Kennett supporter, obviously given that background, but I also say it because there is a significant degree of luck in a political career, and I reckon I had that by landing in Burwood Young Liberals in 1976.

I entered Parliament in 1992. I was a relatively young woman, and I fear the ravages of 26 years of political life are showing badly, because polite young people now often stand up on the train and offer me their seats. I am one of the lucky ones in that I get to leave on my own terms. I was on the front bench for 18 years — two terms as a minister; 11 years as a shadow, unfortunately — and I was deputy leader of my party for 11½ years. Allow me to take this opportunity to thank my numbers men: Philip Davis, Graeme Stoney and Steve McArthur. So there you have it: they were mainly responsible for my being there the first time, and Philip was responsible for my being there the second time, along with Graeme.

It is a great honour to have served in this party and this Parliament, and I am very, very grateful to the Liberal Party. Some of the things of which I am most proud are the work that I did on the back bench on residential tenancies, which ended up in the Rental Bond Board being established; on domestic violence, with more outreach workers being employed; on disability, with more community housing. I do remember vividly the then corrections minister wanted to close Fairlea Women's Prison and put the women in Jika Jika at Pentridge, a high-security area. I thought this was a trifle unfair given the crimes those women had committed. So I got together this whole heap of Liberal women from the organisation and we went on a bus tour. We visited Fairlea and we visited Pentridge. You will appreciate that in this group of Liberal women none of us had been to Pentridge, none of us had been to a prison, none of us had met a prisoner. We walked through Pentridge in our suits and our high heels and our pantyhose, dripping with jewellery. We had never

seen anything like Pentridge and, if I were to gather by the looks on the faces of those prisoners, they had never seen anything like us! Needless to say, the women did not go to Pentridge, and I made a very large enemy in the then Deputy Premier, but who cares, he did not hand out the ministries.

As a former minister, I am proud of the work I did — twice — to increase international and domestic tourism as Minister for Tourism, our second most important export here. I devised the first tourism campaign into regional Victoria and the first campaign into China, now our number one tourism market. I rewrote retail tenancies legislation and liquor law legislation. Again, for anyone who knows me and my fondness for sauvignon blanc, people were amazed that Jeff Kennett put me in charge of liquor! I am very, very proud of the trade mission program, which I devised. It actually has resulted in nearly $5 billion of export opportunities for small businesses. I did bring in some legislation to make it easier to produce films. One time a TV production called *Upper Middle Bogan* was being filmed in our street, and I explained to my husband that it was now easier to film, to which he said, 'Well, what idiot did that?'.

My greatest achievement as a local MP was to reopen the New Street gates. It was not a level crossing removal; it was the reopening of a crossing. If you had faced three meetings of 500 angry people — Brighton residents are normally very polite — you too would have changed your mind and opened those New Street gates. I still get thanked for that, walking down the street today. I was particularly pleased as a member of the opposition to be co-chair of the policy review group, with the Leader of the National Party, and working very, very closely with the member for — what is your seat now, Kim?

Mr Wells — Rowville.

Ms ASHER — Rowville; it was Scoresby — putting together a package of policies for the 2010 election. I found that work particularly stimulating.

I am the longest serving woman in this Parliament. I was the first Liberal woman who was a minister in the Legislative Council, in 1996. I was the first woman Leader of the House — not my favourite job, that one, when I did not have the numbers — and I was the first woman Deputy Leader of the Liberal Party. I hope many other women on my side of the house will be able to contribute at this level or indeed higher.

I am looking forward to my new life, but I will miss the meaningful opportunity to contribute. Politics should be a noble profession, and unfortunately I do not think the public thinks it is. However, I will not miss the parliamentary sitting schedule which dominated my life — dictated my life — for 26 years. I will not miss the abuse that comes, unfortunately, with public office, and I will not miss public meetings. I will not list all of them, but one memorable one was at Prahran town hall. The then member for Malvern, Robert Doyle, and I were sitting at the front, and the meeting was about the Kennett government's local government amalgamations. A group of residents in East Malvern in something called the Gascoigne estate were particularly perturbed that they had been put with Glen Eira and not with Stonnington, where the rest of Malvern was. There were thousands of them there. I looked around and I said, 'Isn't this lovely that so many of my branch members are here to support the Kennett government's amalgamation proposals'. Anyway, Doyley said to me, 'What do we do?', and I said, 'Oh, it's really easy. You just say you'll take it to the minister'. He said, 'Oh, it's that easy, is it?'. It is until you are the minister and you are the one sitting out there. Anyway, the Gascoigne estate went into Stonnington, and I will be really happy not to attend a public meeting sitting at the front of the hall ever again in my life.

Political achievements of course are rarely individual. I want to thank the Liberal Party. I want to thank my voters in Monash Province and in Brighton. I want to thank my branch members; my electorate chairs; the Liberal premiers under whom I have served; my staff — Veronica James, who worked for me for 18 years, Julie Baird, Alison Smith and Jenny Amos, who are hovering around the decade mark; and I want to thank the parliamentary staff. Ray Purdey became my closest friend in the last 18 months of the coalition government. I am very grateful to him and I am very grateful that the government survived, or at least it did not fall on my error. I wish the Leader of the Opposition the very, very best for the next election; I think he is an outstanding young man. I wish James Newbury all the best and every success in the hope he follows me in Brighton.

As I said, I have been very grateful for the opportunities I have been given. However, I am concerned about a number of things. I am concerned about the diminution of respect for others in this Parliament — others have touched on it — and lack of respect for the taxpayer. I am concerned about the disintegration of society's institutions and the public loss of trust in these institutions. Its banks, its insurance companies, its bureaucracies, the Australian Taxation Office, the major political parties and the churches were all part of this loss of faith in society's existing institutions, or

traditional institutions, and obviously it is behaviour that has driven this.

The people expect us to represent them. I actually think the major parties need to act on this. I do not want to see a Parliament with — let us take it to its logical conclusion — 88 Independent members of Parliament. It will be ungovernable and unworkable, and I do not even like seeing in Parliament the concept of a couple of Independents having disproportionate power over the public purse at minimum. I would like to see both major parties rectify this loss of trust, because if we want to govern in the way in which governments have traditionally governed, I think we need to do so.

I am also deeply concerned about the loss of faith in democracy. I instance Doctor David Zyngier's work at Monash University, and I refer to some evidence he gave to the Electoral Matters Committee. I quote from the report:

> In 2014, only 60 percent of Australians believe that 'democracy is preferable to any other kind of government' … only 42 percent of 18 to 29-year-olds in 2014 view democracy as preferable to any other kind of government …

I think that is shattering for us as democratic legislators to look at those figures, and again I think we need to do something about it.

I would like to thank Ron. He terminated his career for me, and I could not have done all of this without my fabulous husband. So I thank him so much. I am looking forward to my new life. I think it is going to be fabulous spending more time with Ron and with his beautiful grandchildren.

The joke is we met over there in what people called the red morgue. It was not a morgue, and we were not the only ones. I will not name names, and I also thank those very few of my colleagues who did know that I was doing the unthinkable, what I swore to my friends I would never do, and that was go out with a parliamentary colleague — well, I guess he was not a Lib. I thank so much those people who did know about our relationship and who kept quiet about it and did not tell Jeffrey. I told him after I was appointed to the ministry. Given that the Nats thought that Bill Baxter had lost his spot because of me and given that Pat McNamara, the Deputy Premier at the time, lost tourism because of me, I was very, very pleased that Ron had been so discreet and Ron's friends had been so discreet for so long. I have had a ball, and I thank the house for listening to me.

Honourable members applauded.

Mr NOONAN (Williamstown) (14:57) — Speaker, as fate would have it, you were the guest speaker at my first Labor Party meeting in Greensborough back in May 1997. Two things happened at that meeting. Firstly, you gave an incredibly dry speech about the internals of the Banyule City Council. Secondly, and despite your speech, I did join the party, and I am proud to say we have remained close friends ever since — and I hope in the future too.

In joining the Labor Party I pledged to fight for Labor's values of social justice, fairness and equality and of course to become a strong voice for working people. After making those pledges 21 years ago, I could not have imagined that a working-class kid from a quiet court in Greensborough could ascend to the rowdy halls of the Victorian Parliament, but that is exactly what has happened. I would like to think that I have extracted every last ounce of my ability to serve as the member for Williamstown, including stints as a shadow minister and as a government minister across multiple portfolios in this term of the Andrews Labor government. I have done so without ever losing sight of the fact that the Labor Party put me here to uphold its values and serve working people, and it is my achievements for working people that I am most proud about.

In opposition I stood with our paramedics when they were fighting for fairness and decency and needed a strong voice in Spring Street to defend their integrity. In government I stood with our police to deliver a landmark enterprise agreement in 2015 — the first in 20 years to be resolved without industrial disputation. As industry minister I stood with an entire community in Portland to save Alcoa's aluminium smelter. I also stood with thousands of auto workers and supply chain businesses to help them retrain, re-skill and secure new opportunities. Finally, I stood with Hazelwood power station workers in their hour of need and helped deliver Australia's first-ever worker transfer scheme in the Latrobe Valley. These events were a reminder that Labor's first responsibility will always be to working people.

Not every moment in public life is littered with fulfilment or joy. I want to touch on a few because I think they provide an insight into the challenges of public life but also the depth of the human spirit. Let me start with the ambulance crisis. This crisis gripped my life for two years between 2012 and 2014. When we were in opposition our leader, Daniel Andrews, appointed me to the position of opposition parliamentary secretary for health and mental health. After taking careful advice from former Bracks minister John Thwaites, I systematically worked every day to reveal cases of ambulance ramping at hospitals, patient

waiting times, mismanagement, paramedic stress, health and safety issues and poor staff morale. I travelled to every corner of the state and spoke to every paramedic and local journalist I could about the depth of the crisis. No-one had to be convinced, though, as response times continued to slip to increasingly dangerous levels. I enjoyed a wonderful relationship with paramedics and their union and will always rank Steve McGhie and Danny Hill amongst the best and most respected union leaders of our generation.

During this period I was invited by ABC broadcaster Jon Faine to attend a Southbank studio to discuss the crisis. It was on this morning in August 2013 that I met Julie Wilson and came face to face with a woman so stricken by grief that her on-air account of losing her son Brodie after waiting 27 minutes for an ambulance simply broke my heart. In the months that followed I also met Steve and Jo Gibbs, who lost their gentle giant son Matthew after he collapsed playing indoor soccer and waited 16 minutes for an ambulance to arrive. Their trauma and loss have never left me. Their determination and relentless pursuit of change is something I will never forget, and in my view helped change the government in 2014.

Today almost 84 per cent of code 1 life-threatening ambulance call-outs are arriving within 15 minutes, compared to just 73.7 per cent under the previous Liberal government. This is a truly outstanding achievement. I want to thank the Premier, the health minister and the cabinet for delivering what is arguably the greatest achievement of this government to date. I also want to pay tribute to Steve and Jo Gibbs and Julie Wilson for standing up and fighting for change. Their efforts are helping save lives today.

I now want to turn briefly to two special people who have helped change the way I view my life. I refer to Edith and George McKeon, the parents of Jill Meagher. For privacy reasons I will not reveal the details of our conversations, but I will say that we met and exchanged phone calls and emails during and after my time as Minister for Corrections. They sought my help, and I gave it. During our exchanges Edith and George taught me that regardless of anyone's circumstances, no-one can ever take away a person's spirit. Remarkably Edith and George remained a source of support to me during my brief absence from the Parliament, which tells you everything you need to know about these beautiful people.

My break from Parliament in early 2016 is part of my story, but it does not define me. Poor mental health does not discriminate — in fact it is everywhere. Reading the signs and getting help is the key. So is the support I received from members in this place, the media, the community, friends, family and even perfect strangers. It all helped. I do want to single out the Premier, Daniel Andrews, for his wonderful personal and professional support. It has been my privilege to serve this great leader in both opposition and government, but his support during my hour of need is something that I will never forget. Through his support and the support of my colleagues I have been able to reach some wonderful heights. I want to place on record some of the more significant achievements because they serve as an important historical record.

In industry and employment I was proud to develop Australia's first social enterprise strategy to help build this exciting sector. Similarly it was a great privilege to implement the Jobs Victoria package, which is providing targeted services and securing jobs for 5000 long-term unemployed Victorians. This program has been a resounding success and given so many vulnerable Victorians their first taste of work.

In a wonderful postscript to my first speech to this Parliament I was enormously proud to announce record funding for the YMCA's Bridge Project, which does outstanding work transitioning young people from incarceration back into the community. Continuing with the theme of helping young people, I was just so proud to be the responsible minister for the implementation of the Major Projects Skills Guarantee, which requires contractors on government projects to employ apprentices, trainees and engineering cadets for at least 10 per cent of their workforce. This wonderful Labor policy has already delivered more than 1000 new opportunities for young people to work on our state-shaping projects.

I was also thrilled to launch a blueprint for the future of manufacturing in Victoria, which I believe has helped inspire new confidence in the sector. This confidence has undoubtedly been assisted by our government's steadfast commitment to mandate local content in each of its major projects. This confidence has, I think, undoubtedly been assisted by our government's commitment in this area. Nothing gave me more satisfaction as industry minister than to set minimum local content requirements for our major projects, knowing that these requirements would translate to new jobs and business opportunities — again, great policy.

I have already mentioned the outstanding work our government has done to support workers in transition, particularly in the Latrobe Valley and the automotive sector. This wonderful work would not have been possible without the outstanding efforts of so many people, including public servants, community leaders,

businesses, unions, industry associations and local government. I am also very proud of my successor and loyal friend Ben Carroll, who has worked tirelessly to continue this important work. I congratulate Ben and the Treasurer, Tim Pallas, for helping to drive down Victoria's unemployment rate to 4.8 per cent — the lowest it has been for seven years.

In the resources portfolio I will never forget when on 30 August 2016 the Premier and I stood in the pristine hills down in South Gippsland and announced that Victoria would ban fracking for good. In a nation first the permanent ban protects our farmers and preserves Victoria's hard-won reputation for producing high-quality food. Our announcement sent Twitter into meltdown, and for a time we were in fact trending, which was pretty exciting, although I had to ask one of my staffers what that actually meant. Community power across Victoria helped win this ban, with extraordinary people like Alison Marchant becoming extraordinary advocates during this campaign.

To the police and corrections areas — two of the more challenging areas of government, as evidenced by that rather large prison riot back in 2015. I have the utmost respect for our police and correctional staff, and I was proud to serve as their minister. During my time as police minister I was able to secure more than 1100 additional police personnel, including new custody offices, public order response, special operations, forensics and protective services officers. We doubled Victoria Police's counterterrorism capability, delivered 10 new drug and booze buses, funded digital radio communication in regional Victoria, cracked down on ice dealers, targeted illegal guns and, importantly, launched a new phone app to promote better mental health awareness among police.

In corrections we strengthened the management of serious sex offenders, made record investments in community corrections and targeted the unacceptably high levels of recidivism by improving education and vocational skills in prison. This is where I met Jeff Kennett — no, not because he was trying to draw me across to the Liberal fold. In fact I met Jeff Kennett as the chair of The Torch. Jeff lobbied me to permit Indigenous prisoners to sell their art whilst incarcerated, which we did. We also significantly increased funding for the Indigenous arts program managed by The Torch. This program is giving new hope to our Indigenous prisoners, and I am grateful to the former corrections commissioner, Jan Shuard, for her leadership in this area.

Before I thank a few people I want to briefly mention a few achievements in my electorate of Williamstown. My predecessors and in fact good friends, Labor greats Steve Bracks and Joan Kirner, both told me I had the best electorate in the state, and they were not wrong. Following the arrival of my ancestors in Hobsons Bay in the 1840s, I have become the fourth generation of my family to live in the inner west and now the sixth member for Williamstown to serve the electorate for a period greater than 10 years. I love my community and I am proud of Labor's legacies in the inner west. I am proud of our investments in our local schools, including Bayside College, Williamstown High School and Newport Gardens, Newport Lakes and Spotswood primary schools, just to name a few. A special thanks to the retiring member for Footscray for her leadership and vision in developing the Footscray Learning Precinct, which includes a new secondary campus in Seddon.

I am also proud of the magnificent upgrades to the Williamstown football ground, the Yarraville Community Centre, the Newport Substation community arts centre and Seaworks in Williamstown. I am proud that we were able to invest in a new renal dialysis unit at Williamstown Hospital. I am proud that we are building new trains in Newport, where my grandfather, Henry Noonan, worked as a boilermaker back in the 1940s, and I am extremely proud that our government will take thousands of trucks off local roads and provide a much-needed alternative to the West Gate Bridge by building a new road tunnel underneath Yarraville. Only Labor governments invest in the west.

I want to wish Labor's candidate for Williamstown, Melissa Horne, every success. She has certainly earned her opportunity. To the people that made it all possible, I want to sincerely thank you. I want to thank my staff who I individually named in a members statement on 21 August, all of my comrades in the Parliament for their support and friendship, Labor staffers, the many dedicated public servants I have worked with, the parliamentary staff, the countless community and local government representatives and the ordinary people I have met along the way.

Finally, I want to thank my family. When I walked into this place my father said, 'You bring with you your integrity, and the challenge is to keep it to the last day when you walk out', and I have never forgotten that advice. My mother, Colleen, inspired me to read, laugh, travel and enjoy a drink, and I am very grateful for that last point. My sister, Lisa, brother-in-law, Eugene, and their kids, Mackenzie and Archie, have always brought fun and love to my life. Finally, to my beautiful wife, Julie, and our sons, William and Henry, thank you for standing with me regardless of the circumstances and

for always being the loves of my life. I could not have done this job without you.

Thank you sincerely to the entire Parliament for giving me this opportunity. I will certainly treasure it for the rest of my life.

Honourable members applauded.

Ms KNIGHT (Wendouree) (15:14) — While I do not have as many years under my belt as a lot of the retiring members that we have heard from, there have definitely been a lot of changes that have happened over the almost eight years I have been here. For example, I have gone from fitted skirts to stretchy pants. I have gone from twice-yearly visits to the hairdresser to having to go way more often to get rid of the grey, and I have gone from my naughty 40s to my nifty 50s — and on that note, the most wonderful change is that I have gone from being a single woman with a wandering eye for the fellows to a blissfully happily married woman who only has eyes for Mark O'Brien. I cannot thank the honourable member for Brunswick enough for introducing us and having a hand in putting us together. Mark is my biggest fan and greatest supporter, and I am his, and I cannot wait to see what the next adventure is. Thank you, Mark, from the bottom of my heart.

I am also very lucky to now have five fabulous children: Tom, Will, Alexandra, Lucy and Caroline. What an absolute gift. I am so proud of you all and would like to acknowledge you and thank you so much for your love and support. It was great to have one last dinner with you all here on Tuesday night in the Speaker's dining room — and my apologies for how we left it. It did look a bit like the back room of the Guns N' Roses concert, but that is okay. I also of course want to thank my mum and dad, who gave me such a great start in life, taught me many things and also put up with so much as I was growing up.

I have been really blessed to represent a fantastic community for two terms, and that experience will always hold a special place in my heart. I have also been blessed in the last almost four years to be part of a government that has absolutely embraced the electorate of Wendouree. I firmly believe that Ballarat is in a better place now than it was four years ago, and that is down to the Premier and to all the ministers of this government listening, acting, caring and investing. There are far too many investments to speak of, but I do want to mention just a few: Mars Stadium, C. E. Brown Reserve and Ballarat Basketball — all great investments for Ballarat.

The railway precinct redevelopment will provide a safer and more accessible experience for locals and tourists alike, and the wonderful work that is happening along the line will mean more trains and more services for commuters and tourists. I am amazed at how quickly the $6 million extension to the Aboriginal cooperative is going up, and of course let us not forget the civic hall redevelopment that will bring 600 brand-new jobs to Ballarat, the cath lab at the hospital and the future plans to completely redevelop the Ballarat Base Hospital. All these projects relate to jobs. They all translate to jobs, and that is what we are about. I would like to thank the Honourable Jaala Pulford, a great minister and an even better friend and neighbour, and Geoff Howard, a great guy and a calming influence, for being part of team Ballarat.

I think the investment that is really close to my heart is the funding for the Mount Rowan secondary college and support in making this college a standalone school. The teaching and support staff are brilliant, and the students are fantastic. They deserve an updated school, and they are getting one. I would like to particularly thank Rick Gervasoni and Seona Murnane for their tireless advocacy at this school and their obvious respect for the students and staff of Mount Rowan secondary college.

Of course a lot of funding has been committed for those issues that sometimes fly under the radar, issues that I think should be front and centre in the minds of everyone. The recommendations from the *Betrayal of Trust* report have been life-changing and life-saving for many of those victims of clergy abuse in my electorate. I have never been prouder of Ballarat than in its support for those victims, and I have never been prouder of those victims of abuse, who bravely and honestly told of their horrific experiences and their feelings of betrayal. I hope they know that they, through their stories, have absolutely made life safer for today's children and for all the children of the future. Those victim survivors have been supported by many people and many agencies, and at the same time let us not forget that the Royal Commission into Family Violence also put pressure on those agencies.

Again the acknowledgement by this government of family violence being the greatest law and order issue that we face has seen the greatest investment into preventing family violence and supporting the many victims of family violence. I know from talking to victims and to those who support them that the injection of funding has been really well received, but perhaps more important than that has been the acknowledgement of the reality of family violence, the link between equality of women and the great value of those who

work in the field. The Honourable Fiona Richardson will go down in history and should forever be celebrated for her groundbreaking work and her commitment to the women and children of Victoria. Fiona became a great friend and mentor, and I miss her terribly.

I have been very lucky to serve as Parliamentary Secretary for Human Services under the Honourable Jenny Mikakos and the Honourable Martin Foley. It has been a great honour to work on the issue of developing sexual health policies for those in residential care and to work on the area of elder abuse. The work of the Department of Health and Human Services and all the staff in relevant agencies needs to be acknowledged. There would be no important outcomes without their work and support. I also very much enjoyed working with Daniel Mulino, a member for Eastern Victoria in the other place, on social impact bonds. It was great to see that becoming a reality. Being part of the Victorian Anzac Centenary Committee has been incredibly rewarding.

When I walked into this place I did not really know anyone, just a couple of people. I have had some amazing moments and met some exceptional people during my time in this absolutely stunning building. I want to thank all those who showed me great kindness and friendship over the last eight years. I was so lucky to have the honourable member for Williamstown as my seat buddy — where is he? He is going to owe me $10 bucks after this. I really will never forget our chats about our electorates and his advice about Parliament. What you do not know is that he insisted on calling me Lasquisha. I do not really remember the reason, but I think you should all hunt him down and ask him why and tell him he owes me $10.

My amazing friend and colleague Maree Edwards, member for Bendigo West, has provided a great legacy through her role as chair of the Family and Community Development Committee. The inquiry into services for people with autism spectrum disorder and the inquiry into abuse in disability services have firmly put the safety and value of people who live with disability on the agenda and into legislation. Thank you from every carer and every person with a disability.

Maree has been my partner in crime from the very beginning. Our duets are legendary and I am sure that we would have a real following on the karaoke circuit. We have put on bunny ears and handed out Easter eggs. We have absolutely no shame. From that, like the bachelor presenting a rose, I will hand the bunny ears over to Jane. Jane, you are chosen. She is the Brooke, because Brooke will win *The Bachelor*. Even though he had a single date with Cassie last night, it is going nowhere. Maree and I, from our first shared office — the bordello — to now, I know will remain the best of friends. We have laughed so much in this place, and we have sworn a fair bit too. Love ya, Mez! Congratulations on the arrival of your third grandchild, Oliver Max. You can look into the faces of your grandchildren and know that you and Lindsay are looking right back together.

I think the person I admire most — and this will not be a surprise to anyone — is the Honourable Jane Garrett, the member for Brunswick. I have never met anyone with broader shoulders or a tougher spine. Her integrity in the face of immense hostility should be a source of pride. It is to me, it is to your family and it is to all those who love and admire you — and that is a lot of people. I know from the times we have been together that you cannot set foot out of your house without someone coming up and talking to you about that and talking about your integrity. Jane, I know that history will show that you stood on the side of what was right. I wish that for you and for my husband. You two are a great team and I am so glad that it was the two of you that faced up to a really difficult and challenging time together. Your family and my family are linked for life, and I could not be happier about that.

Of course we would be nothing in here, any of us, if it were not for the support staff. I am blown away by how professional and friendly the parliamentary staff are. A huge shout-out to chamber staff; Hansard staff; attendants; hospitality staff, especially Kazza; the maintenance team; the cleaning team; the gardening team, who had to tell me that no, I could not go and pick the flowers to put into my office; the library staff, who are incredibly smart and accommodating; the post office; security; IT; and parliamentary services. Please forgive me if I have missed anyone.

I also want to particularly acknowledge all the journalists. Their role is difficult but it is so important. Like Hansard, journalists record history. They tell the stories and keep us on our toes; and like us, they are also subject to abuse a lot of the time, particularly in this modern age of social media. But they do try to keep us honest, and that is exactly what should happen. For the record, and on the record, I reckon you should have access to the new office building. You are part of the Parliament House team and should be treated as such.

While being in Parliament is an important part of the job, I think it is fair to say that my heart belongs in Ballarat, in the seat of Wendouree. It has been such a privilege to represent the electorate of Ballarat West, and then Wendouree. Of course all good things happen because of a team. I have been so lucky to have the

most amazing staff in my time. We have laughed so much, we have had each other's backs and we have worked really, really hard. It has been an honour to witness their strength, intelligence and compassion, and they have worked above and beyond. I wish all of my staff well in their future endeavours. There is no-one I would rather have gone through this with than Simon, Heidi, Rick, Dan, Jan, the late Cheryl, Michaela, Juliana, Steph, Alison, Keren and our fantastic cleaner, Mick, a good friend as well. I would also like to send a big cheer to all the volunteers who supported me in both campaigns, and to Michaela Settle, who led them and nurtured them all. I appreciate all the calls that they made, all the doors that were knocked on and the hours of support they gave.

I thank the unions who supported me, and I would like to single out Brett Edgington, the secretary of the Ballarat Trades and Labour Council. I also want to take this opportunity to thank unions for the really important work that they do and the incredibly important role they have in our community but also in our economy.

I think what has really blown me away has been the amazing people that I have met, those incredible constituents who give back to their community, who help their neighbours, who volunteer, who quietly and selflessly get on with life and who help others. I have had the great privilege of hearing their stories and celebrating their achievements, of helping them through difficult times and grieving with them. It has been a truly humbling experience.

To everyone in this chamber and everyone in the other place, on all sides of politics, I have tried to be friendly and respectful to everyone regardless of where you sit in this place, knowing that we all have our differences, we all have different priorities, but we are all here for the same reason and that is just to try to make things better. I hope everyone is just a bit more respectful. Be truthful, work hard for your constituents and, above all, be brave. I am going to give you a little gift of a little saying that has got me through life and I hope you will embrace it and take it on:

> Ladies and gentleman, take my advice. Pull down your pants, and slide on the ice.

Honourable members applauded.

Mr NARDELLA (Melton) (15:31) — I will start my last speech to this house like I started my inaugural speech on 28 October 1992. Honourable Speaker, honourable members and comrades. Being a parliamentarian is unique and there are only a few people that understand the pressures. There are other parliamentarians, your partner, your wife and your family. I most sincerely thank Lyn for being there for me from the beginning and for still being there for me now as my friend. Lynny, Lorelle, Shaun, Teagan, Jayden, Kyal and Craig were with me from the beginning and are still there for me now, and I thank you from the bottom of my heart.

My friends have also been with me through this journey. Janice Munt has been with me on this journey, especially through the hard times, and I sincerely thank her as well. My long-term friend Ian Jones and Gail Tierney have been critical to me as well. Ian and the vehicle builders union (VBU) have helped me from the days of being an ALP organiser to the 1991 preselection and through my time here. We joined the Labor Party out in Melton in 1982 only months apart and worked together to build the party. Ian gave me the last bottle of FGP — frigging good port — that was bottled in my garage and I thank him for this. Thank you to Paul De Felici and the rest of the VBU team.

One of the mortal sins of my inaugural speech on 28 October 1992 was that I omitted my good friend and colleague Peter Mitchell. Peter helped me in the early years and was the reason I transferred from Melbourne North Province to the seat of Melton — so thank you very much, Peter.

My other long-term friend and colleague is Nib, whom I have known since 1985 and has been my electorate officer since 1998. I wish him and his wife Lucy all the best in their retirement. Another long-term friend and colleague is Anna Greco, who is my electoral officer and has also worked her heart out for the residents of Melton. She will be happy not to be battling the envelope insertion machine for the welcome letters and birthday cards. I wish her all the best for the future.

I want to acknowledge my other electoral officers that honourable members know are so important to undertaking their work: Mia Vitue, who also worked for the late Pat Power; the late Frans Timmerman, who is sadly missed; Karen Sherlock; Lorelle Scarlett; Jessie Belcher — and congratulations to Jessie, who was also my parliamentary intern, and her partner, Dan, on the arrival of their baby, Joanna; Tim Vainoras; Gabriella Aitken; my good friend Chris Papas; Alana Greco, who has been with me on and off for 17 years; Sarah De Santis; Melissa De Santis; Anna Galea; Jo Fox; and Teagan Scarlett.

We would not be able to do our job in the Parliament without the people here. Let me start with Bridget and her team in the chamber — thank you — and before her, Ray Purdey, and I wish him all the best for his retirement. Thanks also to Matthew Tricarico from the

other house, and I wish all the best to him and his family; Parliamentary Services and the IT team, especially Chris Prasad; and Karen and her team in Strangers. From the library there is Carolyn Macvean; Jon Breukel, who has done an amazing job with parliamentary interns and also got the Dalai Lama here in the Parliament; Bella and the rest of the library team.

There is the outside team of Joe, Dimic, Fausie and Milad Moussa, Mohammad, Linda and Kamel. There is the Hansard team, who make us read as if we are literate and coherent and eloquent, led by James Scott, with a big shout-out to Maria and Heather, who have been in the place for as long as I have been here. I thank Greg Mills; the late Russell Bowman, who I remember coming into the end-of-the-year staff MP party with a wheelbarrow full of grog; Chris, Michael and Philip from the Council; Jeremy Walsh and Pablo; David Robertson, who is an absolute dynamo here in the Parliament and the rest of the staff here at Parliament.

I also want to thank Sean Coley, Keir Delaney and Natalie-Mai Holmes from the outer suburbs committee, who produced good groundbreaking reports and set the course for government policy to this day.

To the Labor Party members that have helped me over the years, I want to acknowledge their work and dedication to the party, both in Melbourne North Province and in all the iterations of the Melton seat. I especially want to recognise the late Arthur Clegg and his wife Pat and their family; all the Bacchus Marsh branch members; and the late Leo Johnson, AM, who was my campaign chair —

An honourable member interjected.

Mr NARDELLA — Tiger, that's right — and all the other Melton branch members. I also want to thank Russell at the Windsor Hotel.

I want to thank the residents and families in the seat of Melton. At all times my staff and I have worked tirelessly to improve their lives and wellbeing and futures. This was the requirement and principle that Lynny imposed on me for moving from Melbourne North Province to Melton. The district around Melton and Bacchus Marsh township has been transformed by Labor governments, and only Labor governments, since 1999. Much of this has been undertaken by partnerships with federal Labor governments and their parliamentarians like Catherine King, Neil O'Keefe, Julia Gillard and Brendan O'Connor, with initiatives like the Melton business incubator, the Anthony's Cutting realignment, the rail upgrade from Deer Park West to Spencer Street and to Geelong, the Deer Park bypass, the Western Ring Road, Leakes Road and Hopkins Road overpasses and interchanges, and the BER — Building the Education Revolution — in schools.

These partnerships have also been with the Melton council, with Neville Smith and Kel Tori as CEOs, and all the councillors and mayors, currently led by Bob Turner and Chris Papas, Justin Mammarella, Sophie Ramsey and the officers. There is also the Moorabool council partnership, with Rob Croxford and Robert Dobrzynski before him as the CEOs and the current mayor Paul Tatchell, where we have upgraded Maddingley Park and Darley footy club, just as examples.

In the time that I have had the honour of representing the Melton electorate Labor governments have invested over $1.5 billion in all aspects of community affairs and infrastructure. Just as a comparison, Melton only received $1.5 million for a set of traffic lights on Ferris Road from the Liberal government between 2010 and 2014. They did not even pay for it; it came out of the GAIC — the growth areas infrastructure contribution.

The legacy that you leave as a parliamentarian is how you change people's lives and, as Webber defined it, giving people life chances. As Robert Putnam has written, building social capital with people and communities, which has been a priority for me because, with my staff, we have transformed the community but more importantly, individuals have been helped either at a personal level or via programs and infrastructure that have been built. I am very proud to see the changes to the electorate and congratulate all the people who have helped me to implement these changes.

I have worked with some amazing people in my time here. I was mentored by the Honourable David White and, until his retirement, the Honourable Bill Landeryou. The leaders of the parties were amazing, starting with the Honourable Joan Kirner, the Honourable Jim Kennan, the amazing Honourable John Brumby, the exceptional Honourable Steve Bracks and the extraordinary Honourable Daniel Andrews.

When I came into the Parliament the juggernaut that was the Kennett government was elected on 3 October 1992. The day before my inaugural speech on 28 October that year 300 transit police demonstrated on the front steps of Parliament House. They were then all sacked, including my friend John Ballestrino. In November of that year we had hundreds of thousands marching to Parliament House against the Kennett government and their changes to WorkCare and industrial relations. With the community we fought

against the destruction of Victorian civil society and the secrecy, the support and encouragement of elites; the cuts to education and the closing of 326 state schools; the closure of the country rail lines and hospitals; the sacking of the 9000 nurses and 9000 teachers; and the nobbling of the independent watchdogs the Auditor-General and the FOI commissioner, just to name two.

We fought against Kennett and The Nationals who, with the millennial drought in full force, referred to country Victoria as the toenails of Victoria. They treated country Victorians as second-class citizens, imposed compulsory competitive tendering and then, to top it all off, amalgamated their councils. They paid the price because John Brumby took the fight up to Kennett. He had 26 members in the opposition and worked tirelessly and uncompromisingly, and with one of the sharpest minds and his leadership he set us up for the 1999 election win. I personally thank John for his hard work and friendship.

In my inaugural speech I talked about representing ordinary people, protecting people, opposing cuts to services and education, opposing the industrial relations changes and social engineering, opposing getting rid of common-law claims for injured workers, which we have reinstituted, opposing privatisation and opposing cuts to training for young people and to women's services. These issues are still relevant today. We have to protect vulnerable and working people in Victoria.

I always enjoyed grievance speeches, especially when having a go at the Liberals and their dysfunction. Just as an example, in my *Star Wars* speech — I know that it is very disorderly — I talked about how Ted Baillieu was being undermined in some blogs and other stuff from Exhibition Street. That dysfunction within the Liberal Party was rife at the time and those issues are still relevant today.

For Labor members with left-of-centre politics, being a parliamentarian is the best and most rewarding job in the world, especially when in government. You leave a legacy physically through implementing social justice policies, building social capital and being able to successfully help someone and/or their family. For Labor members, the caucus and your colleagues are the best part of the job, even with the challenge they present. I thank colleagues for their support. I am going to miss some of the new members in the house, like the honourable member for Essendon. When the honourable member for Essendon came into this house he talked about Captain Risky, so I will just put Captain Risky in there so honourable members know what he was talking about. I am going to miss his quotations from Marcus Aurelius's *Meditations*.

One of the things that I have seen in the house is the development of the new Labor Party MPs who have come into this house over time. I know and I see that they have a bright future. They are the people who are the future leaders in the next parliaments and the next governments. You all deserve the best in the election. Elections are always difficult and hard. I apologise to my parliamentary colleagues on my right about this, but I know that although elections are difficult and hard, we can do it. I know the Labor Party can gain majority government, and the leaders of the future — you know who you are — you can do it. You can propel the next Labor government into the future, carry forward the programs and build on those programs and initiatives to build a better Victoria, to make sure that Victoria is the best place to live, work and raise a family, because we are certainly getting things done.

I want to thank all honourable members on all sides of the house for their work and commitment to Victoria. I thank you, Honourable Speaker, and the house for giving me this opportunity.

Honourable members applauded.

The SPEAKER (15:47) — I acknowledge in the gallery the presence of a former member for Mordialloc, Janice Munt, and a former member for Burwood, Bob Stensholt.

Mr PERERA (Cranbourne) (15:47) — I will be focusing more on the future and less on the past. Let me start by saying that it has been an absolute and great privilege to represent the electorate of Cranbourne in the Victorian Parliament for the past 16 years, for four consecutive terms.

Today is the opportunity to thank everybody who has supported me since getting into Parliament in 2002. They are many in number, and I apologise for my inability to thank all of them individually. I would like to begin by thanking the staff of the Department of Parliamentary Services for the support given to me over my 16 years as an MP. I thank you all very much.

I am also very grateful to many members of my electorate office staff who have worked hard with me over this period of time. A big thankyou to all of you. However, a very special thanks goes out to my right-hand man — or, as we on this side of the house say, my left-hand man — Sammy Argiriou. Sammy has been with me for the past 15 years of my 16-year term and together we have survived three tough marginal seat campaigns. Sammy has shown himself to be very

loyal to me and has always supported me and my team with sound advice, guidance and political acumen.

I would also like to thank innumerable people, including those comrades from the Labor Party and the wider labour movement along with supporters and friends from the Indian community for their kind support during many hard-fought campaigns. I thank my constituents for electing me as their representative for four consecutive terms. I would also like to thank all my colleagues from all sides of the Parliament, and their staff, for their support and respect during my tenure here.

Finally, I would like to thank especially my beautiful wife, my beautiful children and their loving families, and many great friends and supporters from the Sri Lankan community who have been right with me throughout this journey. Without their kind support, history would have been written differently.

The highest satisfaction I have derived in my years has been from the work I have done to help out many by going beyond the conventional jurisdictional responsibilities of a state member of Parliament. I have sponsored many people who have been rejected by immigration on their first visitor visa application. These initiatives have been on top of the support I have given to many people in a number of visa categories delivering desirable outcomes for them. Had it not been for these initiatives, many would not have seen the colour of this beautiful country and would not have had the opportunity to spend time together with their family and friends living in Australia and thus make a contribution to the country's economy.

During the past 16 years, during my representation, areas within the past and current electorate of Cranbourne have had a massive infrastructure boost: new schools, new police stations, many new community and family hubs, sporting complexes, modernised health facilities, hundreds of kilometres of road infrastructure enhancements, substantial improvements to the public transport system — the list goes on and on. It is very pleasing to note the Premier's recent announcement of the long-awaited Dandenong to Cranbourne line duplication and the work to extend the Cranbourne line out to Clyde.

I will always look back with pride at my contributions in support of the historic pieces of legislation such as abortion law reform, assisted dying, legalising access to medicinal cannabis, medically supervised injecting rooms and other progressive initiatives. I thank the progressive Labor governments for taking those initiatives and giving me the opportunity to be an enthusiastic supporter.

I wish to state my observations about some parliamentary activities. In my view there is a culture developing in the Parliament to go all out and spend way too much time on political pointscoring. This is well below the community's expectation. It certainly makes me wonder whether there is any value to the Victorian community in shouting down people on their feet, heckling, calling unnecessary quorums, making frivolous points of order and disrupting proceedings during question time. While members of all parliaments have engaged in such fun and games, term after term, focusing only on winning elections and self-advancement, our footwear, clothing and textile industries have disappeared to cheaper labour destinations.

Who would have believed that one day the automobile manufacturing industry would depart our shores? Well, that is exactly what has happened. At times, taxpayer dollars have had to be pumped into the coffers of private investors to keep the jobs in Australia. Even with taxpayer money the car manufacturing industry folded up and left. These business decisions have certainly hit hard on employment levels. As they occurred progressively over a period of time in a disjointed fashion, the economy managed to find jobs for the unemployed, at times with bandaid initiatives from the governments of the day.

The rollout of artificial intelligence and automation through the employment of robotic technology will increase business dynamism and economic growth. This is great; however, research undertaken by the McKinsey Global Institute revealed that massive government intervention will be required to hold societies together against the ravages of labour destruction over the next 13 years. The study says that up to 800 million people, including one-third of the workforce in the US and Germany, will be made jobless by about 2030. This is quite scary to say the least. It is not only factory floor and office jobs that are going to disappear but also the industrial robots augmented with artificial intelligence that will facilitate self-driven cars and trucks, resulting in job shedding in the transport industry as well. The new jobs created by the technology will be sophisticated and high paying, and there is no logic to say that the same unemployed numbers could be placed in those new jobs.

The fourth industrial revolution is also digital like the third, but different in speed, scale and complexity. The fourth industrial revolution is happening in the domains of physical, digital as well as biological spheres, and

not only will it help the workers like previous industrial revolutions but it will outright replace them. I know by nature it is hard for the conservative thinkers to accept that things can happen for the first time.

We live in a private investor driven economy where the bottom line is maximisation of profits for the shareholders. Recent figures indicate a 3.1 per cent Australian annual gross domestic product growth; however, figures also indicate that job growth is slowing sharply and there are no real wage gains for the average worker. Private investor companies are not there to provide employment; they are there to employ the most efficient ways of producing goods and services at the lowest cost. It is not rocket science to understand that increasing unemployment in society is directly proportionate to the decreasing buying power of the society. The entrepreneurs who believed that they could increase profits by replacing human beings with machines will now be struggling to sell their own products as a result of increased poverty in society due to unemployment created by their own decisions.

The big tax cuts to all enterprises including the multinationals will definitely lead to employing more technology as opposed to more human beings if and when they decide to allocate a portion of the newfound tax advantage for further investment. There is plenty of evidence that these multinationals who are reluctant to pay their fair share of taxes and the big banks who have exploited their own customers are not there to help out a society.

This is the inevitable crisis situation created by the contradictory nature of the private investor driven economy. This is a global phenomenon, and Australia cannot escape it. In the past 300 years or so the prevailing economic system gave us brutal recessions every four to seven years and the Great Depression. Irrational thinkers, with their antiquated views, believe the private investor driven economy will find its own solutions to these crises as historically every economic downturn was followed by a temporary recovery.

This change is massive and widespread. The private investor driven economy will not be able to handle it at all. This is the beginning of the end of trickle-down economics. The time is fast approaching for the private investor economic systems to follow the same fate as its predecessors, slave and feudal economic arrangements.

Transition to a far more automated society going smoothly rests almost entirely on the choices we make. If the clothing, footwear and textile companies were owned by the workers, they would not have let their jobs be exported to other parts of the world. If the worker-owned businesses choose to install new technology, they will have a plan to work less hours for the week, sharing the work and income with all fellow workers.

The worker self-driven enterprises (WSDEs), commonly known as cooperatives, are gaining momentum in Europe, the UK and many other parts of the world. In the WSDE no separate group of persons — no individual who does not participate in the production work of the enterprise — can be a member of the board of directors. This is economic democracy and is not pie in the sky stuff. The Mondragon Corporation in northern Spain, an umbrella of 102 individual cooperatives owned by over 70 000 worker members, is a reality today.

The Co-operative Party of the United Kingdom is genuinely a no-nonsense task-focused, futuristic political party. The Co-operative Party has produced a blueprint for a 21st century democratic form of public ownership for railways, the energy sector and the water industry that will put power in the hands of many and not the privileged few. This could be a very effective way to reduce power bills. In a unique relationship with the British Labour Party, the Co-operative Party will be an enthusiastic partner of a future Corbyn Labour government that has committed to double the size of the cooperative economy; ensure that workers have a right to own, when a company is facing change of ownership or closure; and establish regional development banks that will help deliver low-cost finances to cooperatives.

The cooperative model challenges us to think beyond the old paradigms of the market versus the state, beyond the divisions between owners and customers, and to think creatively about new ownership and management models. I recommend that the next Parliament set up a parliamentary investigative committee to study and report on matters related to cooperative models and subsequently the impact of technological advancement.

It would also be helpful for the industry portfolio to have added responsibilities for economic democracy and automation. It is wise for the next Parliament to adopt a mechanism to present travel reports to the Parliament, rather than filing them in the library and leaving them to gather dust. It is useful for members to have the opportunity to speak on travel reports, and unfortunately 90 seconds is not adequate timing for that. This would be an ideal way to debate the relevance of modern concepts learned on study tours. In the 21st century there is a lot happening fast outside Australia. New thinking is important to move forward to deliver the best for the future generations.

I wish to end by wishing the next Parliament and the retiring members from this Parliament all the very best of luck. May I also take this opportunity to wish all the very best to the preselected Labor candidate for Cranbourne, Pauline Richards, who would be a great member of Parliament. Thank you and goodbye.

Honourable members applauded.

Ms GRALEY (Narre Warren South) (16:05) — On Wednesday, 20 December 2006 — 4293 days ago — I rose to deliver my first speech in this place. Today, with pride and a little sadness, gratitude and much happiness, I rise to deliver my last. These opposite feelings do not cause confusion for me. Instead they now bring harmony.

My dear mum always told me to never forget where you come from. I often recollect my humble beginnings through a story mum and dad fondly told me so many times. The wind was howling, the thunder roared and the canvas tent was billowing. We were in our little bit of paradise on the St Leonards foreshore. The air was thick with dust, the sky dark, pitch black. We were on our first holiday as a family. I was in the middle, and all that my parents could see, they would exclaim, were the bright eyes of their first child — my blue eyes. I retell this family fable not just because as you get older touching stories take on new relevance, but because I realised, and the conviction has only grown over time, that it is the people around you that contribute — often, if you are fortunate, unconditionally — to the person you become. If the foundation relationships are loving, sturdy and hopeful, then they are sufficiently durable to take you on all of life's journeys.

Ruminating on what it has meant to be a member of this august chamber, I realise that my contribution, albeit it has not reached the highest of heights, has rather been dedicated to forthrightly yet tenderly representing the people who elected me, to making sure that they got a good start in life, to being a strong advocate and a steady guiding hand, especially in stormy weather.

I can never thank the people of Narre Warren South enough for showing their faith in me with three decisive election victories, but more so for making my husband and I so welcome in their homes, at their gatherings, in places of worship and clubs, even at weddings, christenings, birthday parties and of course 12 consecutive Kambrya College deb balls. We have many happy memories.

I keep the words of Ben Okri on my desk:

> Our future is greater than our past.
>
> The most authentic thing about us is our capacity to create, to overcome, to endure, to transform, to love.
>
> We are best defined by the mystery that we are still here and can still rise upwards, still create better civilisations.

I hope, indeed I know — let one not be a shrinking violet on one's last day here — that I have made people's lives better. For me, my focus as an MP has been to promote the transformational force of a quality education — my own experience — and make it more available, more relevant and more appealing to many others, encouraging others to step up and lift their sights upwards. As Joan Kirner, my mentor who was always there for me, said in her final speech in this place:

> Isn't that what we come into politics for; to say to people, 'You can do it too …

The children that started school when I first became the member for Narre Warren South are now doing the Victorian certificate of applied learning or the Victorian certificate of education or they are off to TAFE. With 10 new schools built — only by Labor governments — upgrades at five other schools, the new Casey Tech about to be opened, free TAFE and sufficient funding so that students can play the violin or the trombone, travel to classrooms in China, Indonesia and India, and acquire the science, technology, engineering and maths skills needed to navigate our changing and challenging world, I can tell you for sure that the futures of Narre Warren South students are brighter.

I thank both the Premier and the Deputy Premier for the rewarding opportunity to serve as the Parliamentary Secretary for Education. Deputy Premier, I can see Team Merlino in the gallery. They are amazing people, and I really do thank you for all your endeavours. Thank you to the principals and teachers in my local schools for harvesting this government's support into better results for their students. Victoria on our watch is the Education State, a place where a world-class education is available for everyone.

I represent a wonderfully diverse multicultural community. We have people from 150 different countries. There are 144 different languages spoken and 120 different faiths represented in Casey. Despite my own and others' best efforts to foster and celebrate our diversity — our strength — I too often witness minority and migrant communities being unfairly targeted, experiencing discrimination and being verbally maligned, often by people in positions of leadership. You should know better.

I reject wholeheartedly the current fearmongering, dog-whistling and nationalistic jingoism increasingly prevalent in our political life, often fanned by elements

in the tabloid media, radio loudmouths and meddling media moguls, all this taking place in the ceaseless echo chamber of social media. As an aside I can now declare: I have survived without Twitter in my life. Sadly, though, we have people in our suburbs living in fear of the fear. We have been a successful and safe community in most respects because, to put it simply, we have been good at being kind to each other — not perfect, but good enough. I cannot help but feel that kindness — a bit of an old-fashioned word — is on the decline. We really have to make an effort to practice kindness and it probably needs to start with us, by practising better respect for our democratic institutions and proudly acknowledging where we have all come from. We are all migrants in this state.

The upcoming treaty with Aboriginal Victorians is not just a landmark opportunity to acknowledge the 60 000 years of Indigenous heritage but also a timely and significant opportunity to place a precious and powerful construct under our fragile democracy. Victoria has been and can still be the standard-bearer for peace and prosperity if all Victorians feel at home in our state.

In my inaugural speech I referred to the Stern review on the economics of climate change. At the time I was applauding the installation of the purple pipe — recycled water — into our expanding housing estates. I want to place on the record my thanks to successive state Labor governments for their stewardship of the environment and at the same time — you can do it — keeping our state economy booming and providing record jobs growth. I especially applaud Labor governments for expanding our national and state park networks, preserving the green wedges of Melbourne, transitioning to renewable energy — Solar Victoria is a game changer — and for having the guts and good sense to set the Victorian renewable energy target at 25 per cent by 2020 and 40 per cent by 2025.

But I strongly believe we have to be even better custodians of our Earth and our country. We have a climate emergency on our hands, and our planet and our part of the world cannot take much more disrespect, climate scepticism, political obfuscation and plundering. It is one of the greatest political failures of the current generations that we have witnessed, indeed allowed, successive federal governments of all colours to shirk the key responsibility of guaranteeing a quality life for everyone now and into the future by consistently failing us on energy and climate policy. It is a national disgrace, an international embarrassment and an abrogation of our fundamental duty as parents and decision-makers to leave this place in a better shape than we found it. Sadly, it is scary for our children and it is plain downright unfair on them too.

With all that off my chest, I turn to the most important part of my contribution — the thankyous. You do not get here without the support of many others. I am a fully paid-up member of three teams: my family, the Western Bulldogs and the Australian Labor Party. The Labor values of fairness, equality, solidarity and internationalism are still my guiding principles. Joan said it perfectly:

> There is a sense of comradeship in our party which, when remembered, strengthens the party and will take us forward.

It is worth remembering. On this side of the house we do not need to wear red high heels to make a point. Our commitment to gender equality is here for all to see. Hear us roar in numbers too big to ignore.

I thank the Labor Party, with a special acknowledgment to Kosmos Samaras at HQ — I have never left the grid on roads, education and health; we have poured nearly a billion dollars worth of bitumen into my electorate — for giving me the chance to experience a rich and meaningful political life. I have had the privilege of serving with three Labor premiers — all fine men. To the Premier, I have admired your engagement with ideas and your capacity for hard work — getting things done — but most of all your bold commitment to a progressive government agenda. The Royal Commission into Family Violence and the acceptance of its 227 recommendations, and the voluntary assisted dying legislation are milestone reforms. They will change many people's lives for the better. Thank you for your leadership. My heartfelt recognition of the role of the Minister for Health, Jill Hennessy — she is such a beautiful person — on the latter reform, but also her relentless championing of the Casey Hospital redevelopment. It is high-quality healthcare delivered locally. It will improve and save people's lives.

Further thanks to my small but special band of National Union of Workers parliamentary colleagues: my young friends Nick and Steve make me laugh out loud, usually at other people's expense, I have got to say, and our trio of fine ministers, Pakula, Pallas and Pulford. Thank you to Clare O'Neil for being on my team from the very start and to the Honourable Tim Holding, who gave me that helping hand so many of us need at times. I have been part of a caucus full of extraordinary people. Go boldly my friends and colleagues to the next election. I wish you all every success on 24 November, especially Gary for Narre.

To my electorate office staff, the golden-hearted Nichole Hayes, Myles, Isabella and James, and before

you, especially Naureen Choudhry, David Iles and Efstratios Staikos, I really appreciate your efforts, and when I get demanding, which I do, the extra effort. To the staff in Parliament House, what would we do without you?

To the men and women in the red, white and blue, I expect you do not realise what happiness you provide. I certainly could not have survived public life without letting off steam — my many Eliza Doolittle moments at the footy — by barracking loudly for my team. Cede nullis. Go Dogs!

And finally, I thank my number one team: Stephen and our family. Where I come from bragging was frowned upon. It was not done to talk oneself up, and you were certainly not to think yourself better than others. However, you were encouraged to do your best, be your best and always do your best for others. But I have a family that I find it hard not to brag about. I struck gold with my husband: driver, photographer, handbag holder — he dislikes that to this day — letterboxer, comic, thankfully willing to eat anything and dance to any tune, my in-house chiropractor, above all else a good listener. I could not have done public life without him by my side. To our children, Rebecca, Vanessa and Lucas, I love you not just because you are mine or got the education I so wanted you to have, or just because of your very solid work ethic, but overwhelmingly because you are generous, passionate and kind. I am so grateful to have your partners Tyler and Delphine in our lives. Soon I will hold a baby in my arms. Can you believe it? It is due on election day! Thank you for skilfully navigating your way around my political existence and becoming very good people. To Val and Gerry McKenna, our lifelong friends who are more like family — we barrack for the same teams — it is a joy to have you as part of our cheer squad.

I finish my time as a member of Parliament overwhelmingly with a sense of gratitude. It's Time. Dispensing with the political philosophers, I quote the enlightened — well, maybe not — but always extravagant advice of Edina Monsoon from *Absolutely Fabulous*:

> I don't want more choice, I just want nicer things.

I venture onto the next branch of the tree of life, as always with hope. Hope itself can be a mixed emotion — hope hopes against hope — but for me hope is the imagination, the heart and the head at full stretch, the elixir to enjoy the artistry of being alive. It has been an honour and privilege to be the first woman to represent the people of Narre Warren South. Only 88 women have sat on these benches. I have been lucky enough to be one of those 88 women. I wish everyone the best future they can imagine for themselves. Be well and happy. So with my eyes all lit up, looking beyond, always upwards, I say goodbye.

Honourable members applauded.

Ms THOMSON (Footscray) (16:25) — Thank you, Speaker, commonly called 'Snitch' by those who are on this side. I cannot compete with the tour de force that was the member for Narre Warren South's contribution, but I will attempt to try to summarise 19 years in Parliament. I am not going to start off with my life in the party because we would be here until Christmas, but I do want to say that I am here by accident rather than by design.

For those of us who are members of the Labor Party, we all love our branch meetings, don't we? Well, my first branch meeting consisted of fronting the Pascoe Vale-West Coburg branch of the ALP, at which there was a sensational turnout — about 35 members, which is quite a good turnout — of which three were under the age of 45 and one of those was me. When you are 18 years of age you are full of idealism and intent to change the world. They spent 2 hours talking about whether there should be one garbage collection per week or two. So I nearly did not survive the Labor Party, and I have to thank Young Labor for giving me the inspiration to keep going and to change the way our branch meetings worked. And that enabled me to be here today.

I joined the Labor Party because I believe government has a responsibility to provide opportunity and voice for those who, without government, would have no voice and limited opportunity, whether it is a worker at risk of exploitation, a consumer ripped off by a company or someone unemployed needing support to get back into employment. However, the major issue that drives me to be politically active, and one I raised in my inaugural speech, is education. I believed then, and I do now, that the government has a responsibility to provide the best possible education to our children, especially when their parents do not have the capacity to pay for it.

This is hard because it is about my dad. I also said my father taught me to challenge and to question, to fight passionately for what I believe to be right and to give back to my community. It is this commitment — and perhaps a good dose of chutzpah — that has given me the great honour of representing the people of what was then the Melbourne North Province and now Footscray as a proud Labor member in the Bracks, Brumby and now Andrews Labor governments.

I was elected on 18 September 1999 as part of a Steve Bracks Labor government and was sworn in as the Minister for Small Business and Minister for Consumer Affairs on 20 October. Steve got us around the cabinet table very early, and he said to us, 'We have come here to govern for all Victorians, and you have to go out and reach every part of Victoria and let them know this'. So I, being a dutiful and very well disciplined minister, packed up my then chief of staff and one other staffer and decided to go on a two-day tour of Gippsland, stopping in every small town we could find along the way and meeting with small businesses.

Every speech would start the same way: 'The Premier has said, and told all of us as ministers, that we are to go out and govern for all Victorians, and that is why I am here today'. Well, we got to our last stopping point, which was Warragul, and in the car on the way my chief of staff and my adviser, very supportively, were making fun of the fact that I would always start my introduction the same way. They mimicked me the whole way from where we were all the way to Warragul. Well, we got to Warragul and I was dutifully going to start with my usual starting point, but I could not because I kept bursting out laughing because of the way they had mimicked and mocked me in the car. That was the last time I ever started any of those proceedings in that way. So thank you, guys — thank you very much!

The Legislative Council was a baptism of fire, with 30 members of the coalition and 14 Labor members. Three of the four ministers were new to the Parliament: Candy Broad, Justin Madden and myself. Monica Gould was leader, and Gavin Jennings, also a new member, was deputy leader and cabinet secretary. The new opposition struggled to accept that they had lost government and were determined to make our lives difficult as hell. They did a pretty good job of it, and I think the current opposition in the Council is not much different to that which we experienced in 1999 and for that first term of the Bracks government.

I have great respect and sympathy for the hours worked by our legislative councillors. In our first term of government we put in a number of all-nighters and even more sittings that went on into the early hours of the morning — although I have learnt from the member for Brighton that there might have been other reasons as to why we sat late. I recall on one occasion arriving home around 7.30 in the morning to greet my son, who was leaving for school. The look on his face was of sheer astonishment, and he asked me if I was just getting home. The answer of course was yes.

Our families pay a high price for the work that we have chosen to do. Mine had the double whammy of having to grow up with two parents in politics. They had to put up with not only the long hours but the bad stories in the press, and I am grateful to be able to say now that I have two amazing adult children that I am so very proud of. I have been very lucky. I have had the support of a wonderful family, both mine and my in-laws, who have given me so much practical and emotional support throughout my time in politics and before. I could not have done this without them. And to the friends I have here in the gallery: thank you so much for all of the support that you have given me. They say you cannot make friends in politics, only shared interests — it is not true. Fun food faction, take note.

The men and women who make up the great Australian Labor Party work tirelessly to see Labor governments elected. I pay tribute to them and thank them for the support they have given me over my entire time as a member of the Labor Party and as a member of Parliament — note I have not said how long for.

A great deal of time is spent by members opposite denigrating the trade union movement. To those members opposite, this is a message for you: I am a proud, card-carrying member of the Australian Workers Union and have been since 1999. It was a gift from Bill Shorten to me when I became a minister. Before that I was a member of the Australian Services Union. Without the trade unions workers are left vulnerable to exploitation and poor occupational health and safety practices. We see this today in areas where union membership and influence is limited. There is a legitimate role for trade unions, and that should be respected by everyone, not just by members on this side of the house. Just as we support business to grow and provide jobs, we should support the very important role of our unions.

In my inaugural speech I thanked a number of individuals who supported me in my journey here. I am not going to rename them, because if you are suffering from insomnia, you can read my inaugural speech and work out who they are. I have, however, not forgotten their support, nor will I ever.

I have had the great fortune to be in this Parliament to participate in some of the greatest debates on social policy, including debates on legislation based on inclusion, respect and addressing past wrongs, and legislation on racial and religious vilification. I want to thank the Jewish community — my community — for the leadership they showed in ensuring we introduced that into the Parliament. Rights for the LGBQI community, abortion law reform, voluntary assisted

dying and the legislation we brought into this Parliament to fight the plight of family violence — these are not all but just some of the significant pieces of legislation that have come before this place during the time of the Bracks, Brumby and Andrews governments.

On Tuesday night I joined members of the class of 1999 for our annual dinner. Apart from just catching up — which we do and talk about how our lives are travelling — we talked about how close-knit the caucus of 1999 was. We were in a minority government, but we looked out for and cared for one another. We were disciplined and focused. We knew what we had to do, and we did it together. We could not have achieved that without the strong leadership of Steve Bracks, ministers who worked closely as a team and an extraordinary caucus that worked together and helped produce our 2002 election result.

I came across a quote from Bernadette Devlin, an Irish Catholic member of the House of Commons who was actually assassinated. She said:

> My function in life is not to be a politician in Parliament: it is to get something done.

I hope I am judged as having done just that. I have been told by my former chief of staff that I have to insert the next bit. As Minister for Small Business, Minister for Consumer Affairs and Minister for Information and Communication Technology, there are many achievements that I am proud of. Some of the most significant of these include, as the Minister for Information and Communication Technology, working with industry to make Victoria the leading ICT state in Australia and greatly raising the international profile of our companies overseas; delivering Australia's best overall communications contract for government, which enabled all Victorian government offices to be connected to high-speed broadband and, together with the current Leader of the House, ensuring that that broadband went out to 1600 government schools; delivering innovative ICT reforms, such as the retention of intellectual property for ICT companies so that they could actually increase their opportunity in business; and giving small ICT companies opportunities to win government contracts. We worked with the sector to ensure that we led the nation in addressing ICT skills shortages.

In consumer affairs we re-established Victoria as the nation's leader in consumer protection. We implemented reforms in areas such as conveyancing, bodies corporate, fundraising and funerals. We advanced lemon laws and enhanced protection for tenants. I am so proud to see that we have now had another go at ensuring that we increase the rights of renters. I wish to acknowledge the work of the Minister for Consumer Affairs, Gaming and Liquor Regulation in that regard. We introduced the first retirement villages legislation act to ensure that we were protecting those most vulnerable in our retirement villages. I want to pay a special tribute to Michael Leighton at this point for raising with me a very important issue around the way our senior citizens were being treated in caravan parks.

As Minister for Small Business I had the opportunity to speak to thousands of small businesses. Listening to them we came up with the idea of establishing Australia's first small business commissioner — a role that has now been replicated right across the country. We also rewrote the retail tenancy legislation that the member for Brighton was referring to before to ensure that there was more balance and fairness in the relationship between tenant and landlord. We put business impact statements into legislation, and we put 'pay on time or pay commercial interest' requirements on government departments.

None of these things would have been possible without the support of my extremely talented and hardworking ministerial staff and the many public servants in Multimedia Victoria, Consumer Affairs Victoria and Small Business Victoria, along with the stakeholders in each of these portfolios. I do need to single out my chief of staff, Rob Acton, who came out of his small business to work with me as my chief of staff for a short time and stayed for the duration. Shaun Thomas, Robert Larocca and Nicole Rich brought intelligence, diligence and a great sense of humour to work, at least on most days. You and the rest of the team, my media advisers, my very patient and supportive executive assistants — who would not let me touch my diary — and my department liaison officers made my job so much easier and so much fun. You made me look good. Thank you.

In 2006 I moved to the seat of Footscray, a beautiful, diverse electorate that celebrates multiculturalism and inclusion. It is an exciting and rapidly changing place that requires a government sensitive to the needs of the whole community. I have to say that I have met some amazing and beautiful people. I want to single out Mehmet, who is here today, from the Turkish community who has been an incredible delight to work with, and Jasvinder Sidhu, who engaged me in the issue of family violence within the Indian community and for whom I hope we have made a little bit of a difference.

Our days in opposition were dark days — none of us liked them. They were dark days for my electorate.

There was little that the then government spent on my electorate, and the planning decisions that were made by the now Leader of the Opposition have led to huge towers being constructed that will overshadow the Maribyrnong River and put thousands of people on an effectively isolated island that will be difficult to get in and out of.

Those years in opposition were hard, but they enabled us to develop a plan in partnership with the Maribyrnong City Council, Victoria University and school communities to create an Australian first: the Footscray Learning Precinct. This precinct will provide lifelong learning from birth right through to the University of the Third Age. Regardless of your age it will provide the education you need when you need it. This would not have been possible without the support of the then deputy opposition leader and now Deputy Premier, who has championed this precinct as an iconic project of the Education State and has provided the funds to make it a reality.

Not only has he funded that but he has funded a whole host of my schools as well. Sunshine College, which missed out when the Liberals came into government, has now got its money. Dinjerra Primary School, a school that is filled with a whole lot of kids with refugee backgrounds from many, many countries, has now got its money. There is also Sunshine Special Development School and Glengala Primary School, and the list goes on and on. A big thankyou to this government and to this minister.

To the Minister for Health, my favourite constituent, a big thankyou for the Joan Kirner Women's and Children's Hospital. It will make a big difference to the lives of women and children in the west. Thank you to the Premier and to the Minister for Health for the commitment to the rebuilding of Footscray Hospital. I know that the people of the west will show their gratitude.

The West Gate Tunnel — 9000 trucks off the streets in the inner west — much called for, and now bans will be placed on Buckley Street and Moore Street, and residents will be able to sleep at night.

In my electorate office I have the constant support of Clive Bracey, who has been with me since 2006 — such patience, such endurance — along with Chris Owner, Kaitlin Ferris, Katherine Munt and Nomi Kaltman, who have all gone on to bigger and better things. Add to this Sara, James, Angela and Adam. Thank you all for your hard work and dedication.

To the parliamentary staff, to Bridget and to the team, to everyone in the library, to Karen and the team in Strangers Corridor whom I have given a hard time to over many years — I am not hard to please — to the library staff, to everyone, a big thankyou. To Hansard, who always make us sound better than we actually are, a big thankyou. I am very sorry that there are no more Olympic doughnuts for me to give out, but the doughnut man left and he did not pass on his recipe. To those of you who have chosen not to recontest, I wish you well in the next phase of your lives.

Premier, thank you for your leadership. It was your commitment, sheer hard work and confidence that brought us back to the government benches in just one term. There has not been another government that has done more in four years than the one that you lead, not just in infrastructure but also in social policy, equity and in your personal commitment to deal with the issue of family violence. It has been a pleasure to work with you in areas of trade and a great pride to see the opening of our office in Tel Aviv. Shimon Peres said:

> A politician and a government should be judged by one way only: on the record of what you do or did, not on what you say.

Premier, if the Victorian people judge this government on these principles, we will win a much-deserved second term. I wish to thank you for your support and friendship and wish you and Catherine all the best for the future. To my caucus colleagues — God, struth, you're all here — to be in this place is a privilege that many seek but few get. Make the most of every moment and make every moment count. Good luck to those recontesting — not that you need it. I know you will put in the effort that is needed to win, and I hope to see all your faces back on these benches with a few more added.

To Katie Hall, who is to be my successor, I wish you every luck. I know that you will continue the tradition of good Labor representation in the seat of Footscray. To Melissa Horne, who is the candidate for Williamstown, thank you for being my campaign director for two of my elections, and all the best in your endeavours to become the member for Williamstown. That brings me to the member for Williamstown. No one could ask for a better neighbour than Wade Noonan. We worked together as a tag team covering the issues of the inner west. He is a friend that I respect and admire, and I look forward to spending more time with him enjoying a few drinks — thank you to his mum for encouraging him to do that — in our retirement. I leave this place knowing that there are many talented and dedicated Labor members who will serve the people of Victoria well, and I wish you every success.

Honourable members applauded.

FELICITATIONS

The SPEAKER (16:50) — Order! I just wanted to take a very quick opportunity to thank the retiring members on behalf of all members for their contributions today. On behalf of the house, we wish them well for the future. You are allowed to retire, but you have got to stay in contact. As the song says, you can check out any time you like, but you can never leave.

To members: as this is the last chance that I will have in this Parliament to say a few words, I just wanted to say that I do not need to tell members of this place about the important function that this Parliament plays in our democracy, but the 58th Parliament in my view has performed that role effectively, if somewhat robustly. I want to thank all members of this place for their hard work in that regard.

However, we would not be able to do our jobs without the wonderful support and assistance of parliamentary staff. I am not going to go through every business unit and name every single person in staff, but to Bridget Noonan and her Assembly team and to Peter Lochert and his Department of Parliamentary Services team, on behalf of members I want to say thank you.

On a personal note, very briefly I wanted to thank the Deputy Speaker, the member for Bendigo West, who is obviously not here with us today. She is off being a grandmother again. I also thank the acting chairs, who have assisted me so much over my time in this role and taken on the role of chair, and my counterpart in the other place, the President, the Honourable Bruce Atkinson, for his support and assistance over my time as a Presiding Officer. I wish all members good fortune over the months ahead.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed.

Debate adjourned on motion of Mr PAKULA (Attorney-General).

Debate adjourned until later this day.

BUSINESS OF THE HOUSE

Notices of motion

Mr PAKULA (Attorney-General) (16:52) — I move:

> That the consideration of government business, orders of the day 2 to 4 inclusive, be postponed until later this day.

Could I just by indulgence, Speaker, thank you for your stewardship of this house in what have been very difficult times occasionally. As well as farewelling all of those departing members, I just add my thanks to two particular classes of members who I do not think get enough recognition — and nobody else will do it: the whips, who do so much to keep us all in line, and the Leader of the House and the manager of opposition business, without whom none of what we do would be manageable in any respect whatsoever.

Mr CLARK (Box Hill) (16:53) — In supporting the motion moved by the Attorney-General, can I add on behalf of the opposition our appreciation to table staff in particular for the support they have given everybody in this house. I express my appreciation to my counterpart, the Leader of the House. Hopefully we have conducted ourselves in a reasonably civilised manner in terms of ordering the business of this place. I certainly express my appreciation to the member for South Barwon for his support as whip. I am sure the member for Thomastown has given similar support to her side of the house, and I have appreciated our dealings with her.

I express our appreciation to you, Speaker, in taking on your job in very difficult circumstances and for the labours and effort that you have contributed trying to restore some respect and standards in the office that you hold. Certainly on behalf of all members of this side of the house I express our appreciation to all members of the parliamentary staff for the various supports that they have given us during the life of this Parliament.

Motion agreed to.

OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018

Second reading

Debate resumed from 19 September; motion of Mr PAKULA (Attorney-General).

Motion agreed to.

Read second time.

Consideration in detail

Clause 1

Mr PESUTTO — Could I add my comments — with indulgence — just to extend my thanks to the Speaker, to all of the parliamentary staff and to all of the electorate office and ministerial staff, who work harder than they should have to to serve us as MPs and ministers in the government. They are often the forgotten ones. To those members of this house who leave with our warmest wishes, I offer my best wishes for their futures. I hope that the next chapter of their careers and lives is as enjoyable as I hope their time in this Parliament has been.

As for clause 1 of this bill, following the report by the Honourable Frank Vincent, which the government commissioned back in November 2016, the bill's purpose principally is to, amongst other things of course, establish the primacy of the principle of open justice, and I would just ask the Attorney-General how, in practice, does he see that principle being implemented by the courts?

Mr PAKULA — I thank the member for Hawthorn for his question. It appears that, up to the adjournment, I may have the last word of the 58th Parliament. I will do two things in the 90 seconds I have. First of all, I will respond to the member for Hawthorn's question directly by saying there were a number of recommendations in the Vincent review, not all of which are being implemented by this bill, and that is really a function of complexity. Those that are less complex have been instituted by virtue of this bill, and it is the intention of the government, should we get the opportunity to govern again, to have not just this bill recommitted but the introduction of a second bill that will deal with some of the more technically difficult recommendations that former Justice Vincent put in place.

The second thing I want to say for the record is to express my thanks to the member for Hawthorn for the manner in which he has conducted himself as my shadow minister. We have disagreed about many things, vigorously and at high volume, over the last four years, but I say to the member for Hawthorn that I do not expect that he will lose his preselection on the basis of being described as courteous and reasonable. I have thought him to be mainly courteous and reasonable over the last four years. We have said some nasty things about one another, but I do not think we mean it.

The ACTING SPEAKER (**Ms Kilkenny**) — The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Clause agreed to; clauses 2 to 16 agreed to.

Bill agreed to without amendment.

Third reading

Motion agreed to.

Read third time.

ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018

Second reading

Debate resumed from earlier this day; motion of Mr SCOTT (Minister for Finance).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

SALE OF LAND AMENDMENT BILL 2018

Second reading

Debate resumed from 18 September; motion of Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018

Second reading

Debate resumed from 18 September; motion of Mr PALLAS (Minister for Resources).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The ACTING SPEAKER (**Ms Kilkenny**) — The question is:

That the house now adjourns.

ABC Elsternwick site

Mr SOUTHWICK (Caulfield) (17:02) — (15 035) The adjournment matter I wish to raise today is for the Minister for Planning. The issue I wish to raise with the minister concerns the ABC site in Elsternwick. I call on the minister to intervene immediately to consider Glen Eira City Council's request for an interim heritage overlay to ensure the site remains in community hands and its significant history is protected. Overdevelopment has been the major issue in my electorate of Caulfield in this term of government. In particular, constituents in Elsternwick have seen massive overdevelopment with lots of proposals for large towers to be constructed in the area of Elsternwick. We have seen a proposal for one of the ABC sites for a 14-storey development and a Woolworths supermarket is being considered.

The site that I am referring to is the ABC site next to Ripponlea gardens, which many people in this Parliament would have memories of, particularly of the great shows produced there, including *Countdown*, over many, many years. We request that this site be returned to the community. It is a great site. It would be a real shame to see the site destroyed by overdevelopment. There is a great opportunity for some continued flow into the beautiful Ripponlea gardens, which many visitors frequent. As I say, this is something that is very important to my constituents.

Glen Eira council has formally requested consideration of an interim overlay for the former ABC studios at 8 Gordon Street, Ripponlea. The council have received an independent assessment of this site for their heritage allowance, which found the site had significant heritage value on a national, state and local level. This is something that we think is very important, and this overlay will ensure the heritage value of the site is maintained and will enable future community use of the space. Glen Eira has the lowest amount of open space in our electorate. We desperately require community assets to be protected, and this ABC site is a site of significant heritage that should be protected and not be subjected to the overdevelopment that we have seen lots of our area subjected to since the government came to power.

Frankston railway station car parking

Mr EDBROOKE (Frankston) (17:05) — (15 036) My adjournment debate is for the Minister for Public Transport. The action I seek is, in light of the recent announcement of the Car Parks for Commuters Fund, for the minister to visit Frankston. Last week it was announced that a re-elected Andrews Labor government will make it easier for commuters to find a car park, building over 11 000 new spaces at stations across the state. The $150 million Car Parks for Commuters Fund will see new car parks being built at some of our busiest metropolitan and regional train stations.

In August 2015 our community in Frankston released the master plan recommendations for the Andrews Labor government's $63 million revitalisation of the Frankston station precinct. In doing so, it tabled the first tangible plan for Frankston CBD. Since then I have been working down the list of priorities in the master plan, which included improving Frankston station by rebuilding the station, which we have done, and improving Young Street by creating a high-quality pedestrian streetscape, which we have done, and much more as well. Next on the list is improving access to and management of car parking. I look forward to the minister visiting Frankston so we can have a discussion about it, and I look forward to her response.

Just before I conclude my adjournment matter, Speaker, I would like to thank you for your custodianship of the Speaker's role this term.

Pest animal and weed control

Mr WALSH (Murray Plains) (17:06) — (15 037) My adjournment matter this afternoon is for the Minister for Agriculture. The action I seek from the minister is that she adopt the very sensible solution put forward by the Liberal-National parties recently to establish a dedicated invasive weeds and pest animal enforcement task force within Agriculture Victoria. Pest animals like rabbits and foxes are out of control in many parts of Victoria, and weeds strangle the productivity of our farmers and cost an estimated

$4 billion through yield losses and product contamination across our nation each year.

But supporting our farmers and land managers does not seem to be a priority for the Andrews Labor government. That is probably because it happens in areas of the state that do not have tram tracks, so the Premier is not interested. You only have to look at the budget papers to confirm that the Andrews Labor government has been lacking when it comes to property inspections. The number of inspections conducted annually over the last four years has dropped under Labor, and that is a very real worry for our farmers and our land managers. Not only has Labor cut the number of property inspections taking place, but under the Andrews Labor government laws that are already in place to protect private land and public land are not being properly enforced.

Recently we made a policy commitment that would help fix Labor's mess. Unlike Labor, the Liberal-Nationals want to support Victorian farmers and land managers in the fight against weeds and pest animals. We have proposed the establishment of a new dedicated task force within Agriculture Victoria that will be there to properly enforce those particular laws. The task force would support the hardworking landowners who already manage weeds and pests on their properties. Landholders who do the right thing by controlling invasive species on their own properties should not have to put up with lazy neighbours who do not do the same on adjoining lands. There are lots of farmers who do the right thing. They spend a lot of money and put in the time and the grunt work to control weeds and pests on their properties, but all that good work is undone if recalcitrant neighbours flout the laws.

The Liberal-Nationals' ideas have been roundly welcomed by farmers and land managers, who are exasperated with the lack of action by the current Andrews government. The action I seek is for the minister to adopt this policy solution that the Liberal-Nationals have put forward, and I ask the minister to commit her support for the establishment of a dedicated invasive weeds and pest animals enforcement task force within Agriculture Victoria to make sure all farmers do not have the problems with pest animals and weeds.

Revitalising Broadmeadows

Mr McGUIRE (Broadmeadows) (17:09) — (15 038) My adjournment request is to the Minister for Suburban Development. The action I seek is that she coordinate a response to the Revitalising Broadmeadows plan. This has now become a matter of urgency with the announcement today by the Ford Motor Company that they will be putting up for sale 40 hectares of the iconic site in Broadmeadows. This is vital to become a new landmark for jobs of the future and a hub for innovation where jobs and growth are needed most.

I specifically use that phrase because I want to remind the Australian government that they had an unspent $1.324 billion from the automotive transformation scheme. I have been lobbying them to say how much of that they will reinvest in Melbourne's north, where it is needed most, and to honour their commitment that they govern for everyone. We have seen that Adelaide got billions of dollars for their loss of the auto industry, and yet Melbourne's north was treated, if I could categorise it, with managed decline. We saw that happen under the Thatcher government in England's north in the 1980s, and that led to social catastrophe.

I want to thank the Andrews Labor government for its commitment in establishing the Broadmeadows Revitalisation Board, which I had the privilege to chair, and all of the work that has been done with that, reporting directly to the Minister for Suburban Development and the Minister for Industry and Employment. What we really have is an opportunity to look at how we can coordinate the three tiers of government, business and civil society to come up with another landmark for jobs for the 21st century and what the industry should be.

I have referenced that we should look at La Trobe University or RMIT University relocating innovation from these academies onto this site, because that would add value to what Ford has already done there as well. So even though the assembly lines have fallen silent, Ford have reinvested hundreds of millions of dollars, making this their innovation headquarters and leading centre for the Asia-Pacific region.

Here is a wonderful opportunity to have mutual obligation and all that means from the Australia government to actually invest where we can deliver a great result. A part of that should also be city deals for Melbourne's north and Melbourne's west, because both will soon have populations larger than Adelaide and provide much better opportunities than the city deal that was given to Sydney's west. Here is an opportunity, with a new Prime Minister, to show that he can deliver in Victoria and help to readdress that imbalance on infrastructure and actually deliver where jobs and growth are needed most.

Hawthorn electorate mobile network rollout

Mr PESUTTO (Hawthorn) (17:12) — (15 039) On indulgence, Speaker, before I turn to my adjournment matter, can I congratulate you. You have had a difficult job, and although at times I have wanted to stand up and ask that you remove yourself from the chamber for 1 hour, I know that is beyond my power as a mere member of Parliament. Congratulations on your service. It is not an easy job.

My adjournment matter tonight is for the Minister for Planning, and the action I seek from the minister is that he exercise those powers that are available to him to intervene in relation to the relocation of some mobile cell sites in my electorate that TPG is rolling out. As we all know, TPG, one of Australia's major telcos, is rolling out its own mobile network. It has reached my electorate in recent months. Whilst most of the installations that TPG is either proposing or has implemented have not met with any controversy, there have been a number of proposed installation sites, and sadly sites that TPG has proceeded to install cells at, that have left my constituents very concerned. So I am seeking that the Minister for Planning intervene in this matter.

I also want to, as part of that, alert the minister to the advocacy of a number of my constituents with whom I have worked or corresponded on this matter to try and force TPG to relocate certain of these cells that are the most controversial. Nick Katrivessis, Peter Horak, Dana Gee, Kata Acciarresi, Nick Xerakias, Annette Muldeary, June Sutherland, Mia Livingstone Ale, Patrick Ale, Boon Tung, Elizabeth James, Mary Garkinis, Jenny Ellis and Libby Moore are signatories to the petition that Camden Road residents have organised, as are Roy Lilley, Betty Davis and Margaret Mary Brew, amongst a number of others.

I met with residents in Camden Road, Hawthorn, in my electorate last week, and they were very angry, as have been all of the other people I have met with. In some cases they have children's bedrooms which are located only metres from these proposed cell sites. There are questions that TPG really needs to address in the interest of being fair to my constituents. I hope and trust that, with the minister's intervention, TPG will do just that.

Family violence

Ms GRALEY (Narre Warren South) (17:14) — (15 040) My last adjournment matter is, most appropriately, for the Minister for the Prevention of Family Violence and concerns support networks for victims of family violence. The action I seek is that the minister ensure greater access to support networks for people with poor or no English skills who are experiencing family violence. As I have said many times in this place, unfortunately Casey has the highest levels of family violence in this state.

Recently I was contacted by Elaine Smith, who has worked extensively within the newly arrived migrant community. The establishment of the Women's Friendship Cafe in Hampton Park was only made possible by Elaine's drive and commitment but above all her compassion and kindness. She has done amazing work helping women from all backgrounds and circumstances, often in very troubled times. She described to me that a number of women who are part of this community struggle to navigate the current support services due to their lack of English skills. This is of concern for both of us as it means there are women out there who are feeling isolated and believe they cannot share their experiences and seek support. We know they are putting themselves and their families at risk as their safety and wellbeing is being undermined.

I am very proud of the steps this government has taken towards ending family violence in the state but, as I have said before, there is always more that we can do. Elaine pointed out to me that the Royal Commission into Institutional Responses to Child Sexual Abuse used professional writers — they made them available to help make the personal stories of victims readable and coherent. Methods like this would go a long way to ensuring that the victims of family violence from diverse cultures and backgrounds and who have limited English skills can have their voices heard. I look forward to hearing from the minister about what we can do to make sure everyone feels they can seek help and support if they are experiencing family violence.

Barwon Soccer Club

Mr KATOS (South Barwon) (17:16) — (15 041) I wish to raise an adjournment matter this evening for the Minister for Sport. The action that I seek is for him to give a favourable outcome to the City of Greater Geelong's funding application to the Female Friendly Facilities Fund on behalf of the Barwon Soccer Club in Grovedale. The Barwon Soccer Club is located in Reserve Road in Grovedale The club has about 500 players and approximately 100 of them are women and girls. It is a fantastic club that has grown immensely. I remember going there with the then shadow minister for sport, Hugh Delahunty. The facilities they had at the time were, quite frankly, abhorrent; they were terrible. We gave them a $400 000 funding commitment at the 2010 election and saw some very good clubrooms built.

What has happened is that the continued growth in the southern suburbs of Geelong, particularly Grovedale and also neighbouring Armstrong Creek, has put additional pressure on the soccer club. The proposal is to extend the changing rooms to provide more changing facilities for women and girls. The City of Greater Geelong is contributing $325 000 for this project, the club is contributing $24 000 and the application that has been made to the fund is for $150 000. That will be very important for the local community there in Grovedale and also indeed for people in the suburbs south of the river because, with the exception of the Surf Coast Soccer Club down in Torquay, that is the only soccer club in Geelong's southern suburbs. It does get a significant amount of pressure from people wanting to play soccer and obviously we are getting more and more people playing soccer, whether they be men, boys, women or girls. With that increased pressure there is a need for new changing rooms.

I also commend the president, David Rea, the treasurer, Colin Drain, and also the committee at the club. They do a fantastic job. I ask the minister to give a favourable outcome to the funding application by the City of Greater Geelong for the Barwon Soccer Club.

Hurstbridge rail line

Ms GREEN (Yan Yean) (17:19) — (15 042) The last adjournment matter that I wish to raise in this Parliament is for the Minister for Public Transport, who has delivered so much to the Yan Yean electorate over the last four years. The action I seek is for her to provide assurances to my community that the $530 million Hurstbridge line upgrade stage 2 will deliver an unprecedented level of rail services for Melbourne's north-east, while importantly preserving the livability and the much-loved Eltham trestle bridge as well as retaining valuable parkland along Diamond Creek.

At a recent public transport forum the Liberal candidate for Eltham said he was only interested in Eltham and not in Diamond Creek or Mernda. I find that alarming given that the southern part of the Eltham electorate in fact encompasses Diamond Creek. Other Liberal operatives in the area — being the Nillumbik mayor and my opponent, also a former Nillumbik councillor — are favouring a full duplication of the line to Hurstbridge and saying that this is what is needed to deliver 20-minute services. Neither of the alternate Liberal plans includes a new station and bus interchange at Greensborough, which, as you know, Speaker, is essential to improve bus travel times and the ease of connection between bus and rail.

A number of the plans articulated by Nillumbik shire, being the full duplication to Hurstbridge and the upgrade of the small dirt country lane that is Allendale Road to arterial status, have nothing at all to do with delivering better roads and public transport but everything to do with assisting the opposition leader to deliver his 290 000 new house lots in Melbourne, which we know cannot be included inside the current urban growth boundary, which places Nillumbik's green wedge at huge risk.

Not only can the Liberals not be trusted on planning but they cannot be trusted on public transport. They have two alternate plans being articulated in the Diamond Valley and they are poorly costed. They cannot be trusted on public transport because they have never actually delivered anything. They have never built any; they have only ever talked about it. I think they went to the election before last promising four rail lines and delivered none. We know that their record in the 1990s was merely closing rail lines. If we go back to before I was born, they closed the Whittlesea rail line.

Ms Allan interjected.

Ms GREEN — Yes, 38 years ago. I would trust the Minister for Public Transport on any measure to deliver a public transport project. I feel certain that she will be able to give my community the assurances that are needed, that this public transport project, yet another public transport project, can be delivered.

Finally, I want to thank my electorate staff, my volunteers and everyone who has assisted over the last four years. I wish the numerous numbers of my colleagues who are retiring all the very best.

South-West Coast electorate roadside vegetation

Ms BRITNELL (South-West Coast) (17:22) — (15 043) My adjournment matter is for the Minister for Emergency Services, and the action I seek is for him to coordinate a meeting of government departments to develop a comprehensive plan for fire preparedness in South-West Coast which eliminates cumbersome red tape. Minister, for three years I have had Country Fire Authority volunteers from across the South-West Coast electorate come to me frustrated by the processes which get in the way of them doing what they have always done: managing our roadsides to reduce risk during the fire season. What was once a relatively simple process has over time become a convoluted process that now requires brigades to organise fire services officers, departments like VicRoads and the Department of Environment, Land, Water and Planning, and local

governments to issue permits for roadside burns. A bureaucratic nightmare has developed. These historic practices do not go where native vegetation is found nor are they environmentally destructive. They are an effective way of ensuring the long grass that can serve as fuel for a fast-moving grassfire is reduced and create wider firebreaks to help brigades maintain control during an emergency.

Since the St Patrick's Day fires my office and the office of my colleague the member for Polwarth have been inundated with calls, letters and representations from people who had horror stories of trying to escape the fire front only to find their way out blocked by fallen trees, which in many instances were not native species. Many feel our roadsides have become unsafe because proper maintenance has taken a back seat in the name of environmental practices. What has happened in the past where farmers took responsibility for the roadsides, making sure they were clear of fallen limbs and long grass, has ceased because people do not know what they are allowed to do. We also need to get VicRoads out there slashing and spraying the roadsides, not just for fire safety but for motorist safety. The time to do this is now. If you do not spray, the grass will grow and get to a point that we have seen over the years where it is beyond spraying and needs slashing.

Last year I had hundreds of constituents come to my office reporting intersections where the grass was so high they could not see what was coming down the road. VicRoads said there was a backlog and they would get a tractor and slasher when they could. This backlog is caused by a lack of planning and lack of spraying. Every year it rains over winter and spring and then the grass grows. It is not a surprise. We should not be caught off guard by something like this. This happens year after year. You would think we would learn, but it is not the case because the departments are siloed and one does not know what the other is doing. There needs to be a coordinated approach to get a plan in place so that we know, year after year, who is going to do what and when. It is too important for community safety to have a haphazard approach, like we have seen this year.

As I have the honour of having the last word as the last speaker of the 58th Parliament, my message is: listen to the country. Labor clearly do not give a stuff about the country, but I do and I will deliver.

Maribyrnong Park Football Club

Mr PEARSON (Essendon) (17:25) — (15 044) Speaker, I too join in complimenting you on your service to this house. I know I have personally tested your patience on a number of occasions in the course of question time. I congratulate you on the way you have discharged your duties over the course of this Parliament.

I direct my adjournment matter to the Minister for Water, and the action I seek is that a meeting be convened between Melbourne Water, the City of Moonee Valley and the Maribyrnong Park Football Club, otherwise known as the Marby Lions, who play at Maribyrnong Park, to discuss options to improve the playing surface of the oval at Maribyrnong Park. I recently met with the president of the Marby Lions, Doug Stevens, who showed me the playing surface of the oval, which is in a poor state. I would welcome the opportunity to discuss what options might be available to improve the playing surface.

Finally, it would be remiss of me not to quote Marcus Aurelius. I think Marcus Aurelius should appear in print at the very end of the 58th Parliament:

> Perfection of character is this: to live each day as if it were your last, without frenzy, without apathy, without pretence.

I am very pleased to say that I think I and members on this side have fulfilled that obligation over the course of this Parliament.

Responses

Ms ALLAN (Minister for Public Transport) (17:26) — I will, in the spirit of the day that we have had — if I can also on indulgence — just make a few brief acknowledgements. Please do not mistake it: the brevity is not in proportion to the appreciation I feel for the people I am about to acknowledge. We have heard a number of times today, and I think it is terrific, how the parliamentary staff have been repeatedly acknowledged. I add my voice to those acknowledgements. They are a terrific group of people across all the different departments. Thank you for the great work you do in supporting us.

I will also give a shout-out to our clerks. I acknowledge Bridget in her historic position; I know Ray was very proud to hand over the mantle to you. To you, Speaker: thank you for the work you have done over the past couple of years guiding us through the slings and arrows of question time and other parts of the parliamentary day. Thank you for the work that we have been able to do with you.

I would also like to thank my whip, who I have already spoken to but she has had to depart. I have had two whips in this term of the Parliament: the member for Yuroke and the member for Thomastown. They are

both wonderful women to work with, great Labor women, and I have enjoyed working with them enormously. I thank them for putting up with me during that period of time.

I thank the manager of opposition business. I have had the opportunity to say some words privately to the member for Box Hill, but I would like to say them publicly as well. I really appreciate the way that he and I have been able to have a respectful and quite open relationship — maybe not as open as the members for Rowville and Nepean, as we heard before, I want to make that very clear. We have had a very respectful relationship in terms of understanding that we both have a set of responsibilities to our parties in the roles that we have but we also have a responsibility to the Parliament and to the chamber to make sure it does operate in a smooth way. I will also acknowledge that the manager of opposition business has from time to time helped me do my job by picking up on some little slips and trips I might have had along the way. But I will perhaps never forgive him for calling on the ABC motion a few months ago; that was a cunning move from someone who has been here a while. I do genuinely, though, appreciate the member for Box Hill's support, and I wish him all the best over the months ahead.

I thank my office. I do not know if they are watching. They might be or they might be doing some other entertaining things. I thank them for the tremendous support they have given me and also my caucus colleagues. I have got a great team. They are a fantastic team. I think, as some of my colleagues have said, they make you look good, and that is certainly true for my team.

I thank my wonderful caucus, who have supported me in this role, particularly my government business program team. I think they have mostly been boys. My government business program boys: you have been great to help me out. It does mean a lot standing here to know that you have got the support of your team behind you.

To everyone in this chamber: I wish everyone well. We will all be doing a lot of driving, a lot of travelling and a lot of campaigning over the weeks ahead, and I really do wish for everyone to do that as safely as they possibly can. Take good care of yourselves and take good care of your families, because ultimately that is the most important thing in our lives.

Having said that let us get back to battle. The member for Yan Yean has raised with me —

Honourable members interjecting.

Ms ALLAN — No, I do not want my reputation to slip. The member for Yan Yean has raised with me the desire to gain some assurances around the delivery of the Hurstbridge line upgrade stage 2. Of course as the member for Yan Yean knows, you can only have stage 2 of the Hurstbridge line upgrade because the Labor government has already delivered stage 1 of the Hurstbridge line upgrade. This is now a key election commitment that we have made to the communities along the Hurstbridge rail corridor.

This is a big project. It involves new stations at Greensborough, Speaker, which I think you might be quite interested in as well, and track duplication in a number of places. This is all about enabling us, at the end of this project, to run more trains more often. That is important for the growing communities in Melbourne's north. The member for Yan Yean mentioned the Mernda rail project. We have got runs on the board with that, and we want to continue that with Hurstbridge.

I also want to give the member for Yan Yean and her local community very clear assurances around our protections for the Eltham trestle bridge. This is the last remaining timber bridge on Melbourne's electric train network. It is much loved in the local community, and its preservation is being strongly fought for and advocated for because it is very much part of the local area's character. Only Labor will deliver the Hurstbridge line duplication, protect the Eltham trestle bridge and not wreak further havoc on the local community, unlike those opposite, who have an alternative proposal in the marketplace that is undercooked and underfunded and which would not provide those protections. I hope that provides the member for Yan Yean with what she was looking for — the thumbs up — and I wish her all the best in the weeks ahead.

The member for Frankston has asked me to come and visit Frankston and talk about car parks, if I remember correctly. I am very pleased to accept that invitation from the member for Frankston because not only will we be talking about car parks but we will be talking about the $2 billion of investment that we are making on the Frankston line in removing level crossings and building a beautiful new station at Frankston. I cannot wait to see the progress. I did a bit of a walk-around during the last school holidays when I was in the area. I look forward to doing that again next week when I am in the area again.

Can I thank the member for Frankston — and the member for Yan Yean, but I am on the member for Frankston at the moment. You are a terrific advocate for your local community. You work damn hard in your local community. You should be proud of what you have achieved to date, and we look forward to there being more to come into the future. We will see you next week, and then next year.

With those words, eight other matters were raised by honourable members for the attention of ministers. I will refer those matters to them for their action and attention. As I said before, I wish everyone all the very best for the weeks ahead.

The SPEAKER — The house now stands adjourned.

House adjourned 5.33 p.m.

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