

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT
FIRST SESSION**

Thursday, 24 November 2016

(Extract from book 16)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 9 November 2016)

| | |
|--|------------------------------|
| Premier | The Hon. D. M. Andrews, MP |
| Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016] | The Hon. J. A. Merlino, MP |
| Treasurer | The Hon. T. H. Pallas, MP |
| Minister for Public Transport and Minister for Major Projects | The Hon. J. Allan, MP |
| Minister for Small Business, Innovation and Trade | The Hon. P. Dalidakis, MLC |
| Minister for Energy, Environment and Climate Change, and Minister for Suburban Development | The Hon. L. D’Ambrosio, MP |
| Minister for Roads and Road Safety, and Minister for Ports | The Hon. L. A. Donnellan, MP |
| Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans | The Hon. J. H. Eren, MP |
| Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries | The Hon. M. P. Foley, MP |
| Minister for Health and Minister for Ambulance Services | The Hon. J. Hennessy, MP |
| Minister for Training and Skills, Minister for International Education and Minister for Corrections | The Hon. S. R. Herbert, MLC |
| Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations | The Hon. N. M. Hutchins, MP |
| Special Minister of State | The Hon. G. Jennings, MLC |
| Minister for Consumer Affairs, Gaming and Liquor Regulation | The Hon. M. Kairouz, MP |
| Minister for Families and Children, and Minister for Youth Affairs | The Hon. J. Mikakos, MLC |
| Minister for Police and Minister for Water | The Hon. L. M. Neville, MP |
| Minister for Industry and Employment, and Minister for Resources | The Hon. W. M. Noonan, MP |
| Attorney-General and Minister for Racing | The Hon. M. P. Pakula, MP |
| Minister for Agriculture and Minister for Regional Development | The Hon. J. L. Pulford, MLC |
| Minister for Women and Minister for the Prevention of Family Violence | The Hon. F. Richardson, MP |
| Minister for Finance and Minister for Multicultural Affairs | The Hon. R. D. Scott, MP |
| Minister for Planning | The Hon. R. W. Wynne, MP |
| Cabinet Secretary | Ms G. A. Tierney, MLC |

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(from 10 November 2016)

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| Minister for Training and Skills, and Minister for Corrections | The Hon. G. A. Tierney, MLC |
| Minister for Planning | The Hon. R. W. Wynne, MP |
| Cabinet Secretary | Ms M. Thomas, MP |

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

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,
Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

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 — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
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 | Naphthine, Dr Denis Vincent ³ | South-West Coast | LP |
| Blackwood, Mr Gary John | Narracan | LP | Nardella, Mr Donato Antonio | Melton | ALP |
| 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 | Morwell | Nats |
| Bull, Mr Joshua Michael | Sunbury | ALP | O'Brien, Mr Daniel David ⁴ | Gippsland South | Nats |
| Bull, Mr Timothy Owen | Gippsland East | Nats | O'Brien, Mr Michael Anthony | Malvern | LP |
| Burgess, Mr Neale Ronald | Hastings | LP | Pakula, Mr Martin Philip | Keysborough | ALP |
| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Pallas, Mr Timothy Hugh | Werribee | ALP |
| Carroll, Mr Benjamin Alan | Niddrie | ALP | Paynter, Mr Brian Francis | Bass | LP |
| Clark, Mr Robert William | Box Hill | LP | Pearson, Mr Daniel James | Essendon | ALP |
| Couzens, Ms Christine Anne | Geelong | ALP | Perera, Mr Jude | Cranbourne | ALP |
| Crisp, Mr Peter Laurence | Mildura | Nats | Pesutto, Mr John | Hawthorn | LP |
| D'Ambrosio, Ms Liliana | Mill Park | ALP | Richardson, Mr Timothy Noel | Mordialloc | ALP |
| Dimopoulos, Mr Stephen | Oakleigh | ALP | Richardson, Ms Fiona Catherine Alison | Northcote | ALP |
| Dixon, Mr Martin Francis | Nepean | LP | Riordan, Mr Richard ⁵ | Polwarth | LP |
| Donnellan, Mr Luke Anthony | Narre Warren North | ALP | Ryall, Ms Deanne Sharon | Ringwood | LP |
| Edbrooke, Mr Paul Andrew | Frankston | ALP | Ryan, Mr Peter Julian ⁶ | Gippsland South | Nats |
| Edwards, Ms Janice Maree | Bendigo West | ALP | Ryan, Ms Stephanie Maureen | Euroa | Nats |
| Eren, Mr John Hamdi | Lara | ALP | Sandell, Ms Ellen | Melbourne | Greens |
| Foley, Mr Martin Peter | Albert Park | ALP | Scott, Mr Robin David | Preston | ALP |
| Fyffe, Mrs Christine Anne | Evelyn | LP | Sheed, Ms Suzanna | Shepparton | Ind |
| Garrett, Ms Jane Furneaux | Brunswick | ALP | Smith, Mr Ryan | Warrandyte | LP |
| Gidley, Mr Michael Xavier Charles | Mount Waverley | LP | Smith, Mr Timothy Colin | Kew | LP |
| Graley, Ms Judith Ann | Narre Warren South | ALP | Southwick, Mr David James | Caulfield | LP |
| Green, Ms Danielle Louise | Yan Yean | ALP | Spence, Ms Rosalind Louise | Yuroke | ALP |
| Guy, Mr Matthew Jason | Bulleen | LP | Staikos, Mr Nicholas | Bentleigh | ALP |
| Halfpenny, Ms Bronwyn | Thomastown | ALP | Staley, Ms Louise Eileen | Ripon | LP |
| Hennessy, Ms Jill | Altona | ALP | Suleyman, Ms Natalie | St Albans | ALP |
| Hibbins, Mr Samuel Peter | Prahran | Greens | Thomas, Ms Mary-Anne | Macedon | ALP |
| Hodgett, Mr David John | Croydon | LP | Thompson, Mr Murray Hamilton Ross | Sandringham | LP |
| Howard, Mr Geoffrey Kemp | Buninyong | ALP | Thomson, Ms Marsha Rose | Footscray | ALP |
| Hutchins, Ms Natalie Maree Sykes | Sydenham | ALP | Tilley, Mr William John | Benambra | LP |
| Kairouz, Ms Marlene | Kororoit | ALP | Victoria, Ms Heidi | Bayswater | LP |
| Katos, Mr Andrew | South Barwon | LP | Wakeling, Mr Nicholas | Ferntree Gully | LP |
| Kealy, Ms Emma Jayne | Lowan | Nats | Walsh, Mr Peter Lindsay | Murray Plains | Nats |
| Kilkenny, Ms Sonya | Carrum | ALP | Ward, Ms Vicki | Eltham | ALP |
| Knight, Ms Sharon Patricia | Wendouree | ALP | Watt, Mr Graham Travis | Burwood | LP |
| Languiller, Mr Telmo Ramon | Tarneit | ALP | Wells, Mr Kimberley Arthur | Rowville | LP |
| Lim, Mr Muy Hong | Clarinda | ALP | Williams, Ms Gabrielle | Dandenong | ALP |
| McCurdy, Mr Timothy Logan | Owens Valley | Nats | Wynne, Mr Richard William | Richmond | ALP |
| McGuire, Mr Frank | Broadmeadows | ALP | | | |

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ Elected 14 March 2015

⁵ Elected 31 October 2015

⁶ Resigned 2 February 2015

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 Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

Accountability and Oversight Committee — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.
(*Council*): Ms Bath, Mr Purcell and Ms Symes.

Dispute Resolution Committee — (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O’Brien, Mr Pakula, Ms Richardson 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, Mr Nardella and Ms Ryall.
(*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem.

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

Environment, Natural Resources and Regional Development Committee — (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward. (*Council*): Mr Ramsay and Mr Young.

Family and Community Development Committee — (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy and Ms McLeish. (*Council*): 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 Hartland, 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*): Mr Eideh and Ms Patten.

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

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

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Thursday, 24 November 2016

The **SPEAKER** (Hon. Telmo Languiller) took the chair at 9.33 a.m. and read the prayer.

DISTINGUISHED VISITORS

The **SPEAKER** — Order! I would like to welcome to the gallery today Michael Kaufman, co-founder of the White Ribbon campaign, CEO Libby Davies and Petersen Opio from the White Ribbon organisation. On behalf of the Premier, the Leader of the Opposition and all members of the Victorian Parliament, I welcome you.

WHITE RIBBON DAY

The **SPEAKER** — Order! Tomorrow, 25 November, is White Ribbon Day, the International Day for the Elimination of Violence against Women. Our Parliament is seeking accreditation under the White Ribbon workplace accreditation program, and this morning we were privileged to hear from the co-founder of the White Ribbon campaign, Michael Kaufman. We all have a responsibility to do all that we can to prevent violence against women. Attitudes and behaviours among men and boys must change and must be changed by the positive influence we can bring to this issue. Our Parliament is making an important commitment through its efforts to achieve White Ribbon workplace accreditation. We must continue to encourage all Victorians to help us eliminate violence against women in all the forms that it can take.

INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT**Hazelwood mine fire inquiry report 2016**

Mr **MERLINO** (Minister for Emergency Services), by leave, presented report.

Tabled.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**Budget estimates 2016–17**

Mr **PEARSON** (Essendon) presented report, together with appendices, extract from proceedings, minority report and transcripts of evidence.

Tabled.

Ordered that report, extract from proceedings and minority report be published.

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION COMMITTEE**Performance of Independent Broad-based Anti-corruption Commission and Victorian Inspectorate 2015–16**

Mr **WELLS** (Rowville) presented report, together with transcript of evidence.

Tabled.

Ordered that report be published.

DOCUMENTS**Tabled by Clerk:**

Auditor-General:

Local Government: 2015–16 Audit Snapshot — Ordered to be published

Public Hospitals: 2015–16 Audit Snapshot — Ordered to be published

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2015–16

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the CFA Training College at Fiskville

Port of Melbourne Corporation — Report 2015–16, together with an explanation for the delay.

BUSINESS OF THE HOUSE**Adjournment**

Ms **ALLAN** (Minister for Public Transport) — I move:

That the house, at its rising, adjourns until Tuesday, 6 December 2016.

Motion agreed to.

MEMBERS STATEMENTS**Government achievements**

Mr **PALLAS** (Treasurer) — I rise to inform the house of the Andrews government's achievements for my electorate of Werribee since forming government. We recently announced a \$1.8 billion outer suburban

arterial roads package, which will provide transformational upgrades to eight priority roads, 30 kilometres of lane duplication and 700 kilometres of road maintenance. Additionally, we have also delivered the \$45 million Sneydes Road interchange at the Princes Freeway, along with a wider package of works for East Werribee. The city-shaping \$5.5 billion western distributor project will provide a vital second river crossing for the people of Melbourne's west. The Level Crossing Removal Authority will deliver two level crossing removals in Werribee which will cut congestion and improve safety.

Since taking government, Wyndham's public transport services have dramatically improved with the opening of the regional rail project, fully delivered by Labor governments. Rail services will continue to improve with the fully funded \$10.9 billion Melbourne Metro rail project. We have also committed \$85 million to expand Werribee Mercy Hospital and to provide a critical care unit, funding for a crisis accommodation centre in Melbourne's west and almost \$18 million for school infrastructure funding.

The Labor Party has always fought for an economy that fairly rewards the toil and endeavours of those who contribute and it takes care of those who cannot. I am proud of these investments for the Wyndham community and that our Andrews Labor government is getting it done for my electorate of Werribee.

Malvern electorate crime

Mr M. O'BRIEN (Malvern) — Crime in my electorate of Malvern is out of control. In the past 12 months there has been an increase of 16.9 per cent in offences committed. Worse, crimes against the person have spiked by 21.8 per cent. Carjackings, once unheard of, have occurred this year in Malvern, Malvern East and at Chadstone Shopping Centre. The fear of aggravated burglaries and home invasions is all too real. Our police do a great job, but there simply are not enough of them.

Back in June I asked the Minister for Police to rule out any cuts to the opening hours of Malvern police station and guarantee it will remain open 24 hours a day. Three months later the police minister did reply, but in her answer she refused to even refer to Malvern police station, failed to rule out any cuts to the opening hours or even that the station could be closed.

My constituents are appalled by the Andrews Labor government's soft-on-crime approach. A petition I circulated to keep Malvern safe by guaranteeing our local police station, strengthening bail laws and

increasing police numbers in our community has attracted 3000 signatures. So this is the message of my community to the Premier and his Labor government: crime is out of control, we need more police in our community, we need a justice system that protects the victims instead of the criminals and locally we need our Malvern police station open 24 hours a day, seven days a week.

Williamstown electorate sporting clubs

Mr NOONAN (Minister for Industry and Employment) — Sporting clubs are the backbone of our community. They are run by people of goodwill who are motivated to help shape the life skills of our children. Many of our clubs run on the smell of an oily rag. That is why I am pleased to congratulate three local clubs in the Williamstown electorate that received grants under the Andrews government's sporting club grants program. Melbourne City Football Club received a total of \$6000 to subsidise uniforms and assist the development of programs to enhance junior, female and senior age participation in sport. Melbourne City is a fantastic local club that prides itself on the multicultural make-up of its community. The club offers support for refugees and asylum seekers, some of whom play in their senior team. My thanks go to acting secretary Pablo Giminez and head coach Ben Smith.

The wildly popular Williamstown Cannons Basketball Club also received \$1800 for the development and mentoring program. I know this club well, and they do an outstanding job catering for the ever-increasing number of children who wish to learn and play competitive basketball. Thanks to club representatives Michael Streeter, Anton Sucic, Penny Milhe, Chris Herreich, Margot Ryan, Shaun Huntington, Darren Knight and all team coaches.

Finally, my congratulations go to Newport Power Junior Football Netball Club, which received \$1000 for team uniforms. Well done to Stephen Martyn, Simon Kingston, Kate Matherson, Paul Greenham and all club officials for building this club into one of the most successful in the Williamstown electorate.

Relay for Life

Mr McCURDY (Ovens Valley) — Well done to the members of Ovens Valley communities who have participated in recent Relay for Life events across the electorate. I was honoured to be a part of both the Cobram and the Myrtleford-Bright relays. At Cobram I officially opened the event, reciting the oath that participants took. There were 11 teams with more than 250 participants who raised more than \$37 000 for

Cancer Council Victoria. At Myrtleford, along with mayor Ron Janas, we cut the ribbon to start the relay. At both events there was laughter, companionship and fun but also remembrance for those who been touched in one way or another by this disease.

State Emergency Service Cobram unit

Mr McCURDY — The need for Cobram State Emergency Service (SES) to have a dedicated base in Cobram was highlighted again by the recent flooding event. Cobram's unit is based in Tocumwal in New South Wales. There is no resource base in Cobram. With the causeway between Cobram and Barooga reduced to one lane, the unit was facing the very real possibility that the SES resources kept at the headquarters in Tocumwal might be cut off entirely, and apart from that, it was a long road trip via Mulwala or even Barmah to get over to the Cobram community. The SES has lobbied for years for land for a suitable base in Cobram. The SES unit controller, John Stava, and his team and volunteers do a fantastic job to protect the local community, and I give them my full support. I seek this government's support to ensure a Victorian home base for these hardworking volunteers.

We Remember

Mr McCURDY — The We Remember community project, which was held in Wangaratta on Remembrance Day last year, has won the Victorian Community History Awards multimedia award. The project included students from Carraragarmungee, Myrree, Our Lady's Primary School and Wangaratta High School. The students who performed in the school choirs and those who formed part of the documentary that was screened showed a great respect and understanding of Remembrance Day.

Government achievements

Ms NEVILLE (Minister for Police) — The past two years have been exciting, with the fast-paced delivery of election commitments in the Bellarine. We have achieved a lot, but there is a lot more to do. Our local police stations at Queenscliff, Portarlington and Drysdale have reopened, with 15 extra police for Geelong and the Bellarine. The much-needed Bellarine State Emergency Service \$150 000 redevelopment has been completed. The first stage of the \$1.5 million Leopold Memorial Recreation Reserve clubrooms has been completed, with the second stage and the \$3 million community hub underway. The redevelopment of the Portarlington Primary School is about to start, with a great new design. The Portarlington safe harbour development is ahead of

schedule and the Portarlington to Docklands ferry service is now a permanent service. Work on the upgrade of the Clifton Spring jetty is underway and is expected to be completed before Christmas.

Work on the new Drysdale sporting precinct has commenced. The Drysdale bypass, bike path and High Street upgrade are also under construction. Work will begin early next year on the \$3 million Drysdale Primary School development, the \$1.1 million Bellarine Secondary College project and the \$2 million work at Saint Ignatius College. Planning and consultation has started on the Queenscliff sporting precinct and work will start within weeks. Planning for the Ocean Grove Surf Life Saving Club has occurred, and a contractor has now been appointed. The traffic lights at Marlin Drive and Tuckfield Street, Ocean Grove, are now operating. A new \$60 000 infrastructure upgrade for Shell Road Reserve has been completed. Pedestrian safety measures in Barwon Heads are being done. Work has been completed on the Barwon Heads Football and Netball Club, and there is \$1.4 million for the Victorian Open at Thirteenth Beach Golf Links. Planning for the \$4 million ring-road extension is also underway. There is more to do, but a great job has been done in the last two years.

Remembrance Day

Mr WAKELING (Ferntree Gully) — I would firstly like to pay tribute to all of the residents at the Salford Park retirement village for the fantastic Remembrance Day service that they held, with the Honourable Alan Tudge as guest speaker. I would also like to pay tribute to the students of Wantirna College who attended the event. It was great to see the strong links between Wantirna College and the neighbouring Salford Park residential facility.

Don Rosa bowls tournament

Mr WAKELING — I was also pleased to see the Balmoral retirement village taking out the Don Rosa bowls annual tournament here at Parliament House, which is hosted by the member for Rowville. It was a great event, and I was very pleased to see this retirement village take out the award. I look forward to visiting there to ensure that they receive their shield.

McHappy Day

Mr WAKELING — Thanks to all the staff and all those who attended McHappy Day at Ferntree Gully McDonald's. I was very pleased to attend this annual event. It was great to see so many local residents supporting this event. As a former Parliamentary

Secretary for Health, I know firsthand the work of Ronald McDonald House, having opened the new facility at Clayton. Congratulations to all involved.

Ferntree Gully Cricket Club

Mr WAKELING — I would also like to pay tribute to the president and the committee at the Ferntree Gully Cricket Club for their recent president's lunch. It was a great event, but it was a very tough event as they remembered their president Kev Handley, who unfortunately passed away recently.

Government achievements

Mr BROOKS (Bundoora) — We have had two years of action and leadership from the Andrews Labor government putting people first and communities first, and that is exactly what we have done for the people in my electorate of Bundoora. In under two years of a Labor government in Victoria, we have seen more done in my local community than in four years of the Baillieu-Napthine disaster. We have provided funding of \$10 million for the first stage of rebuilding Greensborough College, a fantastic local school. We have moved Bundoora Primary School into the upgrade process and planning is well underway. We have funded the widening of Plenty Road to Mill Park and to Mernda. We are rolling out new, state-of-the-art E-class trams along the 86 route, complementing the disability-accessible stops installed under the Bracks and Brumby governments.

Greensborough Primary School has received nearly \$200 000 for their much-needed maintenance work. We are duplicating the Hurstbridge rail line between Heidelberg and Rosanna and removing the infamous Lower Plenty Road level crossing. We are extending the South Morang rail line to Mernda, which, as the Premier recently announced with the member for Yan Yean, will include three new stations. We are also removing the disastrous level crossing outside the Reservoir railway station.

We have just funded \$500 000 for a pedestrian crossing at one of the busiest and most dangerous road intersections in my electorate, something that the previous transport minister refused to do despite numerous pleas from the local community. We have funded upgrades to IT and playground equipment in Bundoora and Watsonia preschools. We have got two new Parkiteer bike cages at the Greensborough and Watsonia railway stations. Additionally, we have funded an extra 100 car spaces at Watsonia station.

We have invested in an upgrade at Kingsbury Primary School with a sensory garden and an upgraded disability-accessible entrance to the school. We have also funded new bus routes in the Plenty Road corridor. We have funded a permanent shuttle bus between La Trobe University and the Reservoir railway station. The best thing is that the good news does not stop there.

Hazelwood power station

Mr BURGESS (Hastings) — A Daniel Andrews government is all about winners and losers. The latest example — —

Honourable members interjecting.

Mr BURGESS — Yes, in fact all of these statements this morning are examples of that. The latest example is this Labor government being determined to be the winner in inner-Melbourne seats under challenge from the Greens and, sadly, the losers are the people of the Latrobe Valley. As usual, the Premier does not care who loses as long as he wins.

Last week I visited the Latrobe Valley region and was joined by the member for Morwell and a member for Eastern Victoria Region in the Legislative Council, Melina Bath, in meeting with local business owners and contractors concerned about the impending closure of the Hazelwood power station. The closure of the Hazelwood power station in less than five months will have huge ramifications for the Latrobe Valley economy, with 500 workers and 300 contractors currently employed at the station and the mine. The decision to close Hazelwood is a massive blow to the Latrobe Valley community. There are major concerns in the area, not only for jobs at the power station but also for the many businesses in the region which rely on the power plant for business and the incomes from it to support their businesses.

The members for Morwell and Eastern Victoria Region and I called for local contractors to be given preference for any decommissioning, demolition and rehabilitation works, and a transition plan for all affected. The suggested worker transition would involve employees across the remaining generators in the area being offered voluntary departure packages to open up employment opportunities for displaced Hazelwood workers. We also called for government departments in Latrobe city to be required to review their procurement practices to ensure local businesses are used as preferred suppliers.

Government achievements

Mr HOWARD (Buninyong) — It is two years since the Andrews government was elected to actively improve the lives of Victorians, and I am proud to say we have been doing just that. From day one we have been working to ensure our children get a first-class education that will lead to good jobs when they enter the workforce. From supporting important breakfast club programs to investing in major upgrades at every secondary school in my electorate, we are giving students the opportunity they need to gain a first-class education. We have provided \$10 million for the next stage in the modernisation of Phoenix P-12 Community College, \$9 million to upgrade Ballarat Secondary College and \$2.1 million to upgrade Mount Clear College.

We are also rebuilding TAFE, after it was gutted by the Liberals, and delivering funding to establish a new technical school to be established on the Federation University TAFE site next year. We have funded Ballarat Group Training and Federation University to help young people that have become disengaged get back on track for a better future, and I was pleased to visit Ballarat Group Training last week to talk with young people, who spoke highly about the benefit of this program to them.

We have delivered new pedestrian crossings in Ballan and constructed safer solar signalling at Napoleons Primary School, with a further pedestrian crossing to be delivered in Warrenheip Street, Buninyong, early next year. The Premier has formally declared the 640-hectare Canadian Regional Park on Ballarat's eastern edge, with funding to support its development. We have also committed to further improving the transport system, with \$518 million.

Gippsland South electorate roads

Mr D. O'BRIEN (Gippsland South) — Two tragic fatalities on the roads in my electorate this week have brought home the importance of the road safety message as well as the critical need to upgrade our country roads. One of the accidents occurred on the South Gippsland Highway bend just outside of Korumburra, near the Coal Creek Community Park and Museum, which is rapidly becoming a dangerous accident spot. Another crash involving a truck just a few weeks ago could have been far worse if not for the actions of the truck driver.

While I am anxiously awaiting a commitment from the government to match \$25 million of federal coalition funding to realign the dangerous Black Spur section of

the highway further along and upgrade sections further along, the government should now be planning works to improve the road and alignment at the scene of the latest fatality at Coal Creek. In the interim, I call on the Minister for Roads and Road Safety to instruct VicRoads to review signage and roadside safety barriers at the location and see if there is anything immediate that can be done to make this location safer. After axing the Liberal-Nationals government's successful country roads and bridges program and cutting the roads maintenance budget, Labor must now get funding back into the system to improve our country roads.

Tom Wallace

Mr D. O'BRIEN — Last week we continued The Nationals' centenary celebrations in Gippsland, this time paying tribute to one of my predecessors in Gippsland South, Tom Wallace, who served in this place with distinction from 1982 to 1992 and has continued to be a great local leader in his home district of Kilmany and further afield in Gippsland.

Hon. Bert May

Mr D. O'BRIEN — We also held an event at Yarram to celebrate the service of the Honourable Bert May, a member for Gippsland Province in the other place from 1957 to 1973.

Christ Church, Tarraville

Mr D. O'BRIEN — Still on history, and it was under beautiful a blue Gippsland sky on Sunday that the Anglican diocese of Gippsland celebrated the 160th anniversary of the Christ Church at Tarraville, near Yarram. This is apparently the oldest timber church in Victoria, and it is currently being renovated to its former glory with great support from parish volunteers and local businesses.

Footscray City College

Ms THOMSON (Footscray) — It was an exciting time at the Footscray City College presentation evening on Thursday, 10 November. I was very pleased to be able to attend. I attend each year, and I also present a parliamentary award to a student that the school has nominated. This year's recipient was year 11 student Madelaine Drake. Madelaine has consistently been an excellent academic student. In addition, she actively spends a great deal of extra time in the college and is particularly involved in the dramatic arts. She has played the lead in many major school productions and has also spent countless hours fundraising, costume

making and set building on top of her acting roles. She is credit to herself and her family.

Other notables on the night include Malachy Pawlus of year 7, who was awarded a high distinction award for having results placing him in the top 3 per cent of Australia for the Australian Mathematics Competition. Maxine Huntsman of year 10 won four awards: the Victorian State Prize in the National History Competition for year 10, the Victorian State Prize for the women's history category, the Victorian Young Historian of the Year and the Australian National Prize for the women's history category. Spencer Davis, from year 10, received the 2016 Long Tan Leadership Award due to his key role as a leader of the Victorian Student Representative Council. I congratulate all of them and wish them all the best for their schooling in the year ahead.

Palm oil labelling

Ms THOMSON — I also want to take the time to congratulate the Victorian government for its position on the labelling of palm oil.

Daryl Moss

Mr KATOS (South Barwon) — I rise to congratulate Daryl Moss, a constituent of the South Barwon electorate, who last month was named the Volunteer of the Year in the 2016 Surf Life Saving Australia National Awards of Excellence, in a ceremony held at the Art Gallery of New South Wales. Daryl is a member of the Jan Juc Surf Life Saving Club and earlier this year was presented with life membership of the club, recognising the massive contribution he has made through various activities, including his mentoring and fundraising programs.

Daryl has created leadership pathways which encourage younger members to take on leadership roles and has enhanced the level of retention of these younger members at the club. Daryl also raises significant funds and sponsors events, providing substantial resources and products through his own company. He has been with the Jan Juc surf club for over 20 years after moving across from another great surf club, the Torquay Surf Life Saving Club.

Epworth Geelong

Mr KATOS — I was pleased to attend Epworth Geelong in Waurin Ponds last Wednesday, which was officially opened by Prime Minister Malcolm Turnbull. The new Epworth hospital has state-of-the-art facilities, with 170 overnight inpatient beds and 20 emergency

department treatment spaces, and also provides public services on behalf of Barwon Health. It is also a great educational hospital where Deakin University and Epworth are working together to invest in education and research.

It was great to see former Premier Denis Napthine there, and the coalition government did provide \$2.85 million from the Regional Growth Fund for the hospital. However, it was disappointing that not one single Labor state member attended the opening of this private hospital.

Government achievements

Ms GREEN (Yan Yean) — I rise to put on record the Andrews Labor government's achievements in two years in the Yan Yean electorate — two years of putting the people of my electorate and Victoria first. I am not sure that 90 seconds will be enough time, but here are some highlights. Last week I joined the Premier and the Minister for Public Transport to announce that builder John Holland will construct the Mernda rail extension with three new stations, construction beginning early next year. This will provide 3000 jobs. Mernda rail will begin with extra bus services, but 1600 more services a week have been delivered so far. The rail extension will have cycling paths and extra-capacity trains. The Hurstbridge line improvements will include a new rapid bus link between Diamond Creek and Greensborough, and \$5 million has been allocated to begin the planning to connect the Wallan line with the Upfield line.

We are putting people first by supporting our paramedics, with new branches for Diamond Creek and Mernda to come on-stream, along with the now operational Wallan branch. We have also responded to our people by promising and now building a 24-hour police station in Mernda that will open next year. After two years both Mernda Park Primary School and Mernda Central College are nearing completion. Enrolments are taking place at pace, and school starts in term one next year. We have also built a new police station. We are upgrading Hazel Glen College, Wallan, Whittlesea and Diamond Valley colleges and schools attended by kids from my electorate in nearby electorates, including Greensborough, Montmorency and St Helena.

Markham Avenue, Ashburton, redevelopment

Mr WATT (Burwood) — Ashburton is approximately 12 kilometres from the city. It has a police station that was open seven days a week until the Andrews Labor government slashed it to two days a

week. Ashburton has great schools that have over the last few years received investment, including Solway Primary School and Ashburton Primary School, which were upgraded or had their upgrades funded by the previous Liberal government. Ashburton also has a public library that was upgraded with investment by the former Liberal government.

Ashburton has a mix of public and private housing. One of its public housing estates is the Markham estate. On Tuesday night the issue of the Markham estate had residents packed into the Copland room at the Ashburton library and spilling out into the foyer. No-one at the meeting denied the need to upgrade this estate or the need to invest in public housing. All the residents are calling for is genuine consultation, a reasonable development, council involvement and a minister who will listen, and not just when he is on Jon Faine's radio program.

It is an absolute disgrace that documentation for the redevelopment shows that essentially the only things up for consultation are the colour of the paint and the types of trees that are planted. Thank you to the Ashburton Residents Action Group and all the residents who attended the meeting and have signed petitions calling for consultation. Ashburton has suffered at the hands of the current government. Moreover, the entire electorate of Burwood has suffered at the hands of the current Premier and his arrogant ministers. As the local member I am committed to doing whatever I can to make sure that we get a good outcome at the Markham estate and not just a good super-profit for the Andrews Labor government.

Aveo Fountain Court

Mr WATT — Thank you to the residents of Aveo Fountain Court for allowing me to join them for their 25th anniversary on 21 November.

Government achievements

Ms HALFPENNY (Thomastown) — It is so good to speak today on the second anniversary of the election of the Andrews Labor government. This is not merely a celebration of the time that has passed but also of the things that have been done to support Victorians, nurture our state's children and improve people's lives. As I travel around the electorate of Thomastown, whether I am at schools, shopping centres or seniors or multicultural festivities, I get so much good feedback about what Labor is doing. It makes me feel very proud and privileged to be a part of this government.

I acknowledge there is also some frustration because of the traffic congestion and lack of infrastructure in the growth suburbs of Epping and Wollert. In the crucial years of 2010 to 2014, when these communities needed roads and schools, nothing was done. Not one cent was spent by the former coalition government to make life easier for the residents or their children. Unfortunately the federal coalition government is guilty of the same neglect, having taken two long years to agree to the O'Herns Road project. However, two years after Labor made its election promise to connect O'Herns Road to the Hume Freeway the federal government has been forced to agree and work has begun.

Most people do not rely on the government for much, but Labor recognises that there are some things we all deserve and should expect. Easy access to local facilities and work, whether by road, rail or other forms of public transport, is essential. The O'Herns Road project, the upgrade of the Findon–Epping roads roundabout, extra bus routes and additional bus services are all things that Labor is doing to help fix these problems. Good sporting and recreational facilities for the young and old should also be expected, and you can see that Labor has supported new facilities at the Lalor Tennis Club, new sporting grounds and a pavilion at the Mosaic estate and refurbishment of the Barry Road Community Activity Centre, just to name a few. The Peter Lalor estate has also been protected from overdevelopment.

Government performance

Mr T. SMITH (Kew) — Kew is a less safe place now than it was two years ago under the Labor government.

An honourable member interjected.

Mr T. SMITH — The Labor Party can joke about this all they like, but there are 16 fewer police in Boroondara now and crime has risen by 23.5 per cent. Belle Vue Primary School in North Balwyn desperately requires infrastructure funding; the principal came to see me recently about this. Kew East Primary School equally requires \$4.2 million worth of infrastructure funding, and they have been asking the government for this for two years. The Chandler Highway upgrade, which was apparently a shovel-ready project and meant to start in 2015, has still not begun.

Boroondara City Council

Mr T. SMITH — On local matters, I congratulate the mayor, Cr Phillip Healey, and new councillors Felicity Sinfield, Cynthia Watson and Garry

Thompson, who have all been successfully elected to the Boroondara council.

Remembrance Day

Mr T. SMITH — I congratulate the Kew RSL on a wonderful Remembrance Day ceremony at the Kew cenotaph.

St Paul's Anglican Church, Kew East

Mr T. SMITH — I congratulate St Paul's Anglican Church in Kew East on their Strawberry Fair, which was a wonderful event.

Government achievements

Mr STAIKOS (Bentleigh) — Next Tuesday marks two years since the election of the Andrews Labor government. Since coming to government we have wasted no time in putting people first. We are well on our way to removing 50 of our most dangerous and congested level crossings. We have already completed the removal of level crossings at Bentleigh, McKinnon and Ormond and rebuilt each railway station as promised.

We are making Victoria the education state, with the biggest ever increase to school funding in Victorian history. Over two budgets we have invested \$1.8 billion to build, rebuild and upgrade schools, including McKinnon Secondary College, Bentleigh Secondary College, Tucker Road Primary School, East Bentleigh Primary School, Valkstone Primary School, the Bayside Special Developmental School, Our Lady of the Sacred Heart College, Bentleigh, and Berendale School.

We are rebuilding our TAFE system after the harsh cuts of the former government. At Holmesglen TAFE's Moorabbin campus we are building a new student hub and investing in skills for growing industries. Over two budgets we have delivered an additional \$3 billion for health services and programs, including for an upgrade and additional cancer services at Moorabbin Hospital.

We have invested heavily in local sport, bringing the Saints back home to Moorabbin and providing a facility that they will share with community football associations. We are investing heavily in providing additional basketball courts for the McKinnon Basketball Association as well as courts for our local netball clubs. We are building Southland station, promised by many previously, but being delivered by this government. We are running the police academy at capacity as we train more police to keep our community safe and have deployed police custody

officers at Moorabbin police station. We have an economy that is growing at its fastest rate in almost a decade, a proud record of achievement with much more to come.

Great Ocean Road

Mr RIORDAN (Polwarth) — The RACV Great Victorian Bike Ride with its thousands of participants is scheduled to ride along the Great Ocean Road next Friday. There is no doubt an event like this is welcomed in many country communities. The thousands of cyclists will bring vibes and enthusiasm to many country towns and will be good for many businesses. However, for many Great Ocean Road businesses this year, it will be another day with the road closed. Unfortunately the scheduled close day is a Friday and the first day of summer, potentially a very busy day. This on its own may not sound catastrophic; however, it comes on top of a summer ruined by fires, school holidays ruined by floods and landslides, and another two days closed for public events.

The Great Ocean Road is an economic vein that many families and businesses continually rely on. Unfortunately VicRoads and the local shires who are responsible for this upcoming closure have not been proactive enough in warning and working with local businesses and stakeholders. The organisers and authorities have gone to great lengths to make sure the event will be safe for participants, but have failed to work with, think of and understand the stresses and heartaches of local operators. In short, communication has been very poor.

Many in my community are now calling on the government to act to support this push for major events in the Otways and Great Ocean Road area. If the state is to promote and support these major regional events, then more has to be done to make the road safer and more useable so local communities can continue to go about their business. The Otways and the Great Ocean Road are not just play spaces for visitors, they are some people's homes. The roads there are needed for business; they are not just made for the thousands of cyclists that use them during special events.

Iveco

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — Last week I had the pleasure of visiting the headquarters of Iveco, a significant employer in the electorate of Dandenong. It is an electorate with an outstanding local member, I might add, who works hard to ensure the south-east remains a powerhouse of world-class advanced

manufacturing. We are a government that puts people first. We are passionate about supporting Victorian workers and their families. The Andrews Labor government is spending \$12 million over the next five years on locally built vehicles to strengthen our firefighting capacity.

Iveco is one of the world-class manufacturers, and last week we saw the first 4 of 39 new world-class vehicles roll off the production line. Up to 300 workers are involved in this project. This is about local jobs, highly skilled manufacturing local jobs that are delivering the world's best products. These vehicles will be incredibly important in this year's fire season. Importantly they are dual-purpose. During the summer fire period they are based at departmental work centres and are prepared to go at the first sign of smoke. Outside of fire season they can be used for planned burning and land-management activities such as track clearing and burn site preparation. These vehicles will be in operation from January. I would like to thank Iveco, the fantastic workers who are helping to keep us all safe from bushfire and of course the member for Dandenong for tirelessly advocating for the people and businesses of Dandenong, and her fantastic electorate.

End-of-life choices

Ms THOMAS (Macedon) — On Sunday, 16 October, I participated in a seminar presented by the Trentham Labor Party branch. The seminar called Dying Well was organised by local members Don and Mary Harvey and Lynne Mohr, who are to be congratulated for an excellent event. As speakers we had Professor Hal Swerissen from the Grattan Institute, Carita Clancy, CEO of the Ballarat Hospice Care Inc., Gabrielle Kirby from Integrated Aged Care at Hepburn Health Service and Mary-Faeth Chenery, who spoke movingly of caring for her partner in the lead-up to her death last year. This was a genuine endeavour to get people to think about how we approach death — our own and those to whom we are close — in our death-denying culture.

Later that same week I spoke in this place on the government's Medical Treatment Planning and Decisions Bill 2016 which, as I said then, is part of the Andrews Labor government's commitment to improving end-of-life and palliative care for Victorians.

Government achievements

Ms THOMAS — I am so proud to be a part of the Andrews Labor government and to be celebrating two years as the member for Macedon. The achievements in my electorate have been quite extraordinary, and I

thank the Premier and all of the Cabinet ministers for the much-needed and overdue focus they have given to constituents in my electorate. In particular I would like to congratulate the Minister for Education on the doctors in schools program, a magnificent program that brings together my passion of making sure young people and kids in regional Victoria get access to the health care that they need and deserve. Only an Andrews Labor government puts people first.

Government achievements

Ms WARD (Eltham) — I would like to congratulate the Andrews government for the terrific investment in my community of Eltham.

MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016

Council's amendments

Message from Council relating to amendments further considered.

Debate resumed from 23 November; motion of Ms HENNESSY (Minister for Health):

That the amendments be agreed to.

Council's amendments:

- Clause 3, page 10, lines 16 to 34, omit all the words and expressions on these lines and insert—

“*significant treatment* means any medical treatment of a person that involves any of the following—

 - a significant degree of bodily intrusion;
 - a significant risk to the person;
 - significant side effects;
 - significant distress to the person;”.
- Clause 52, page 42, after line 16 insert—

“**Note**

An instructional directive that is voided and severed from an advance care directive by section 18 is not part of that advance care directive.”.
- Clause 53, page 43, line 6, omit “otherwise” and insert “a legally valid and informed refusal of treatment by or under another form of informed consent”.

Motion agreed to.

HERITAGE BILL 2016*Second reading***Debate resumed from 23 November; motion of Mr WYNNE (Minister for Planning).**

Mr T. SMITH (Kew) — In the time that I have left on this important piece of legislation, I was speaking last night about Forres, which was a property in Edward Street in Kew, a Federation-era home that I wrote a submission about to Heritage Victoria to try and protect. Unfortunately it was demolished.

The reason why I and my constituents take the preservation of historic homes so seriously is that these properties are reminders of the values of the people who settled Melbourne originally — free-minded individuals who were coming here to better themselves and their families and who brought with them new ideas to create a new society based on merit, not inherited privilege. The reason why this architecture is so important to be preserved is that it reminds people of the differences between the New World and the Old World. In these new properties, these graceful old homes that are now being destroyed, there was no upstairs and downstairs; these properties were single storey. They were beautiful, but they indicated a more free, a classless society — a society of the New World, not the Old World.

Those aspects of Marvellous Melbourne are being systematically destroyed. As I said last night to the Minister for Planning, I congratulate the government on increasing the penalties for developers that breach heritage orders and indeed heritage protections, because maintaining the cultural heritage of the first Victorians, who brought Western civilisation to our tip of this continent, is vital for the maintenance of our cultural heritage, our architectural heritage and also the aesthetic beauty of our suburbs. Kew in particular is being degraded by intensive development and structures that simply do not fit the neighbourhood character of the electorate.

I think the council does a pretty reasonable job of trying to enforce neighbourhood character, but it could, quite frankly, be more proactive in protecting heritage homes before they go on the market. I do think it is unfair when an individual buys a property in good faith and then a council retrospectively puts a heritage overlay on that property, essentially retrospectively changing the planning conditions and what the individual can and cannot do to their own property. I have a fundamental belief in property rights. At the same time, the cultural

significance of a number of these homes is such that they do deserve community heritage protection.

I recently put out a flyer asking for people's views about heritage protection. The overwhelming majority response was that of course we respect people's rights to do whatever they like with their own home, but if that property is of such significance to the local community — to the history of Kew, Canterbury, Deepdene and other suburbs within my electorate — then it ought to be protected. On Forres, a property in Edward Street, I wrote a submission to Heritage Victoria, I urged the planning minister to intervene and I urged the council to intervene. No protection was given, which was a great shame.

Equally, the house that Gough Whitlam was born in was destroyed, and that angered obviously a good number of local constituents and many members of our community. I did not agree that the property itself had architectural heritage value, but in terms of its historic value to our country I thought that perhaps given the Menzies property in Howard Street, Kew, has a heritage protection over it, there might have been some heritage protection given to that property years ago. But that was not the case, which I think is probably a great shame.

In concluding, we did a very good job of ruining Melbourne between the 1950s and the 1970s. I congratulate my predecessor Rupert Hamer on everything he did to protect what was left of Victoria's heritage, and I encourage all of us to keep protecting our heritage, the fundamental of our culture.

Mr RICHARDSON (Mordialloc) — It gives me pleasure to rise and speak on the Heritage Bill 2016. There is nothing more important than protecting the heritage artefacts, structures and buildings of our state, but it would be remiss of me not to firstly acknowledge the heritage and legacy of the traditional owners of the land on which we are placed today and across Victoria, the Kulin nations, and the heritage of their peoples over more than 40 000 years. When we think of heritage in its current form and particular structure, it is a small portion of a broader story that is what we know as Victoria today.

Heritage in my local community is of great significance, and its protection is of the utmost importance. In my contribution I will touch a little bit on the Mentone Hotel, or as it is affectionately known 'the Edgy' in our local community. It was constructed in 1889. It is of Spanish construction and quite out of place with the architecture of the time, which was Victorian style. It is different to anything you will see

across Port Phillip Bay and particularly the south-eastern suburbs around Port Phillip Bay. Just in the last 12 months we have had its protections strengthened.

This bill is all about strengthening protections, ensuring that what happened with the Corkman hotel is deterred even further in the future, with harsher penalties and greater enforcement, and the need to protect our state's identity as we know it. The ever-growing pressures of population growth will see more pressure on our heritage structures. We need to ensure that the 3000 Victorian heritage-listed significant structures or shipwrecks are protected into the future.

Our tourism agenda is affected as well, and our heritage underpins why Melbourne today is the most livable city in the world, year after year after year. When we think about travellers to and within Victoria spending \$23 billion in the year ending March 2016, we know heritage has a part to play in that because it is part of our identity. It is what attracts people to come to visit Melbourne, spend their money, support our local businesses, support our communities and support regional Victoria. That is important, so protecting that identity is critical.

Last year, in June 2015, I had the pleasure of working with the Minister for Planning to strengthen the protections to the Mentone Hotel. As I said a little bit earlier, this hotel was constructed eight years after the Frankston train line came through to Mordialloc. It was a time when the well-established communities of Mordialloc and Cheltenham were operating and Mentone was a point between those two regions. That is where the community of Mentone started. The hotel's construction obviously took a number of years. It stands proudly as more than a four-storey structure on Beach Road in Mentone. The planning minister joined me and announced that we would be strengthening those protections and putting the Mentone Hotel on the Victorian Heritage Register.

I want to acknowledge the work of the Save the Edgy group, which has been tirelessly working to protect the Mentone Hotel. I put on record my thanks on behalf of the community to people like Chris Hill, Clarke Martin, who is a newly elected councillor to the Bayside City Council, Jodie Hickey, Jillian Van, James Shannon and Tristan Strange, who have given their time to our local community and argued for this significant structure to be protected. We have guaranteed that the facade will not change and will stand as a legacy.

That community continues to want the Mentone Hotel to be what it was always known for — that is, the local

watering hole. With more people owning vehicles throughout the 1960s and 1970s, people were not going so much to their local establishment. The Mentone Hotel has fallen on difficult times and has recently changed ownership. There have been some changes. It is currently being assessed, and there is a planning scheme amendment available for public consultation at the moment. Despite that process running, I am so pleased, as I know my local community and the City of Kingston region is, that the Mentone Hotel has been listed on the register and its facade will be protected for ever.

There are some tall tales that come out when you talk about heritage which form a snapshot of our identity as a community, as I found researching this bill. Leo Gamble is one of our fantastic local historians, and the information that Leo Gamble and others were able to put together is just outstanding. Leo in his research on the Mentone Hotel found a story about an article in the *Mordialloc City News* from February 1938. It was a bit of a laugh at the local newspaper. The *News* is still operating in a different form. The article was headed 'Sad Day for Mentone'. It read:

January 31, 1938, will go down in history as Black Monday; on that day at approximately 5.30 p.m. the Mentone Hotel ran out of BEER. We have been through a war and a depression, some of us have even got married, but those things no way approach the disaster of Monday, 31st.

This report should have been published last week, but apparently the shock which our reporter received on being handed a pot of ginger beer was too much for him as he only confessed his shame this week.

One of those tales that runs deep and true across Mentone is that there were tunnels under the Mentone Hotel. Leo Gamble, our historian, refutes that and claims it is nonsense, but there is a myth in our local community that tunnels ran from Mentone Beach underneath the cliffs and all the way into the Mentone Hotel and that people tried to smuggle in various goods. While no tunnels have been found, I think some of the members of the Save the Edgy group are still looking for them and hoping that they are still around. No tunnels have been found to date, but the story is a snapshot of the folklore and that storytelling that builds and harnesses our community identity.

This was a place where people met for functions, where people met their partner in life, where the community came together in times of need, and that is one snapshot from the broad range of our heritage structures that we need to protect. So this bill is really important for maintaining our heritage into the future, and if we were to lose a structure like we did with the Corkman hotel,

it would be an absolute travesty. We need to do all we can to ensure that that does not happen into the future.

In summing up some of those key points, the work with local government, the City of Kingston, is absolutely critical. I note some of the provisions in the bill that strengthen that interaction. There is a greater role for local government in our permit processes, but also a key point here — and this is not to deter structures from getting onto the Victorian Heritage Register — is the notion of making it a little bit more difficult for claims that clearly will not meet the threshold to be on the Victorian Heritage Register. The register is all about protecting some of those significant state assets, and it is very important that we make it as efficient as possible for the executive director to knock out claims that really do not have a basis. That is all about improving Heritage Victoria's work and making it more efficient as well, because we want to set a high bar. We want to make sure that the assets we are trying to protect are of critical importance, because if we diminish that, we also diminish the more than 2500 various structures and shipwrecks that are on the list. They have to meet a high threshold because that also ensures that they will be strongly protected for the future.

This is a fantastic bill. It was an election commitment that we took to the Victorian people, as part of a range of commitments, to review the Heritage Act 1995. We are doing that. We are seeking to strengthen and streamline those processes to make it even better into the future and to ensure that communities like mine in the Kingston region have their significant artefacts protected for generations to come and that our identity as a community in the future will live on forever.

Ms SANDELL (Melbourne) — It is my pleasure and privilege to contribute to the Heritage Bill 2016. I too would like to acknowledge the traditional owners on the land on which we stand, the Wurundjeri people of the Kulin nation, and acknowledge that sovereignty of this land where we stand was never ceded. When we talk about heritage here in Victoria, Aboriginal cultural heritage must absolutely be at the forefront of that conversation, and it must be Aboriginal people leading the conversation.

Last week the Royal Historical Society of Victoria and book retailer QBD published *Remembering Melbourne 1850–1960*, with Latrobe University's Professor Richard Broome as lead editor. The book details the loss of more than 320 buildings across Melbourne and surrounding suburbs. Within my seat of Melbourne, these include magnificent examples of period architecture, such as the Prell's building at 34 Queen Street, the Finks building on Collins Street and the

Federal Hotel and Coffee Palace on Flinders Street. These buildings were spectacular examples of period architecture which have been replaced for the most part with rather bland blocks of steel, concrete and glass dating from the 1960s and 1970s. If these buildings still stood, they would definitely be on the state heritage register and would be cherished as icons of the Melbourne cityscape, much like Flinders Street station, the Carlton Royal Exhibition Building or this very building in which we have the privilege of assembling, Parliament House.

By reflecting on what has been lost, *Remembering Melbourne 1850–1960* is a clarion call for action to prevent further irreplaceable loss by moving to properly protect heritage buildings and places. It was the loss of this gold rush era architecture and the ensuing public outcry that finally led to legislative action. Premier Rupert Hamer passed the Archaeological and Aboriginal Relics Preservation Act 1972, the Victorian Conservation Trust Act 1972, the Environment Protection Act 1970, the Historic Shipwrecks Act 1976 and the Historic Buildings Act 1981. These provided the first comprehensive legislative framework for the protection of heritage in any jurisdiction in Australia. Dick Hamer was a true conservationist, protecting heritage in all its forms, whether it was the natural or the built environment, or colonial or Indigenous history. He happened to be the leader of the Liberal Party of Victoria, as we know, and yet I am sure he would be considered far too socially liberal for the likes of that party today — which has a misnomer of a name — to make it past the first round of preselection.

Mr McGuire — He was the last liberal Liberal.

Ms SANDELL — He was the last liberal Liberal; indeed, that is true. With respect to heritage, Hamer possessed a healthy distrust of crummy developers. This is an instinct that both Labor and the coalition would do well to cultivate today, considering some of the travesties that have been committed by the old parties over the decades at both the state and local government levels since the time of the Hamer government.

The next step after Hamer in legislative evolution was the Kennett government's Heritage Act 1995, which was a pretty mixed bag of heritage protection. On the positive side it granted the Heritage Council of Victoria additional powers to protect gardens, trees and archaeological sites of significance. However, it did curtail the right of citizens to object to the plans of developers. The local knowledge and capacity of municipal governments were weakened through the amalgamation of councils, which happened at the same

time they were handed responsibility for identifying and cataloguing our heritage. When the building boom hit in the mid-1990s, many local councils had not yet identified or protected areas or sites of significance, so there was no impediment to the bulldozers and wrecking balls as the Liberal Party's developer mates got their way.

Like the concerned citizens of the postwar years, Melburnians today have much to be concerned about when it comes to heritage protection. Far too often, cherished icons are reduced to rubble in the face of developer greed. An example of this is in full view of Parliament House. The Palace Theatre, formerly the Metro Nightclub, at 30 Bourke Street, was a prime cultural institution that is now largely gutted due to a developer ripping out the insides of this beautiful building. I have a piece of tile from the inside of that theatre sitting in my office. It was sent to me by a generous constituent who tried valiantly, alongside many others — many locals and artists in our community — to save the Palace, to protect this important theatre. Every time I walk down Bourke Street I am so saddened by what we have lost in the Palace and so many buildings like it.

We have a Minister for Planning, the member for Richmond, who refused to intervene to stop this destruction, to buy the Palace or to take any action on the preservation of this important theatre. Despite huge community opposition, dedicated research into the building's historical value and evidence of its critical importance in fostering Melbourne's internationally renowned music scene, the Palace Theatre, which opened its doors in 1912, has now been gutted. All that will remain, if developers proceed as planned, is its Art Deco facade. What will take its place? A premium, unremarkable chain hotel that will be simultaneously opulent yet generic and that will conform to a global standard yet be locally detached from place and history. The Art Deco facade will stand as a tombstone to the local culture buried beneath.

I am sure many out-of-town members of this Parliament will spend their taxpayer-funded accommodation allowance at the planned premium hotel, but when they do so, I hope they remember the gutting of the Palace Theatre as a cutting loss to several generations for whom the Palace or the Metro was a mecca for inclusivity and artistic expression.

The Palace is a classic example of where developers deliberately neglect buildings in an effort to lessen their perceived heritage value. The same goes for the Princess Mary Club, another heritage building we are sadly losing to developers. This is also what happened

to the Corkman Irish Pub, the latest incarnation of the Carlton Inn. By all reports, the Corkman, prior to its demolition and suspect fire, was not the most salubrious establishment in Carlton. The fact that it was a cheap and cheerful establishment is what endeared it to locals and students alike.

We do not preserve buildings because they have the perfect qualities of a museum piece and solely reflect the tastes of the 1 per cent. We preserve them because they mean something to the community today and reflect a time and period that is important to the culture and history of that community. Too often developers simply do not give a hoot about local values, and they will eagerly raze historic buildings like the Corkman. As a community, we could be smarter about this and put in place measures to ensure that refurbishments are respectful and meaningful to history and place, and we could make sure that the developers do not get away with what they have been getting away with in recent times. We could empower local government with stronger heritage protections instead of having a reliance on malleable planning overlays. We could reassess the role of the Victorian Civil and Administrative Tribunal. Its arbitrations too often reflect developer interests rather than community will.

This heritage bill is a step in the right direction. It increases the penalties for developer misdeeds, and it provides for a more transparent application and review process for Heritage Victoria. It is just sad that it took the loss of the Corkman pub, such a treasured institution, for a government to act. Currently there are insufficient protections for modern architectural pieces. For example, there is no state-based heritage regulation that could be used to assess the proposed Apple Store in Federation Square. State protections for privately owned heritage buildings of public significance are insignificant.

We are also still seeing government agencies having little regard for important natural heritage. We have seen VicRoads raze a whole bunch of really important vegetation to widen the Western Highway. We have seen the widening of CityLink and the Tullamarine Freeway knock down an incredibly important 96-year-old lemon-scented gum in Parkville. Government agencies are doing this, with no barriers in their way. As the Minister for Planning has just pointed out, this bill will do nothing to protect the Corkman Irish Pub because it was not listed on the state heritage register; it was council listed. So the stiffer punishment envisioned in this bill does not apply to buildings in council-listed places and premises. The senseless divide between state and local heritage protections persists.

A broader problem with respect to heritage preservation in Victoria is that Heritage Victoria was gutted of funding by the previous coalition government, a move that would have left Dick Hamer aghast if he had lived to see it. Heritage Victoria lost capacity to process heritage registration applications or intervene when breaches of the Heritage Act 1995 occurred. The Andrews government has provided \$30 million in funding, but most of it is directed at administered grants, not at the rehabilitation of the budget and the capacity of Heritage Victoria itself.

The Greens will work to develop amendments to this bill to rectify these shortcomings, and we will have more to say in the Legislative Council. The amendments will provide for stronger protection of heritage places that are significant to the local area, the state, the country, our environment and our Aboriginal cultural heritage. Because if we truly want to be the most liveable city in the world we actually have to protect the things that make our city liveable, not just now but into the future.

Ms GRALEY (Narre Warren South) — The Greens political party always outdo themselves. It is always about slogans but never about facts, and slogans are very easy to put out there. What we have the responsibility for on this side of the house that you will never have the responsibility for is actually bringing legislation to this house that deals with complex issues and deals with them in a very responsive, timely and accountable way. And this is exactly what this bill does. The Heritage Bill 2016 has been an election commitment of ours because we recognised, in speaking to people in the heritage sector and in the history sector, that it was long overdue for a review, and we committed at the election to do just that.

One of the things I would like to commend the Minister for Planning, his offices and his staff in the Department of Environment, Land, Water and Planning on, seeing as he is in the house — because I do know people in the history sector and I do know people in the planning environment — is the fact that they have consulted very widely on this issue. It has not been the so-called usual suspects, and I do wonder if many of those Greens political party people actually turn up to the consultations and have their say. That would have been a constructive way of channelling their criticisms or insights, but I very much doubt it. It is very easy to get up here and moan and groan afterwards. I would like to say that people in the planning sector and in the history and heritage areas are very pleased that the consultation was undertaken and that their feedback was duly recognised as being expert and based on experience.

This bill does reflect, in a very workable way, their input.

I have been reminded here just recently how important heritage is. I was actually in my electorate of Narre Warren South on Sunday attending the 125th anniversary of the Mechanics Institute Hall. Narre Warren South has been very much a greenfield site. The preservation of trees, homesteads and other buildings that have been there for some period of time has not been a big priority, because the bulldozers have moved into this planning site and have really gone about building houses very quickly. The Mechanics Institute Hall there has survived the test of time, and people who have gone through it over the 125 years have very much regarded it as a place worthy of preserving, and certainly a place that the community, from day one 125 years ago to this day, still use. I think that is a great story not only about the value of heritage in Victoria — that it is worth preserving because it is our history, but also worth preserving because these buildings tell a story about our past, and are developing stories about our present as well.

One of the really wonderful photographs of the mechanics hall in Narre Warren is of the turning on of electricity in Narre Warren South. The lights are all lit in the hallway, women are dressed up to the nines, the men look very handsome as well and they are celebrating the occasion. On Sunday, when we were there to celebrate the 125th anniversary, it looked very similar. There was a big crowd there, some of the participants had put on old-fashioned clothing to make sure that the event very much looked like the mechanics hall from past times, and we all made sure that of course we were well attired as well. We actually took a photograph, and you look at that photograph and you think, ‘Time has passed over 125 years, but how fantastic it is that this heritage building is still there, is still being used and is still being recognised as a really valuable piece of community infrastructure’.

I would like to make a comment about Victorians across the board, not just in Narre Warren South. I would like to commend the work of the committee of management at the mechanics hall before I get on to talking about Victorians in general, especially Judy and Russell Owen, who do an amazing job there of making sure that the hall is not only protected but also well looked after.

I note that Victorians really do value their heritage. This bill is not just about buildings; I and many people in this chamber are fervent advocates for the preservation of Melbourne’s green wedges. I do acknowledge the pivotal role that Dick Hamer, a former Premier from

the other side of the house, played in making sure that those green wedges were established. To this day they are keenly preserved, especially by people who live in those areas.

Not only did hundreds of people attend the workshops that the minister's office organised but there were over 125 detailed submissions. Recent Heritage Council of Victoria data around tourism indicates that tourists visiting Victorian places spent \$2.4 billion and supported more than 180 000 jobs. Towns like Maldon and Castlemaine are great places to visit and great places to take your children, but it is only with the commitment of government that these places can be preserved. Yes, lots of community members get around them, as well as local organisations like Rotary clubs, historical societies and family history groups, but the government has a pivotal role here in making sure that our heritage buildings and our heritage landscapes are conserved.

So I am very pleased that the Minister for Planning, who is at the table, did announce in August this year over \$30 million over four years for the Living Heritage Grants program — the Greens political party might like to take note of this — to support the repair and restoration of at-risk heritage places and objects included on the register. That is a very positive step forward. I know from my own neck of the woods in Narre Warren South that people are actively looking at ways that they can apply for grants and get on with looking after the local heritage sites and landscapes.

I do want to say that this bill is very important in terms of the penalties, and it is worth emphasising that with this bill penalties will double. So we are taking a big stick to people who may be doing something that is not appropriate, unauthorised and quite obviously unacceptable to Victorians. As we have heard so many times here whilst we have been discussing this bill, we do live in the world's most livable city — we have won that award for six years — and it is because of the sophistication, the charm and the heritage qualities of Melbourne, plus a lot of other good things that happen in Melbourne as well.

You see tourists out the front of this building taking photographs of it. You see them taking photographs of the Windsor Hotel and the Old Treasury Building; they are really significant sites. We need to protect them. I am very pleased that the minister has shown a lot of gumption in doubling the penalties. They will increase to \$746 208 for an individual and \$1.49 million for a body corporate. These maximum penalty amounts are consistent with those in other jurisdictions, so we are lining up. It really will provide a firm signal that

unauthorised works on heritage places are really unacceptable.

I have been in situations where developers have gone in and taken out trees or taken down buildings. They have walked out of court and they have said, 'It was the best \$20 000 I ever spent getting that penalty notice, but I got those trees down and I am going now to build a building' — one that the community actually did not want there. They wanted their trees preserved or that building preserved. It happened a couple of times when I was involved in local government, and I have got to tell you it is gut-wrenching for those people who love those trees or love that landscape or love that building to see people so recklessly and without consideration for the rest of the community go in and bulldoze or destroy the environment and the buildings. So it is with great pleasure that I really do commend this bill to the house. Again, I congratulate the minister and his department for bringing it forward. I really look forward to seeing it implemented.

Mr CRISP (Mildura) — I rise to speak on the Heritage Bill 2016. The Nationals in coalition are not opposing this bill. The purpose of the bill is to re-enact the Heritage Act 1995 to provide for the protection and conservation of places and objects of cultural heritage significance to the state, to establish a Victorian Heritage Register for the registration of places and objects, to establish the Heritage Inventory for recording archaeological sites and approved sites for archaeological value, to establish a Heritage Council to perform functions in relation to cultural heritage, to establish a fund to provide for the conservation and management of cultural heritage, to provide for the management of places included in the World Heritage List and to create offences and other enforcement measures to conserve cultural heritage.

To divert for just a moment, I have a daughter who is an archaeologist and a lawyer, so I have been lectured on this issue at length.

Mr Wynne — That's why you are supporting us — excellent.

Mr CRISP — Yes, if I want to go home tonight.

Mr Wynne — That will fix you up.

Mr CRISP — Yes. To get down to some of these key amendments and what they mean —

Mr Wynne — She will be watching you.

The ACTING SPEAKER (Ms McLeish) — Order! Without assistance.

Mr CRISP — My daughter offered to write me extensive notes on this, but I told her we only had 10 minutes, not 10 hours, so I took the chicken amendment and said I would take care of it.

The bill changes the heritage nomination process to allow the executive director of Heritage Victoria to reject a nomination which has no reasonable case for inclusion on the register and allows the nominator to request a review of the decision. This will allow for nominations which have no reasonable prospect of success to be quickly dismissed without costs to all parties. I think this is a common-sense amendment to the bill.

Another amendment will enable a more selective protection of Victoria's archaeology by including only significant sites over 75 years of age on the inventory, rather than sites over 50 years old, and will introduce review rights for consents to disturb archaeological sites. This aims to ensure that the inventory is a transparent and useful management tool and that Victoria's significant archaeological sites are properly protected for the future. The bill provides for a greater role for local government in the permit process, including providing clear opportunities to comment on permit applications and allowing local government to be heard in any permit review before Heritage Council Victoria. This aims to allow local heritage concerns to be appropriately considered in permit decisions.

I would just like to use a local example of that, and refer to the old Nichols Point Primary School. Like all of our older primary schools, it had some noteworthy buildings but also a great number of additions over time. Nichols Point had an old rotunda which was of significance and also the original school building. It was one of the first schools constructed in the Mildura region. It was surplus to requirements, as there was a new school built next door. The school buildings had local government heritage listing, but not state listing. But a process was gone through, and I think the Nichols Point community need to be congratulated at this point, particularly Mandy and her team, who worked very, very hard to see that that rotunda and the old school building were preserved. They are now working with government on the future use of that land and building. So the system can work, but I think there needs to be a better arrangement between what is locally significant and what is listed with the Heritage Council, and I hope this bill will improve that. But well done to the Nichols Point community for their efforts.

Next is the introduction of a fee to review the permit decisions to recognise the costs and to deter opportunistic requests — I think that is an

improvement; removal of the undue financial hardship consideration in permit decisions to avoid outcomes determined on the basis of transient information; an increase in the maximum penalties for unauthorised works to deter damage to heritage places and objects — and the penalties are significantly increased; new compliance and enforcement tools tailored to protect heritage, including the introduction of infringement notices to reduce the likelihood of works being undertaken without a permit; provision for a stop order tool to halt unauthorised works without a permit or permit exemption; and changes to the membership of the Heritage Council.

These are fairly extensive amendments to re-enact the Heritage Act of 1995. Their aim really is to protect significant places and objects of cultural heritage. The second-reading speech provides an excellent summary of heritage legislation history in Victoria, and I think that is quite notable. But also the second-reading refers to, and I quote:

... historic heritage places and objects of state significance. This includes historic buildings, structures and precincts; gardens, trees and cemeteries; historic archaeological sites; cultural landscapes; shipwrecks and associated relics; and significant objects.

I think that is a pretty good summary of the landscape. But I am going to take it from there and talk about a particular tree.

We had a huge storm on Remembrance Day. At 11 o'clock I was standing underneath a huge elm tree near our cenotaph in Henderson Park, which has shaded generations on various of our Remembrance Day, Anzac Day and other significant times of reflection. Twelve hours later a great deal of that tree had been blown down in the storm, which was very sad. It was an elm tree that I think was over 100 years old. That and a number of other trees — that were, if not heritage significant, very large local trees — were destroyed in that storm.

I think that is part of the reason I have been advocating for category C natural disaster support for Mildura, because there is physical damage, but there is also some healing required from some of the things that have been lost in the destruction. At Merbein a building of probably some cultural significance — being one of the original drying out areas for alcoholics — was lost just as it was in the process of being restored. The communities need to heal after the loss of those sorts of important objects. Category C assistance provides for the support to help rebuild that.

Also, we do need to talk a bit more about that 75 to 100-year provision as well as what was on balance being played out there. The bill makes that variation, and the reason provided is that the move from 50 to 75 years as the threshold level for shipwrecks is similar to what is provided in other jurisdictions.

That leads me, at the finish of my contribution, to talk about shipwrecks in my region. The Murray River has a huge heritage in riverboat trade, which died away probably between the wars but it was not completely gone until after World War II. A number of those boats remain derelict or partially submerged around my region. Our local historical group, the Rivers and Riverboat Historical and Preservation Society, has the *All* barge, which is in the process of being raised, restored and then re-sunk to preserve those red-gum timbers that are in it.

Those wrecks are important in our area; they are well recognised. I do pay tribute to those who are maintaining those or keeping an eye on them. Most of them now are well beyond any sort of salvage, but the *All* is a significant barge. It was used in the timber cutting days in what is now the Hattah lakes national park, where they would strap the red-gum logs to the side of the barges, throw a big chain out the back, push them out into the river and just let them float down to Mildura, where the logs were retrieved and put through a sawmill. Every now and then the riverboats would take the empty barges back up and free up all the ones that were stuck on snags coming down. It is all part of our history and those wrecks — some visible, some not — are known and their history has been recorded by those who care in Mildura, and I thank them for their efforts. I commend the bill to the house.

Ms KILKENNY (Carrum) — I am delighted to be able to contribute to the debate on the Heritage Bill 2016. Since the minister is in the house, I would like to acknowledge and thank the Minister for Planning for all his work in undertaking the massive review of the Heritage Act 1995 and for introducing the bill before us today.

Heritage is such an important and indeed living community asset. Heritage sites, places and buildings can have a very positive influence on many aspects of the way our communities develop over time. They provide a historical narrative in local communities, helping link the past with the present. We know there are many historic and heritage places listed on the register, including Flinders Street station, Parliament House and the underground car park at Melbourne University.

Examples of protected objects include the Eureka flag and the Minton peacock from the wreck of the *Loch Ard* near Port Campbell. I wanted to read up on the Minton peacock. The Minton peacock is a life-sized porcelain statue of a peacock. It was on board the *Loch Ard*, having sailed halfway around the world more than 130 years ago in 1878. It was destined for the official opening of the Melbourne Exhibition Building, but it only made it as far as the rugged coastline near Port Campbell when the ship was wrecked in one of Australia's worst maritime tragedies.

The *Loch Ard* sank in just 15 minutes. Fifty-two people drowned that evening. Two days later a wooden packing crate containing the peacock was washed onto the beach at what is now known as Loch Ard Gorge. A local resident found the peacock and kept it in his family until 1943. In 1975 it made its way to Flagstaff Hill after a group pooled their funds and paid \$4500 to buy it through a Melbourne auction house. Today it is valued at more than \$4 million, and to think that it made the trip to Flagstaff Hill in the back of a car! It was heritage listed in 2010.

The reason I set out in quite some detail just this one story of the Minton peacock is to show how much history and how many stories are actually behind each piece of heritage. It is clearly worth protecting. Certainly most Victorians agree. A recent ACIL Allen Consulting group review found that 80 per cent of Victorians consider that heritage places and historic houses in their area are an important part of their area's character and identity. They also agree that heritage is an important part of Australia's identity and culture. To this end, Victoria has a very proud history of heritage protection. In fact Victoria was the first Australian state or territory to enact heritage legislation, and we have remained a national leader in the identification, conservation and management of heritage.

We have heard that the Heritage Act 1995 is Victoria's principal legislation for heritage protection, but it was introduced more than 20 years ago and obviously since that time a lot has happened. There have been several amendments to the act, typically general and administrative in nature, although some significant amendments were made with the introduction of — —

The SPEAKER — Order! The member shall continue her contribution when the matter is next before the house. It is now time for me to interrupt business for questions without notice.

Business interrupted under sessional orders.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

United Firefighters Union

Mr GUY (Leader of the Opposition) — My question is to the Premier. Premier, when were you first aware that the Country Fire Authority (CFA) had made an unprecedented payment of almost half a million dollars to the United Firefighters Union?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. I became aware of these matters when there was a media inquiry made to my office.

An honourable member interjected.

Mr ANDREWS — That is no laughing matter, I would have thought. That is because this is a matter between the parties to the dispute.

Supplementary question

Mr GUY (Leader of the Opposition) — Can the Premier guarantee that Danny Michel, Chris Reilly or any other government staff members were not involved in asking for, directing or arranging any part of this unprecedented payment to the United Firefighters Union?

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition will come to order. It being Thursday, the Chair makes no apologies. The Chair will uphold the standing orders.

Mr ANDREWS (Premier) — The answer is yes.

**Ministers statements: family violence
action plan**

Mr ANDREWS (Premier) — I rise to update the house on action being taken by our government to address the no. 1 law and order issue in our state today, and that is of course family violence. We could fill the MCG each and every year with the number of people coming forward as victims of family violence and indeed many more who do not necessarily have the courage or the certainty to come forward. They feel they are not able to come forward to get that care and protection — through no fault of their own, I might add.

Tragically 45 Victorians lost their lives to family violence last year alone. This morning I joined

colleagues, family violence services and victim survivors of family violence to launch our 10-year plan to end family violence, a plan that outlines our vision for a Victoria free of family violence. It puts survivors first, where they should be, with a range of reforms. The targets are ambitious, and they will be challenging, but they are very necessary targets for our future. Some examples are the network of support and safety hubs and changes to the law to ensure that the privacy of a perpetrator never again takes precedence over the safety and the rights of a family violence victim.

It is our aim that no Victorian loses their life due to family violence in our state. That will not be easy to achieve, but these targets, together with the reforms we are delivering in our court system, our criminal law, support through agencies, support around homelessness — and there is significant additional investment in today's package to provide the housing certainty that so many victims of family violence need — and an accountability framework will mean that every government, not just this one but governments forever, are accountable for dealing with this no. 1 law and order challenge.

For too long, too little has been done. For too long, it has been just words. Now is the time for action, and we are delivering it.

United Firefighters Union

Mr GUY (Leader of the Opposition) — My question is to the Premier. After being told to pay up to \$2 million to the United Firefighters Union (UFU), then Country Fire Authority (CFA) CEO Mick Bourke flatly refused — —

Ms Ward interjected.

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

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition is entitled to silence when asking a question of the Premier. The Leader of the Opposition to continue, in silence.

Mr GUY — After being told to pay up to \$2 million to the UFU, then CFA CEO Mick Bourke flatly refused and was subsequently bullied from his job within days by this government.

Ms Thomson interjected.

The SPEAKER — Order! The member for Footscray is warned again.

Mr GUY — Premier, why did you bully an honest man from his job simply because he did not go along with your government's corrupt payback to the UFU?

Ms Allan interjected.

The SPEAKER — Order! The Leader of the House will allow the Premier to respond.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the House and the Leader of The Nationals are warned. The Premier is entitled to silence.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question, and I reject each and every word, each and every assertion and each and every element of fiction advanced by the Leader of the Opposition. True to form, as always: just make it up as you go along.

Ms Halfpenny interjected.

The SPEAKER — Order! The member for Thomastown is now warned. The Leader of the Opposition is entitled to silence when about to put a supplementary question to the Premier.

Supplementary question

Mr GUY (Leader of the Opposition) — Is it a fact that Mick Bourke's replacement, Mike Wootten, who you appointed and who agreed to the UFU demand within days, did not even take to his board the matter of your government's corrupt payback to the UFU?

Mr ANDREWS (Premier) — Let me again, for the benefit of the Leader of the Opposition, make it clear that these are matters that are appropriately between the parties to this legal dispute.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte is now warned.

Mr ANDREWS — That is inconvenient for those opposite. It is not what they want to be the case, but they are the facts. This is a matter between the parties, and I can offer no further commentary than that.

Ministers statements: family violence action plan

Ms RICHARDSON (Minister for the Prevention of Family Violence) — On the eve of the International Day for the Elimination of Violence Against Women it is my very great pleasure to rise before the house to speak about a very important initiative that was announced today by the Premier. The Premier released our 10-year plan, a plan to deliver and, where necessary, go beyond the 227 Royal Commission into Family Violence recommendations. The creation of Australia's first victim survivor advisory council is one such important reform to ensure that victims' voices are never lost as we deliver the reforms that are needed here in this state.

As Rosie Batty said today, our wisdom comes from our lived experience, and we are bringing that wisdom to the table. Today preventing family violence got another significant boost with the announcement that Victoria will have a dedicated specialist prevention agency designed to change poor behaviours and poor attitudes. The agency will help drive best practice in prevention and behaviour change to eradicate family violence in every community.

Our state is internationally renowned for changing behaviours. The Transport Accident Commission and WorkSafe are two such agencies that have done that. The family violence prevention agency will help to challenge and change the attitudes that condone or simply turn a blind eye to family violence. It will tackle the key drivers of family violence — drivers that place women consistently second to men. These are generational reforms because we understand that family violence needs these kinds of generational reforms. Children and victims of family violence deserve no less.

Nearly three years ago a very important partnership was formed in our state between a politician and a victim of family violence. Rosie Batty did not know it at the time, but she would go on to become one of the most significant agents of change, and that politician went on, of course, to become the Premier of our great state. The benefits that have flowed from that partnership are many and tangible, but most significantly that partnership has already improved and changed the lives of so many victims of family violence.

Youth justice centres

Ms VICTORIA (Bayswater) — My question is to the Premier. Over the last two days you have said that the Parkville youth justice facility is a crime scene that is being investigated by the police and that as such you

cannot answer specifics about the latest riot at this facility. Premier, if this location is a crime scene as you say it is, why last week did your government direct cleaning staff and other contractors onto the site, potentially contaminating the scene and clearing away evidence?

Honourable members interjecting.

The SPEAKER — Order! The Premier is entitled to silence when responding to the member for Bayswater.

Honourable members interjecting.

The SPEAKER — Order! The member for Macedon is warned.

Mr ANDREWS (Premier) — I do thank the member for Bayswater for her question and her very recent interest in these matters, having of course cut funding when she sat at the cabinet table.

Honourable members interjecting.

Mr ANDREWS — Well, it is a fact. Those opposite do not like it, but they are the facts of the matter. The other fact of the matter is that the Chief Commissioner of Police, who has done some extensive commentary today in the media, has confirmed that CCTV is being examined. There is a proper investigation going on.

Honourable members interjecting.

Mr ANDREWS — Was that the allegation that was being made, was it? So seriously does the Leader of the Opposition take these matters that he cannot stop laughing apparently.

Honourable members interjecting.

The SPEAKER — Order! The member for Rowville is now warned. I will not warn members again. The Premier is entitled to silence. The Premier is being responsive and shall continue through the Chair.

Mr ANDREWS — All I can simply say is that it is a ridiculous question and one that demonstrates very well why they are on that side of the house.

Honourable members interjecting.

The SPEAKER — Order! The member for Yan Yean is warned.

Supplementary question

Ms VICTORIA (Bayswater) — Again, to the Premier. When Acting Minister for Police, the member

for Preston, was asked in question time, he was able to tell Parliament how many people had been charged after the Moomba riots within days of them happening. Two days ago you said you did not know how many people had been charged after the latest riot at Parkville, which you continue to describe as a crime scene. Premier, you have now had a further 48 hours, so I ask again: how many people have been charged, and were any of them Moomba rioters?

Mr ANDREWS (Premier) — In response to the member for Bayswater, let me confirm for her that charges are laid once police have finished their investigation. That apparently is news to the member for Bayswater and perhaps more of a commentary on her line of questioning than anything the government has or has not done. The investigation will be done by Victoria Police. It will be done properly, and then charges will be — —

Mr Clark — On a point of order, Speaker, the Premier is now proceeding to debate the issue and cast aspersions on the member for Bayswater. The member for Bayswater was asking for a simple explanation of why the Premier was unable to provide an account to the house about charges laid when he — —

Mr Lim interjected.

The SPEAKER — Order! The member for Clarinda is warned.

Mr Clark — The Premier was alleging that the Parkville Youth Justice Centre was a crime scene when clearly it was not. I ask you to bring him back to answering that question.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Police! The Leader of the House is entitled to silence when making a point of order.

Ms Allan — On the point of order, Speaker, I ask you to rule the point of order out of order. The member was confusing the points that were raised in the substantive question with those that were raised in the supplementary question. The Premier was quite clearly providing the information to the member for Bayswater about the police investigation that is ongoing, and we should allow the Premier to continue to provide that information to the house uninterrupted.

The SPEAKER — Order! The Chair does not uphold the point of order made by the member for Box Hill.

Mr ANDREWS — Having reminded those opposite of the process — an investigation and then there will be charges — let me indicate as well that the chief commissioner has gone directly to this matter today, and he has confirmed that charges have not been laid yet. There is significant investigative work that needs to go on — for instance, looking at many hours of CCTV footage. If I am given a choice between following processes outlined and the work that is done by the chief commissioner or this line of questioning, I will choose the chief commissioner every day.

Ministers statements: family violence action plan

Ms NEVILLE (Minister for Police) — Today, as we have heard, is a day when we take another significant step forward in changing the experiences of Victorian women and children who live with family violence. The launch of the 10-year action plan sets out our commitment and our pathway to deliver on the recommendations of the royal commission. As we know, the first responders to family violence incidents are police. In fact, not only do they play a critical role in the experiences and in supporting women and children but family violence incidents take up a substantial amount of police time — 40 per cent, and in some cases up to 60 per cent. That is why there were 33 recommendations focused on police in the Royal Commission into Family Violence report.

Police and government have already been working to implement those recommendations, including over 11 000 Victoria Police staff who have gone through the e-learning training. We are piloting a new risk assessment form in two districts. We have established a senior team in family violence command, we have got a new strategy underway for violence against women and children, and of course we are rolling out the body-worn cameras and tablets.

Today we take the next step forward, with funding for a Victoria Police family violence centre of learning, a critical step in providing police with the tools and the knowledge right across their career to deal with what is, as the Premier said, our biggest law and order challenge, and to particularly deal with and respond to recidivist offenders who are the worst risk to women and children in the state. In addition, we have got new laws and we have got improvements in our courts, particularly by providing safe waiting areas, interview rooms, privacy screens and additional protection for women to give evidence via videorecording. We will ensure Victoria Police have the tools and support they need to provide the support we know is absolutely critical to protecting women and children in this state.

Youth justice centres

Ms VICTORIA (Bayswater) — My question is to the Premier. Last week, Premier, you and your minister both said on numerous occasions that none of the pizzas delivered to Parkville were ordered to bribe out-of-control youth rioters, but were for staff at the facilities. However, on Saturday night multiple staff could hear safety emergency response team (SERT) members on channel 1 of the centre's radio communications negotiating what kind of pizza and accompanying drinks the rioters on the roof wanted to be given.

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the member for Bayswater. The member for Bayswater will continue in silence.

Honourable members interjecting.

Ms VICTORIA — It is amazing when the topic of anti-bullying is happening in this house, is it not?

The SPEAKER — Order! The member for Bayswater will continue through the Chair.

Ms VICTORIA — The other side believe in bullying women constantly.

Honourable members interjecting.

The SPEAKER — Order! The member for Yuroke is warned now.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Yan Yean

The SPEAKER — Order! The member for Yan Yean will withdraw herself from the house for the period of 1 hour.

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the member for Bayswater, and that is not negotiable.

Honourable member for Yan Yean withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Youth justice centres

Questions and statements resumed.

Ms VICTORIA (Bayswater) — Premier, is it not a fact that the government's line about pizzas being ordered only for staff and not rioters was a blatant lie?

Mr ANDREWS (Premier) — I thank the member for Bayswater for her question. Let me again make it clear to the member for Bayswater that it is not correct, what she has just put to the house. It is not correct. The advice I have is that, given — —

An honourable member interjected.

Mr ANDREWS — Well, it is not correct; that is my answer. The questioner has raised the issue of the critical incident response team (CIRT), men and women of that team who I know quite well. I am not sure whether the member for Bayswater knows that team, but given a choice between this line of questioning or backing the members of CIRT to make sure that everyone is as safe as possible, including members of Victoria Police, I will choose CIRT every single time.

Honourable members interjecting.

The SPEAKER — Order! The member for Hastings is now warned. The Chair will not warn the member for Hastings again.

Mr Clark — On a point of order, Speaker, on the question of relevance. This is not an issue about the work being done by CIRT; it is an issue about the Premier's credibility in denying that pizzas were used to bribe rioters to come down off the roof of the Parkville centre, and I ask you to bring him back to answering that question.

Honourable members interjecting.

The SPEAKER — Order! The member for Ringwood is warned. The Leader of the House is also entitled to silence when attempting to make a point of order.

Ms Allan — On the point of order, Speaker, the question from the member for Bayswater was just littered with so many fanciful claims and allegations that it is entirely appropriate for the Premier to be allowed to go through why the member for Bayswater's claims are not correct and why he is relying on the

advice of the professionals involved, as opposed to the Liberal members opposite, and he should be allowed to continue.

Honourable members interjecting.

The SPEAKER — Order! The member for Bentleigh will come to order. The Chair does not uphold the point of order.

Mr ANDREWS — Again, in case the member for Bayswater did not get my answer, during incidents there is often disruption to normal catering, so staff cannot get fed. Arrangements are sometimes made.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte is warned.

Mr ANDREWS — There are of course perhaps other inmates that are not involved in those incidents in another part of the place. They might also be impacted by the fact that catering is not being offered. Then of course there are the staff involved in dealing with the incidents. So my answer stands: it is not a fact, what the member for Bayswater has put forward. I will simply conclude by saying that it is pretty shameful to be criticising members of the critical incident response team, the finest members of Victoria Police, and the member for Bayswater ought to be ashamed of herself and her line of questioning.

Honourable members interjecting.

The SPEAKER — Order! The member for Gembrook is warned.

Mr Clark — On a point of order, Speaker, the Premier is both debating the issue and making false aspersions against the member for Bayswater. I ask you to caution him that he should not breach standing orders in that manner.

The SPEAKER — Order! The Premier has concluded his answer. There is no point of order.

Supplementary question

Ms VICTORIA (Bayswater) — Premier, given that 100 pizzas were ordered when the centre has 30 staff and the fact that staff — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Bentleigh

The SPEAKER — Order! The member for Bentleigh will withdraw himself from the house for the period of 1 hour. All members will come to order when the Chair is on his feet.

Honourable member for Bentleigh withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Youth justice centres

Supplementary question

Questions and statements resumed.

Ms VICTORIA (Bayswater) — Premier, given that 100 pizzas were ordered when the centre has 30 staff and the fact that staff have not had meals provided to them by management since the introduction of the Cater Care contract and the ceasing of the hot box meal system some years ago, how can you persist with your refusal to admit that under your government pizzas have been used to bribe youth offenders?

Ms Allan — On a point of order, Speaker, given the opposition are so desirous of answers being in accordance with standing orders, I anticipate they might support this point of order that I am about to make. I would like you to ask the member for Bayswater to provide to the house the evidence on which she is basing these claims.

Honourable members interjecting.

The SPEAKER — Order! Opposition members will come to order, and government members will come to order. The manager of opposition business is about to make a point of order. That will happen in silence.

Mr Clark — The point of order is completely out of order. The member for Bayswater was seeking information and answers from the Premier, and the Premier should be required to provide those answers.

Honourable members interjecting.

The SPEAKER — Order! The Attorney-General, in silence.

Mr Pakula — In support of the point of order raised by the Leader of the House and in opposition to the

point made by the member for Box Hill, the member for Bayswater was not simply seeking information, she couched that question and indeed her previous question as facts — a statement of fact — and she did that, as all the questions have been today, without any foundation being offered whatsoever.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Hastings

The SPEAKER — Order! The member for Hastings will withdraw himself from the house for the period of 1 hour.

Mr Burgess interjected.

The SPEAKER — Order! The member for Hastings will leave the house.

Honourable member for Hastings withdrew from chamber.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

Youth justice centres

Supplementary question

Questions and statements resumed.

Mr Pakula — In those circumstances it is perfectly appropriate for the Leader of the House to ask the questioner to provide some foundation for the apparent facts that she is alleging.

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

Mr ANDREWS (Premier) — For the benefit of the member for Bayswater I will again make it clear that the advice that I have is that no-one involved in these disgraceful incidents was induced or provided with food as outlined by the member for Bayswater. I cannot be any clearer than that. On that basis the member is free to continue to pursue this line of questioning without substantiating any of the claims she makes, but the facts are those contained in the answer — very different to the question being asked.

Ministers statements: family violence action plan

Mr FOLEY (Minister for Housing, Disability and Ageing) — I rise to update the house in regard to some important announcements that the Premier made today in regard to how the Victorian government will support that great and growing number of women and children fleeing family violence, through our continued investment in a whole range of housing and housing support programs. I do so because what this government has had to do is undo the damage of the vandalism that those opposite sat through in their four years, whereby the family violence — —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition is now warned. The minister, to continue in silence.

Mr FOLEY — Thank you, Speaker — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Kew

The SPEAKER — Order! The member for Kew will withdraw himself from the house for the period of 1 hour. The minister will continue in silence.

Honourable member for Kew withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: family violence action plan

Questions and statements resumed.

Mr FOLEY (Minister for Housing, Disability and Ageing) — The Royal Commission into Family Violence earlier this year found that between the years of 2010 and 2014, \$330 million — \$330 million — was taken out of procurement in social and community housing. That is why today — —

Honourable members interjecting.

The SPEAKER — Order! The Chair is unable to hear the minister. The Leader of the Opposition will

come to order. Government and opposition members will allow the Minister for Housing, Disability and Ageing to continue to make a ministers statement, in silence. He is entitled to silence.

Mr FOLEY — Thank you, Speaker. The family violence royal commission found that \$330 million had been taken out of social and community housing procurement, a vital part of where women and children fleeing family violence need to go to make sure that they have somewhere to put a roof over their heads. That of course came on top of the fact that at the same time we had seen the federal government cuts to support for family and community housing services. Today's announcement made by the Premier that of more than \$200 million — \$185 million directly into public and social housing procurement and a further \$33 million into housing and rental assistance — brings to over \$600 million the current invested by this government since the report of the family violence royal commission.

Honourable members interjecting.

The SPEAKER — Order! The member for Hawthorn is now warned. The minister's time has expired.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte has been warned.

Youth justice centres

Mr GUY (Leader of the Opposition) — My question is to the Premier. Despite direct questioning in the Parliament from the media your Minister for Families and Children, Jenny Mikakos, is unable or unwilling to say how many riots at youth justice facilities have occurred under her watch. So, Premier, I will ask you directly: exactly how many riots, how many code whites, have occurred in youth justice facilities in the last two years, or are you also unwilling to say?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. There is no doubt that there have been a number of very disturbing incidents in a number of our youth justice facilities. We take those matters extremely seriously. That is why the protection of staff and the protection of the community is paramount, and we have made some recent decisions in relation to Barwon — —

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Ringwood and Eildon

The SPEAKER — Order! The member for Ringwood and the member for Eildon will withdraw themselves from the house for the period of 1 hour.

Honourable members for Ringwood and Eildon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Youth justice centres

Questions and statements resumed.

Mr ANDREWS (Premier) — Conscious of my obligation to be accurate in these matters, I am happy to seek some advice from my department. The Leader of the Opposition has asked about a number of incidents and different categories, and I will respond to him in writing.

Supplementary question

Mr GUY (Leader of the Opposition) — Perhaps I can help the Premier out, because in this year alone there have been known riots and serious incidents in youth justice facilities on 7 March, 23 March, 26 March, 6 May, 27 July, 17 August, 8 September, 9 September, 10 September, 11 September, 13 September, 17 September, 19 September, 28 September, 3 October, 12 October, 17 October, 22 October, 23 October, 9 November, 12 November, 13 November and 14 November. Premier, given all of this, are you honestly confident that Jenny Mikakos is, as you say, an outstanding minister?

Mr ANDREWS (Premier) — Yes. The minister is an outstanding minister, which is not something that will be said about any of those opposite.

Honourable members interjecting.

The SPEAKER — Order! The Premier is entitled to silence. The Chair is unable to hear the Premier.

Mr ANDREWS — I might add that I had thought the Leader of the Opposition was actually seeking information. He perhaps should have led with the supplementary first. This is all about his political objectives — his rather obvious political objectives. I have indicated I will provide some details to the Leader of the Opposition in writing on the basis that I seem

rather more concerned about the facts of these matters than the Leader of the Opposition.

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte has been warned.

Ministers statements: family violence leave

Ms HUTCHINS (Minister for Industrial Relations) — I rise to update the house on the status of family violence leave in the Victorian public sector, and I am proud to inform the house that there are 44 Victorian public sector agreements that now contain family violence leave provisions.

Family violence is the leading cause of preventable ill health and premature death in women under the age of 45 in this state. Two-thirds of the women who report family violence are actually in paid employment, so this is a pretty big issue. Family violence leave increases women's participation, economic independence and their capacity to leave abusive relationships by providing support and assisting them to maintain their employment through difficult times. This is why the Andrews government has developed a model clause that we are rolling out into the agreements in the Victorian public sector.

In addition to this, we have actively supported the inclusion of family violence leave in all modern awards, and we are encouraging the federal government to lift their game and to support amendment of the national employment standards to include an entitlement to family violence leave. This is not just an issue for governments; it is an issue for society and it is an issue for workplaces. I am extremely disappointed that the federal Minister for Employment, Michaelia Cash, recently cancelled a meeting of workplace relations ministers across the nation as she did not believe that there was enough on the agenda. Unfortunately on this issue there is a lot on the agenda.

I call on the federal government to join with the Andrews government and big business such as Telstra, Virgin, NAB, ANZ, Vodafone, Woolworths and Qantas, and support family violence leave for all workers.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to acknowledge in our gallery today a delegation from the New Zealand Parliament led by Mr Fletcher Tabuteau, member of Parliament from the New Zealand First party. The delegation is here under the auspices of the

Australian Political Exchange Council. On behalf of the Premier, the Leader of the Opposition and all members, I welcome you to the Parliament of Victoria.

CONSTITUENCY QUESTIONS

Ms Sandell — On a point of order, Deputy Speaker, I have a number of constituency questions to various ministers that are currently overdue for an answer. These are questions 9974, 11783, 11785, 11810, 11811. I ask that you or the Speaker kindly direct those ministers to answer these questions.

The DEPUTY SPEAKER — Order! I will refer that matter to the Speaker.

Mr Clark — On a point of order, Deputy Speaker, I draw your attention to question on notice 11 763, which I asked of the Minister for Education on 11 October this year in relation to the government's estimates of additional numbers of students requiring places in government schools as a result of increased population density in Box Hill. That question remains unanswered, and I would ask you or the Speaker to take that up with the Minister for Education.

The DEPUTY SPEAKER — Order! I will ask the Speaker to take that up with the Minister for Education.

South Barwon electorate

Mr KATOS (South Barwon) — (12 068) My constituency question is for the Minister for Roads and Road Safety. I ask: when will the works commence on the stage 2 duplication of Pioneer Road in Grovedale? The previous coalition government funded stage 1 of the Pioneer Road duplication to the tune of \$5 million, and stage 2 was funded by the coalition in the 2014–15 budget to the tune of \$12 million. This will see bridges duplicated over Waurn Ponds Creek, the signalisation of Meadowvale Drive and the duplication of Pioneer Road to Church Street. Interestingly, the budget papers indicate that this project was supposed to be completed by 30 June this year, but it has not been started. This year's state budget said it is going to be completed after the publication date, yet no works have been started. Again I ask when or if these works will actually start.

Essendon electorate

Mr PEARSON (Essendon) — (12 069) I direct my constituency question to the Minister for Education, and I ask: what is the latest information on the successful rollout of the school breakfast clubs program at Debney Meadows and Ascot Vale West primary schools?

Lowan electorate

Ms KEALY (Lowan) — (12 070) My question is to the Minister for Roads and Road Safety. What is the estimated total project cost, time line and allocated budget to undertake the complete repair of the Glenelg Highway between Coleraine and Casterton? This section of highway, particularly near Muntham, is in absolute disrepair, costing local businesses and families and putting local lives at risk. VicRoads are now refusing claims for damages to vehicles, saying that because they have put up reduced speed limit signs they are compliant with the Road Management Act 2004 and therefore not liable for any vehicle damage.

Mr Des Trotter of Trotters Coaches has called for the road to be closed due to the high risk of a tragic accident involving the 1000 children and adults who travel on this road every day on public transport and school buses. It has been confirmed that the appalling road conditions are blowing out ambulance response times. This week Mr Darren Hicks, manager of the Hamilton ambulance station, publicly stated:

We've noticed a rapid deterioration in the roads locally over the past 12–18 months, which obviously impacts us getting to jobs on time because you have to drive to the road conditions ...

The cost and risk to local people is increasing, so I ask that the minister urgently provide the requested information regarding this project to completely repair the Glenelg Highway between Coleraine and Casterton.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Eltham electorate

Ms WARD (Eltham) — (12 071) My question is to the Attorney-General. How will the tough new laws on carjacking and home invasion help keep Victorians, and in particular Eltham residents, safe? Mr Whiteside, an Eltham resident, is in regular contact with me regarding his concerns about youth crime. He supports the Premier's strong stance on crime, and he has concerns about juvenile offenders being bailed after serious charges. He wants to know how these new laws will keep the Eltham community safe. Minister, how are these new laws keeping Eltham safer from crime?

Rowville electorate

Mr WELLS (Rowville) — (12 072) On behalf of concerned Country Fire Authority (CFA) volunteers in the Rowville electorate, my question is to the Premier. Premier, given the chaos and incompetence of your government regarding the dispute between the United

Firefighters Union (UFU) and the CFA, in which you strongly supported your UFU mates over the 60 000 hardworking CFA volunteers, do you now support the UFU voting against its very own CFA enterprise bargaining agreement deal or are you waiting on Peter Marshall to give you further instructions?

St Albans electorate

Ms SULEYMAN (St Albans) — (12 073) My constituency question is for the Minister for Roads and Road Safety, and I ask: what will the minister do to improve the traffic signals at the intersection of Main Road East and Sunshine Avenue in St Albans? I have been advised by many motorists, and I know firsthand, that the traffic light signals from Main Road East turning onto Sunshine Avenue are far too quick and do not allow enough time for motorists to turn. This causes many delays and can create a large amount of congestion along Main Road East and Sunshine Avenue. It is important that there is enough time for vehicles to turn, as this intersection is crucial for motorists travelling onto the Western Ring Road during peak morning times.

Prahran electorate

Mr HIBBINS (Prahran) — (12 074) My constituency question is to the Minister for Roads and Road Safety. I ask: what will the minister do to make the intersection at Punt Road and Pasley Street North safe for school students? This intersection serves as a pedestrian crossing for students crossing Punt Road to attend South Yarra Primary School. Parents have reported that students are at risk, with vehicles frequently running the red light, resulting in near misses between vehicles and students. This is occurring multiple times every day during the school pick-up and drop-off periods, often with multiple cars running the red light at each cycle of the lights. I have met with parents and school staff on site and witnessed this occurring. With school enrolment growing significantly, more and more students will be using the crossing over the coming years. The current situation presents a real risk of a serious injury or fatality occurring. It is an accident waiting to happen and requires urgent attention.

Dandenong electorate

Ms WILLIAMS (Dandenong) — (12 075) My constituency question is to the Minister for Local Government, and I ask the minister: what is the time frame for works on the redevelopment of the new family and community centre at Autumn Place in Doveton? I was delighted to announce on Monday on

behalf of the minister a \$3.6 million investment in Doveton. This significant investment by the Andrews Labor government is being delivered through the Growing Suburbs Fund. The funding will be used to design and construct a new state-of-the-art integrated family and community facility at Autumn Place. Autumn Place is more than just a shopping strip; it is a community meeting place and hub of activity throughout the week. Its facilities do need serious upgrading. We know that only Labor governments invest in communities like Doveton, and after four years of neglect from those opposite this Labor government is getting it done. Doveton is now getting the infrastructure and support it needs and rightfully deserves.

Polwarth electorate

Mr RIORDAN (Polwarth) — (12 076) My question is to the Minister for Roads and Road Safety. Can the minister reveal what penalties or sanctions are applied to contractors who construct roads in my electorate that fall into significant disrepair in an unreasonably short amount of time? Since this government cut the country roads and bridges funding to country communities, funding for basic maintenance and road upgrades is even more scarce than before. Right across my electorate, whether it is the very recent upgrade of Princes Highway west or the six-month-old repairs to Timboon-Colac Road, there are explicit examples of roads that in no time at all are in worse condition than they were before they were repaired.

The community wants to know what is happening to their tax dollars. What is being done to ensure best value for money when our roads are built? People in Polwarth are quite rightly saying, 'If I was paying for that work, I'd want my money back'. The community could understand the odd road failure, but it seems poor quality is becoming the norm and making our roads dangerous. This was experienced last week on the new strip of Timboon-Colac Road, when on a shiny new piece of road a massive soft spot and hole appeared in a matter of days, creating a huge road hazard that in a short time claimed at least five cars and caused one family to require a trip back to Melbourne.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (12 077) My question is to the Minister for Housing, Disability and Ageing, and it concerns the Rapid Housing Assistance Fund. Sadly, many families in our

community face significant difficulties in securing safe and affordable housing, so I ask: what is the Andrews Labor government doing to address homelessness in my electorate?

HERITAGE BILL 2016

Second reading

Debate resumed.

Ms KILKENNY (Carrum) — As we should all now be quite familiar with the Minton peacock, I might return to the bill. We have heard that the Heritage Act, the original act, was introduced in 1995. That is over 20 years ago, and obviously a lot has changed in that time. It has become very clear that the act needs to be modernised and needs to have a much broader purview. In 2014, before the state election, we made a commitment to review the act, to make amendments and to bring about change. In 2015 we released a discussion paper and, following that, extensive public consultation took place, which is expected and which should happen when you are talking about something like heritage, which actually impacts so much on our communities. There was widespread support for Victoria's role in protecting significant heritage places and objects, and about 125 submissions were received.

We know all too well that increased development in and around Melbourne and other regional centres throughout Victoria inevitably puts enormous and intense pressure on our heritage and puts that heritage at risk. I have seen that occur in my local community, where developers have come in and taken out trees that have been listed on local heritage registers — that is, they were trees of significance. We have seen buildings taken down overnight. The community has demanded change, and the bill before us will modernise and improve processes and protections under the act as well as provide for a suite of enforcement and compliance tools to ensure that our heritage here in Victoria is appropriately protected now and into the future.

The bill re-enacts the Heritage Act with significant and key amendments, and I will just set out a few of those. Probably the most notable is an increase in the maximum penalties for unauthorised works. This is to deter damage to places and objects. We have heard that penalties will be doubled for certain offences. They will now be doubled to more than \$740 000 for individuals and more than \$1.4 million for corporations. New compliance and enforcement tools that are tailored to protect heritage, such as introducing infringement notices to reduce the likelihood of works being undertaken without a permit, will be introduced along

with stop order notices to halt unauthorised works. Rectification orders will also be introduced which will require parties to undertake corrective works.

These are significant amendments, and they will go a long way towards addressing community concerns with developers, who are most often motivated by one thing and one thing only — that is, profit — and are certainly not motivated to protect places or objects of heritage for the benefit of all Victorians or for the benefit of the local communities in which those places or objects are located.

The functions and role of the Heritage Council under this bill are broadly similar to the role under the original act — that is, the Heritage Council will continue as the independent statutory authority established to determine which places and objects are included in the Victorian Heritage Register. Some new functions for the Heritage Council will include control of payments from the Heritage Fund. This is a good step. It will actually assist in increasing transparency and accountability and of course support the independence of the Heritage Council to deliver its stated responsibilities. Ten members will sit on the Heritage Council, and changes to membership categories will ensure that there is a very wideranging, broad and deep wealth of knowledge and experience across those members to fully implement the purpose and object of the act.

The Victorian Heritage Register will be preserved. That register is the list of the state's most significant places and objects. About 2400 places and objects and 650 shipwrecks are currently included on that register. Heritage nominations and reviews will be streamlined and, also significantly, local governments will have a much stronger voice in permit applications and will be able to participate in the review of those applications before the Heritage Council.

It is obviously during times of rapid development, which we are seeing in Melbourne and throughout our regional centres, that heritage laws are most important. The questions around what we want to keep and preserve and what we are prepared to lose are most important and obviously most pressing. I see heritage as a matter of public inheritance, and what is passed down through generations of communities teaches those future communities about life and about the values that we share.

Heritage is also about our future, and properly understanding the value of our heritage and our cultural connections is critical for establishing connections with our community and making sure that these places and these objects have an ongoing role in meeting the future

needs of our community. As I mentioned earlier, I would like to acknowledge the significant work that went into the extensive review of the Heritage Act 1995 by the Minister for Planning, his staff and the department. It was a massive review and a lot of work has taken place. I commend the bill.

Mr THOMPSON (Sandringham) — I am very pleased to join the Heritage Bill 2016 debate. Within the Sandringham electorate there are a number of key heritage issues. Sometimes there can be complex arguments, where keen-minded heritage arguments have classified architecture in the district that may range from old buildings to buildings that represent particular eras. I note that in my electorate there was some significant consternation when some people bought a public housing dwelling built in the 1950s which had rising damp coming up through the walls. They had planned to demolish the dwelling to build a dual-occupancy development, and there were some frustrations along the way.

I appreciate architectural periods and their interpretation that traverses the history of Melbourne. In the Sandringham electorate there are some wonderful features. The then City of Sandringham, under the vision and leadership of Lesley Falloon, one of the first women involved in local government in Victoria, set apart Black Rock House and invested in Black Rock House, which was the home of Charles Ebdon, one of the early political leaders in Victoria — he was Victoria's first Auditor-General. He was an overlander who overlanded stock from Sydney to Melbourne and became a prosperous member of Melbourne's early community. He was appointed as Auditor-General by Charles La Trobe of Victoria's first Legislative Council. Black Rock today is the better for the heritage classification of the place known as Black Rock House — with a slate roof, castellated walls quarried from the local foreshore and magnificent Moreton Bay figs in surrounding gardens.

Then there is the recent heritage examination of the masonic lodge in Abbott Street, where a proposed two-year delay in assessment was accelerated to one being undertaken in a much swifter time frame. There is the heritage overview of some classical architecture in the district and also a number of heritage buildings. Recently I had the privilege, in conjunction with the then Minister for Planning and now Leader of the Opposition, to advocate for the heritage classification in Victoria of the Mentone Hotel to preserve it. There is an anomaly in relation to the Mentone Hotel where in classifying the building without some classification of the car park, the classification becomes a little bit counterproductive in terms of the conservation of the

precinct as a hotel, as it is very difficult to run a hotel along the foreshore without a car park. It will be interesting to see how planning matters unfold in relation to the Mentone Hotel.

At a personal level I have long supported a two-storey height limit along Beach Road to protect the foreshore amenity. There are major difficulties with development within middle Melbourne, with car parking offsets that see a massive spillover — a documented spillover — from local developments into surrounding streets. I question the merit of offsets in a number of areas where it is very difficult for people to get a car park — around the Sandringham, Highett, Cheltenham and Mentone railway stations — and the problem will only become more exacerbated.

An important heritage issue that has come to the fore with the grade separation along the Frankston line is the heritage values of the Mentone railway station gardens. In yesteryear a group was formed to keenly protect and maintain them in outstanding condition. I pay tribute to Gary Spencer and Dorothy Booth and the hardworking Friends of Mentone Station and Gardens, who for over 14 years have valiantly fought to maintain that precinct. The precinct was once proposed as a bus interchange on the western side of the station, but owing to the keen-minded representations of local members and members of the local community, the transport department initiative was overturned and the gardens remain intact. The work of the Friends of Mentone Station and Gardens and Dorothy Booth and Gary Spencer remains a model of excellence of community engagement and community vision. It will be of interest to see to what extent the heritage features of the station building can be protected into the future.

Recently I met with a number of people from the Cheltenham area. I have spoken at a Level Crossing Removal Authority (LXRA) meeting with Dr Katrina Witt. I have also spoken with Dr John Waugh and the Friends of Cheltenham and Regional Cemeteries and some wonderful keen-minded people, including Sue Beazley, Rick Norman and Rosemary Reddick. They have taken a long-term interest in the history of the Cheltenham district and the wonderful interface between some of the older buildings in the local area.

Cheltenham station has some outstanding qualities as a station precinct. I urge the government and the LXRA on behalf of the local community to see what clever steps can be taken to recognise the history and preserve it in a way that will be meaningful to the local community. The works to be undertaken will inevitably involve the deconstruction of some of the heritage features. In relation to whether they can be rebuilt or

interpreted in the new design, there is a great enthusiasm to see what can be done. Its marvellous architecture is similar in some ways to a number of buildings within the botanical gardens and the late 19th century building styles that were developed and adopted.

Around the parliamentary precinct there are some wonderful heritage features. There was the 1970s battle in relation to Tasma Terrace. The development there stands as an ornament to the people of Victoria, recording the wonderful history, vision and foresight of our forefathers in this state. I note that in my travels I have seen that where communities have preserved their architectural heritage, it represents stand-out features. Within the parliamentary precinct Tasma Terrace, the Lutheran church, the Catholic church, the Anglican church and the parliamentary buildings and gardens are outstanding features that are of great interest to those people who visit the Parliament of Victoria. The Heritage Bill, I trust, will provide a constructive vehicle to protect them.

Going back to the Mentone Hotel issue and its anomalies, I note that in other jurisdictions there are more wide-ranging powers that enable some buildings to be protected and preserved, so that in a site being acquired the envelope that represents a hotel might also include the car parking precinct. In the United Kingdom there is that stronger interpretation and power. There are a number of judgements that will need to be made in the local area and along Beach Road. I reiterate that I have consistently supported a two-storey height limit along Beach Road to preserve the coastal amenity. This is a position that has been advocated by some long-term advocates in the district who have sought to preserve the amenity of the Victorian coastline as well. I pay tribute to their vision and endeavours.

Mr EREN (Minister for Tourism and Major Events) — I am delighted to be speaking on the Heritage Bill 2016. At the outset I would like to congratulate the Minister for Planning for introducing the bill before the house. The bill is of such significance to our state when you consider my portfolio of tourism and how we value heritage in our state, and I will get to that a bit later on.

The purpose of the bill is to modernise and improve the act while strengthening the protection of state-listed heritage places and objects. The act has not been through a thorough update for the past 20 years. This was an election commitment by the then Labor opposition, and the Andrews Labor government is now honouring that commitment. As I have indicated before, Victorians genuinely do value their heritage,

and I think it is very important to do that. This was evident in the public consultation that took place during the review of the Heritage Act 1995, which occurred in 2015. Hundreds of people attended workshops and forums about the changes to the bill, and there were 125 detailed submissions received as a response to the discussion paper.

I would like to point out some of the key amendments in the bill, which include the doubling of penalties for unauthorised works, to deter damage to state-listed heritage, which is so important. Sometimes people just do not get it, and you need a big stick to ensure that they do get it. The fees will increase to \$746 208 for an individual and \$1.49 million for a body corporate. New compliance and enforcement tools that will protect our heritage include infringement notices to reduce the likelihood of works being undertaken without a permit and a stop order tool to halt unauthorised works without a permit or permit exemption.

The bill reforms the heritage nomination process to allow the executive director of Heritage Victoria to reject a nomination with no reasonable case for inclusion and allows the nominator to request a review of the decision. This will see a quick turnaround of nominations that have no reasonable prospect of success without costs to all parties. The bill also enables more selective protection of Victoria's archaeology by including only significant sites over 75 years old on the inventory, rather than all sites over 50 years old, and it introduces review rights for consent to disturb an archaeological site. This will ensure greater transparency and usefulness of the inventory.

The bill provides a greater role for local government, particularly in the permit process, including a clearer opportunity to comment on permit applications and in allowing local government to be heard in any permit review before the Heritage Council. This will ensure that local heritage concerns and issues are appropriately heard and considered in permit decisions.

The bill makes changes to the membership of the Heritage Council to increase its expertise, including new membership categories for people with recognised skills in financial management and planning, and also an Aboriginal person with relevant experience or knowledge of cultural heritage.

This bill will ensure that we see a greater level of protection for state-significant heritage places and objects. It will provide greater clarity and certainty for owners and managers of heritage places, while seeing a greater reduction in regulatory burdens by simplifying key statutory processes. This will improve compliance

and enforcement measures. It will also improve governance arrangements for the Heritage Council and provide an appropriate structure for fees for heritage approvals and reviews, and increased penalties.

Of course, as I indicated earlier, as the Minister for Tourism and Major Events, I see that Victoria's visitor economy is very diverse. It is made up of a range of experiences, which include heritage tourism. We pride ourselves on that. One of the things we do well is advertise our offerings in terms of tourism, and we are very proud to have such a robust tourism sector that can proudly advertise the heritage buildings that Victoria has, the wonderful theatres that it has, the wonderful churches that it has and all of those things that so many people hold dear right here in Melbourne and Victoria.

Heritage tourism encourages visitation; there is no question about that. It is worth \$21 billion to our state, and about 206 000 jobs are associated with that. So we need to have a variety of offerings to show not only interstate visitors but also international visitors that we have the best of everything. Our heritage is so important to that.

Nature-based tourism is also important. This is one of the reasons we are very careful about what developments occur where. That is why we have a very strict policy of allowing no development in state and national parks, which goes a long way in telling the whole world that we have the best nature-based tourism that anyone can offer anywhere. That is obviously an asset that we need to cherish.

Visit Victoria's marketing campaigns promote heritage tourism experiences domestically and to a range of international markets. That is purely because we know that millions of people visit Victoria every year and we want to ensure that we get the maximum economic return on those visits. We have a proud and fascinating history which needs to be protected and preserved for the enjoyment of both visitors and residents alike.

In the year ending June 2016 a total of 6.5 million travellers to and within Victoria visited a museum, art gallery or history or heritage site or monument on their trip. This equates to 9 per cent of the 71.4 million trips to and within Victoria. I am pleased to say one of those interesting places, according to TripAdvisor, is the Shrine of Remembrance in Melbourne. It is one of the most visited places anywhere in the nation. It had about 1 million visitors last year, and of course we want to enhance that.

We want to make sure that we get the best value for our buck in terms of the tourists that come here — the

high-yielding tourists — and we want to make sure we have the best offerings so that we can maximise our economy. The shrine is a location that is very dear to the hearts of not only Victorians but Australians here and overseas, and it is a place many people love to visit.

The number of travellers engaging in these types of experiences has grown by 18.7 per cent over the last year and 7.6 per cent per annum over the last five years. As the Minister for Planning has stated, heritage is integral to us as Victorians and Australians. It is our story, they are our surroundings and it is our understanding of our world, our community and each other. Our heritage is diverse, and it is instructive on multiple layers concerning our social fabric, our communities, our collective memory and our broader history. At the present time it could not be more important to turn our minds to our heritage, to remember our values, to remember our commonalities and to ensure that what is most significant to us is not lost.

As the Minister for Veterans I have come to appreciate the depth and volume of war heritage held across this state in the form of avenues of honour, war memorials, memorial halls, defence sites, honour rolls, parks, gardens, collections and stories. So much of our history and the development of our heritage in Victoria was forged in response to and through the impact of war. Heritage relating to war is a unique category that holds an important civic role in communities, and has social value for the community.

In my time as the Minister for Veterans I have also come to understand that we are not owners of our heritage, but custodians with the responsibility to care for and ensure its passage to future generations. The Anzac centenary period has encouraged more Victorians to pause and reflect on our heritage and to notice and visit the monuments, places, people and stories that surround us which have created the community we live in today.

The Heritage Act is Victoria's principal legislation for the identification and management of heritage places and objects. Appropriately, the threshold for capture by the act is state significance. In conclusion, this is a great bill, and I wish it a speedy passage.

Ms BRITNELL (South-West Coast) — I rise to speak on the Heritage Bill 2016, which will re-enact with amendments the Heritage Act 1995 to protect and conserve places and objects of cultural heritage significance; to establish a Victorian Heritage Register, Heritage Inventory and Heritage Council; to create offences and other enforcement measures to protect and

conserve cultural heritage; and to establish a Heritage Fund. It has several other purposes.

While I note the opposition is supporting this bill, there are a number of concerns that those before me have raised, including the extension from 50 years to 75 years for sites included in the inventory and the introduction of a fee for the review of permit decisions.

I do believe it is of utmost importance that there are greater penalties for the destruction of heritage sites. This is something the wider public also supports following the recent destruction of the Corkman hotel, and it is something I strongly support.

During the government's consultation period a constituent spoke with me about the concerns the Western Victoria Presbytery of the Uniting Church had about the bill in terms of maintaining the numerous historical church buildings it has throughout the region. Many of the buildings the church owns were built before 1900 and were sited to accommodate people walking or using horses and buggies to travel to church. As such, many of these buildings are now no longer operating as churches, but are still owned by the church, which poses a serious problem when it comes to dealing with the future of these buildings. Attendance at church is declining, and annual income is reducing. The presbytery fears that if conditions for listed buildings become too onerous, the only option for some of the churches will be to install security fencing and effectively abandon the buildings to a point that demolition by neglect may occur.

The Uniting Church groups are not the only ones in this situation. My own Catholic parish is also facing similar problems, recently selling convents, presbyteries and vacant land in Port Fairy and Koroit to raise money for repairs to church buildings.

The Uniting Church suggested the government needs to substantially increase funding resources to enable realistic support to be provided for heritage projects. I am pleased to see that part 11 of this bill includes the establishment of the Heritage Fund, which will enable the Heritage Council to acquire registered places, registered objects and land on which registered places are situated by gift, grant, bequest or demise and to agree to carry out any conditions of such gifts, grants, bequests or demises.

The fund will also enable the Heritage Council to make grants or loans for the purpose of assisting with the conservation of any part of the state's cultural heritage, something which I think could be of great benefit to many organisations, such as the Uniting Church in

western Victoria, that have heritage buildings and recognise their value and significance but struggle with the cost of maintaining them.

As the member for Mordialloc pointed out in his contribution, the expanding population of Melbourne will add another challenge to heritage protection. This is a great opportunity for regional Victoria to assist though. Predictions for Melbourne show us that some areas like the western suburbs of Melbourne will increase in population by half a million people in the next five years. This will require five new hospitals and five new schools to be built in the area, putting further strain on the state's coffers and potentially compromising the area's heritage features.

Regional areas have great opportunity to assist with this predicted population challenge. Areas like Warrnambool have good health care and good schools with room for more students and would require minimal, if any, investment when compared to what would be needed in the western suburbs. Warrnambool Base Hospital, for example, only requires an improvement to the accident and emergency department and the operating theatres, a much smaller cost than that involved in the building of five new hospitals.

There are also opportunities for the creation of jobs if this government does the right thing and invests in the infrastructure required for industries. Murray Goulburn is an example. They have plans to build an infant formula plant in either Laverton or Koroit. They should be encouraged to expand in Koroit, where the product is currently produced, by the government ensuring that power, gas and wastewater services are adequate for their needs. If they are not, Murray Goulburn will build in Laverton, further congesting the suburb and potentially changing the area's heritage profile. Expansion in Koroit would be a win-win for the city and the regions, boosting jobs and encouraging population decentralisation. This is an opportunity that this government should not miss.

As a side note, it was very interesting to read the penalties set out in the bill for shipwrecks. While some people may think these penalties are outdated and unnecessary in this day and age, my electorate of South-West Coast spans much of the Shipwreck Coast, where there are 638 known shipwrecks and potentially more that are unknown. While a shipwreck is uncommon today, there are many popular dive sites in my electorate where ships have been wrecked and remnants remain. While it is tempting for people to take a souvenir, the penalties should be strict enough to discourage this.

I am also sure there are a few homes in South-West Coast where an artefact from a wreck is present, even if they are not as valuable as the Minton peacock the member for Carrum spoke about earlier, which now takes pride of place at Flagstaff Hill in Warrnambool. But I would encourage those who do hold an artefact, or a suspected artefact, to get in touch with Heritage Victoria as soon as possible to avoid the fine.

It was also interesting to know that if a person finds a shipwreck, they must report it to the executive director within seven days —

Mr Katos interjected.

Ms BRITNELL — Correct, member for Barwon. This is something those out searching for the legendary Mahogany Ship should keep in mind if they do find the elusive caravel.

This bill makes a number of changes to the Heritage Act 1995 which I believe will mostly be beneficial in protecting our significant heritage sites and will reflect the public's desire to see those who do the wrong thing dealt with firmly. I still have concerns around a number of the proposed changes, but mostly I support the bill.

Ms HALFPENNY (Thomastown) — I also rise to speak in support of the Heritage Bill 2016, and I note that this was an election commitment made by the Labor Party coming into the 2014 election, at which we won office. This legislation is a really good example of how Labor listens to the community and, unlike many other parties, really makes sure that there is a good consultation process so people are able to have their say and have input into laws that affect them and affect our state.

We won that election. Soon afterwards a review of the Heritage Act 1995 was commissioned by the government, and this review involved many, many people. Lots of forums were held, and they were very well attended by members of the public. People could have their say, put forward their ideas and consider some of the proposed changes to the legislation to ensure that our heritage is protected, whether that be the built form, whether it be archaeological remnants and artefacts, or whether it be places and designs. In conducting the review of the Heritage Act, which as I said involved many members of the public — all those who wished to be involved — there were also numerous submissions. I think over 100 submissions were made to the review. As a result of all of that consultation and very careful consideration we have come up with the bill that is being debated today.

I will only talk about some of the specific areas of this Heritage Bill. It is providing a whole lot of amendments and updates to the Heritage Act 1995, but of course it also maintains a number of elements of the existing act.

While this legislation does not apply particularly to the situation of the Corkman Irish Pub, seeing individuals who believe they are above the law makes everybody sick and tired. All these people can see in front of them is profit and money, and they show no consideration or care for the community and society that we live in. They destroy things that we regard as very valuable and important not just for ourselves but for the generations to come, because we all need an understanding of where we come from — our beginnings and our identity. That is why, to digress slightly, the situation of the stolen generation is so shocking. A whole generation of Aboriginal children were denied their identity and culture, and many other awful things took place.

This is legislation that preserves our culture and our ancestry whatever that may be. We can then make sure that there are more suitable punishments for those who seek to destroy our culture and heritage for their own gain or through carelessness. In the past some of our most significant heritage buildings that were not really protected by the law were protected by trade unions. The Regent Theatre and the Queen Victoria Market were the subject of what were called green bans during the 1970s and I think even the 1980s, when working people refused to work on those sites to demolish them. Now, of course, we owe a great debt to those working people. They sacrificed wages and income to do the right thing and make sure that we protected these buildings that offer so much in terms of their appearance and how important they are to our general activity. These days they are major income-generating buildings frequented by tourists as well as Victorians and people from other states.

As I said, this legislation increases the protection of state-significant heritage places and objects, but it also reduces the regulatory burden. It makes sure that things such as penalties are much higher and that people will be paying much more in the way of fines. This will hopefully deter people from ruining our important archaeological and heritage sites. It also means that there will be less red tape in terms of ensuring things of heritage significance are protected and that it is easier for organisations and government bodies, such as local councils, to ensure they are on the register and to ensure that people who may own them or who are working around them comply with the legislation.

I look at the Thomastown electorate, for example, and I know that there are some really important heritage sites in that area. There is the German village, which is where a number of German migrants built a Lutheran church and farmed in the area. It is only heritage legislation that has been able to ensure that those buildings and that area are preserved for our enjoyment and that of people in the future.

Another very significant and important area in the Thomastown electorate is the Peter Lalor estate, which was an estate built in cooperation by returned war servicemen, veterans who were members of the Labor Party and trade unionists through the Victorian Trades Hall Council. This estate was a building cooperative where the working people built factories to produce even the bricks and the other materials that were used to build houses for people and families that would otherwise not have been able to afford housing at that time. The way the estate was built and laid out also makes it a very significant area from a town planning point of view. It was done in such a way that everything is local, there is lots of green space, and there is lots of access to facilities. It is another fantastic thing that this state Labor government did, and it is all due to the Minister for Planning, who is sitting at the table at the moment, who made sure that there was further protection around the Peter Lalor estate by ensuring that overdevelopment could not occur in that area.

While there are a whole lot of different ways we can preserve things of cultural and heritage value, heritage legislation is the most significant legislation that puts in place a system to preserve cultures and also preserve our heritage buildings so that we can all enjoy them and get the economic benefits from them, such as through tourism. This is a great piece of legislation built on extensive consultation and support. This is a bill that will, I believe, be widely praised and welcomed now and into the future.

Ms SHEED (Shepparton) — I am pleased to speak on the Heritage Bill 2016. This is a bill that reviews the previous legislation, and indeed there was a discussion paper released in 2015 on it. It constitutes a rewrite and modernisation of the previous bill, which has not really been looked at in the last 20 years.

What we keep and do not keep has long been a matter for discussion in our society as the landscape of our towns and cities changes. This was brought to the fore recently with the demolition of the Corkman hotel in Carlton. There was great outrage that the demolition had been undertaken in the manner it had and, of course, without any permits.

We have got some fabulous buildings on our heritage register, and I took the time to look through the lists as I was preparing to speak today. There are amazing buildings throughout Melbourne, Ballarat, Bendigo and many of our other cities and towns. I was very pleased to see that even a humble little flour mill at Murchison, which is close to my electorate, was just recently provided with funding to maintain it. It is Day's steam-powered flour mill, named after the original owners and considered to be the best-preserved 19th century flour mill in Victoria and possibly Australia. It is so good to see funding provided to save various buildings of particular historical interest in our regions.

I am one of the lucky people in Victoria who had the opportunity to sit through 115 days of the Yorta Yorta case when it took place during the 1990s. The first, probably, 50 days were actually spent out in the bush. Each day the court convened — court reporters, witnesses and court staff — and each day we heard from Aboriginal elders about the sites we were visiting. We would look at middens on the banks of the Murray River, scarred trees and so many things that up until that time probably most of us — certainly myself — had not been exposed to or taken on board any real knowledge about. It was a great privilege to be a part of that and to understand what Aboriginal heritage we have in our country and the value that is placed on that.

When we talk about our heritage, we also place great value on it. I think it is very interesting to consider the fact that we have 30 000 or 40 000 years of Aboriginal heritage. We now have our European heritage, and we are moving into a stage where we should seriously look to the future, because what we do now is the heritage of the future. We bemoan the fact that an elm tree was blown over in Mildura, but the tree that is planted to replace that will be the tree in 100 years time that we will honour and think of as great. While the buildings of the past are so important, it is what we do now that will be so important for the future. We have to consider what we are building, because I dare say that many of the buildings that are going up quickly around our cities and towns will not be buildings that will be honoured if they are not built in a way that reflects who we are now and what we think is of real value rather than just chasing a quick dollar. We can look at Federation Square and newer buildings that have been built. Whether you like them or not, they are outstanding buildings. They will last, and they will be treasures for the future.

I would like to talk about a few heritage sites in my electorate, but before I do so I think members need to understand that Shepparton was not built in the

goldmining era, so it never enjoyed the great wealth that Bendigo, Ballarat and many other towns and cities did, which really enabled all these buildings in Melbourne to be built. It was the wealth of the 1850s and 1860s that enabled so many of our beautiful buildings to be built. Shepparton was built on agriculture. It was a service town, and it therefore did not have that injection of sudden wealth that enabled many beautiful buildings to be built. We in Shepparton always bemoan the fact that the Shepparton post office was demolished in 1974. It was our oldest and most valued heritage building. Everyone in Shepparton still says, 'What a loss. Wasn't it a shame that we knocked down that icon in the main street of Shepparton', because we just don't have very many'.

Those of us who travel understand the value of heritage buildings. When we travel throughout Europe we visit cathedrals, churches and museums, and I love doing that. It is just amazing to see how far back in history the buildings date in those countries. We are a young country in a lot of ways, and I think it is important that we take the long-term view in relation to preserving our buildings and that we take a lesson from Europe in that regard.

In Shepparton, because its young, its heritage sites are much more recent. We have the German War Cemetery at Tatura. It was the first foreign war cemetery to be established in Australia by the Commonwealth War Graves Commission. It provided for the reburial of German internees and prisoners of war who died while they were detained in Australia during World War I and World War II. Bodies were exhumed from cemeteries all over Australia and reinterred in that cemetery.

We have the Bangerang Cultural Centre, which is located in a place called the International Village, which was intended to be an ideal and a place in Shepparton where all cultures would be represented, but unfortunately it did not take off. Now the Bangerang centre sits there, a bit alone, by a lake, and someone is going to have to look after it. There are not many Bangerang elders left. Sandy Atkinson was one of our very senior elders who died only this year. I would like to acknowledge Uncle Sandy Atkinson, who was born on Cumeragunja mission in 1932. He was just an amazing contributor to Victoria and to Australia. It was so lucky for our community to have him there. Shortly after I got elected he took me through the Bangerang centre and showed me the building which was constructed by a partner of Robin Boyd, the great Victorian architect. It is a wonderful building that contains photos. It goes back a long way in that it has old canoes and old artefacts, but it also has a very rich photographic history of the time of the people of

Cumeragunja and some of the history of the walk-off from Cumeragunja to Mooroopna, when the Aboriginal people then lived on the flats. So it is a really important piece of our history, and fortunately it is on the Victorian Heritage Register. Like a lot of building that are on that, though, maintaining them will be very difficult in the future.

The other historical and heritage site I would like to talk about is the Calder Woodburn Memorial Avenue, which has 9.5 kilometres of trees alongside the Goulburn Valley Highway heading into Shepparton. There are eucalyptus trees down both sides of the main highway, and it was planted between 1945 and 1949 by Mr Woodburn as a living memorial to his son Calder, who lost his life while serving with the Royal Australian Air Force. Calder, who had been a student at Dookie Agricultural College, enrolled to go to war, and of course did not come home. So his father planted these eucalyptus trees that go down both sides of the highway.

Mr Wynne interjected.

Ms SHEED — It is an avenue that goes all the way into Shepparton. There are now 100 plaques on various trees going into Shepparton which recognise soldiers from our local district who died both during World War I and World War II. Each plaque is situated on a tree that is the closest to and faces the home of the soldier who died. It is very poignant and a very important tribute to our community.

I am very pleased to see that this bill is being updated and also to see the funding that is going in to preserve many of our heritage sites. I would like to say once more how important it is to recognise that what we do now will be our heritage of the future and that we should really take stock of what that means to us. I therefore support the bill.

Ms THOMSON (Footscray) — I rise to support the Heritage Bill 2016, and I do so with great pleasure. Can I also acknowledge the contribution from the member for Shepparton. I really enjoyed hearing not just about the layers of heritage that we need to preserve, which I will talk about, but also what needs to be preserved in Shepparton. It was very poignant and I thank the member very much for raising those matters in the house.

This bill has been a long time in the making. There has been a huge amount of consultation to ensure that we get it right. It was an election commitment. It has been 20 years since the Heritage Act 1995 has had a real overhaul and a look at, and in truth the world is

changing very quickly. The way we make decisions now happens more quickly. We have less time, unfortunately, in which to consider a lot of the matters that come before us.

The member for Thomastown mentioned some of the green bans in her contribution, but one of the ones I remember was for the Grand Hyatt. The hotel owners were going to tear away the facade in Collins Street. That was the plan: to tear it down and build one of those ugly 1970s buildings that you would never build today. Remember the beautiful Gas and Fuel buildings? It was one of those square blocks that was going to be built in place of that beautiful facade that now stands in Collins Street. The builders labourers union said, 'Not on our watch'.

Mr Wynne interjected.

Ms THOMSON — Yes, and the Regent Theatre. They said, 'We will build it if you maintain the historic value of that building', and that is exactly what occurred.

We know that our history is short in terms of European settlement. Of course it is old in terms of Indigenous settlement. So we need to recognise the Indigenous heritage that is very rich here. We need to acknowledge it and we need to make sure we protect it. We need to acknowledge the heritage that followed from European settlement, and from each wave of European settlement. The member for Shepparton mentioned that what we build now will matter in 100 years time, and I hope that we are able to leave a legacy in 100 years time when people say, 'I'm glad that was built; I'm glad that was saved; I'm glad that was restored', so that we leave them a rich visual history of what life has been like in Victoria for the wave of communities that have come along, settled here and made Victoria their home.

As the member for Footscray, I get to represent a very diverse community that has some Indigenous heritage and a heritage from each wave of migration that has come through. Footscray Primary School has two heritage-listed buildings from two different eras of the school's development. They are both heritage listed because the school has been there so long. I would love to think that in 100 years kids will still be going to Footscray Primary School and that they will see those buildings and understand the heritage of those buildings. I hope they will get to know when they were built, why they were built, who they were built for and how many students started at that school. I hope that in 100 years the children of that time will identify with the children of today. That is so important.

Yes, we are young in European settlement. If you look at what is being done in Europe, Israel and Jordan — unfortunately the Syrian heritage is being destroyed as we speak — you see that thousands of years of heritage are being maintained or restored. We all as tourists rush to see those places because we know of their importance to all of us. It strikes a chord in us to know that the people who came before us built something magnificent and something special or something simple and yet very meaningful. For us to learn about our history through our built, environmental and cultural history I think enriches all of us as individuals.

That is why I think this bill is so important. It will streamline the mechanisms by which heritage protection is given and for decision-making. It will ensure that we are making the right decisions for the future and are allowing for development to continue and to blend the old with the new. Hopefully it will encourage the construction of new buildings that are built for and to be admired in 100 years time. I commend the bill to the house.

Mr WYNNE (Minister for Planning) — I have listened very carefully to the contributions that have been made across the chamber. I am very pleased that the Liberal and National parties and the Independent member will not be opposing the bill. I am not sure where the Greens are up to, but we will see. That support speaks to the bipartisan position that has been taken in this Parliament about the need to protect our heritage, which is so rich in this state and goes so deeply to the core of our values as the Victorian community.

We went to the 2014 election with a commitment that we would review the Heritage Act. We have absolutely done that, and I think in a very fulsome way. I want to acknowledge the executive director of Heritage Victoria, Tim Smith, and his staff because I think they have done a fantastic job of consultation. This is an exemplar of how consultation is being undertaken by this government.

Public consultation on a discussion paper on the review of the Heritage Act occurred between 21 June and 30 August 2015. It included a mail-out of information to more than 5000 stakeholders; public forums in Melbourne, Ballarat, Bendigo, Traralgon, Warrnambool and Wangaratta, attended by in excess of 200 people; and targeted meetings with more than 50 stakeholders, including government departments and agencies, industry, and community organisations. It was a really thorough piece of work. Again, I acknowledge the executive director and his staff, who have done a really magnificent job in consulting on this incredibly

important bill. Approximately 125 submissions were received which gave broad support for the proposals outlined in the discussion paper.

In early 2016 copies of the submissions were made available online and a report entitled *Revitalising the Heritage Act 1995 — Issues and Policy Paper* was published. It provided an overview of submissions and other issues raised during the consultation process. The government has listened very carefully to the rich passion that there is in our community so that what it has put in the bill really goes to ensuring that this first refresh of the act since 1995 brings us into contemporary practice.

The bill modernises and improves the act, strengthening the protection of state-listed heritage places and objects. As I said, the act has not been reviewed for more than 20 years. Key amendments include the following. Penalties will double for unauthorised works to deter damage being done to state-listed heritage. They will increase to — a very odd number, this — \$746 208 for an individual and \$1.49 million for a body corporate. Maximum penalty amounts are consistent — and this is important — with those in other jurisdictions and will provide a firm and unequivocal signal that unauthorised work on heritage places is utterly unacceptable. New compliance and enforcement tools to protect heritage include infringement notices to reduce the likelihood of works being undertaken without a permit and a stop order tool to halt unauthorised work without a permit or permit exemption.

The bill reforms the heritage nomination process to allow the executive director of Heritage Victoria to reject a nomination with no reasonable case for inclusion in the register and allow the nominator to request a review of the decision. This will allow for nominations with no reasonable prospect of success to be quickly dismissed without cost to all parties. We have seen examples where, for a whole range of reasons, community groups, and indeed in some cases councils, have sought to have matters listed on the heritage register which really have no legitimate claim, and those applications ought to be resolved in a timely and expeditious manner.

Other aspects of the bill include enabling more selective protection of Victoria's archaeology by including on the inventory only significant sites over 75 years rather than all sites over 50 years. The bill also introduces review rights for consent to disturb an archaeological site. This will ensure that the inventory is both transparent and more user friendly.

Of course there is also a significant role for local government in permit processes, including a clearer opportunity to comment on permit applications and to allow local government to be heard in any permit review before the Heritage Council. I know that this is a matter that has always been very dear to people in local government. They believe that their voice, as the representatives of their local community, should be strengthened and that they should have more opportunity to be part of the heritage consideration. That is an important initiative.

The bill makes changes to the membership of the Heritage Council to increase its expertise, including new membership categories of people with recognised skills in financial management and planning. As my good colleague the member for Footscray indicated, there will be an Aboriginal person with relevant experience on the council. Indeed the member for Shepparton in her contribution indicated just how important it is that Aboriginal heritage is front and centre in this heritage legislation. It will be reflected in the Heritage Council, which will have the expertise of our first nations with a member sitting on the council. That really speaks to the importance that we and the Parliament place on the rich cultural heritage that goes back thousands of years through our first peoples.

There are a number of elements that I want to touch upon just briefly in my summary. I will start with the Scrutiny of Acts and Regulations Committee (SARC) report. I note that the chair of SARC, the member for Pascoe Vale, is with us today. I indicate to her that we will formally respond to the SARC recommendations in a timely fashion. I want to just touch upon a number of the SARC observations.

SARC has written to me seeking further information as to whether clause 8 is compatible with the human right to equality. Clause 8 of the bill does not constitute direct discrimination on the ground of race, as it does not treat or propose to treat a person unfavourably on the basis of their race.

The committee also was concerned about whether or not expressly providing for the preservation of the common-law privilege against self-incrimination in clause 71 is a less restrictive alternative reasonably available to achieve the purposes of the clause. Our response to the Chair is that section 32 of the charter requires that so far as it is possible to do so consistently with their purpose, all statutory provisions must be interpreted in a way that is consistent with human rights and, contrary to the committee's comments, nothing in clause 71 or in the bill purports to remove the privilege against self-incrimination,

which is considered a very deep-seated, fundamental common-law right and confers on individuals the privilege from requirements to provide information intending to prove one's own guilt.

There are a number of others. First, the presumption of innocence and the right to silence: again, to the extent that clause 75 may imply a defence that imposes a burden on the accused to adduce evidence that they did not commit the relevant underlying offences, this will only be an evidential onus. Secondly, the imposition of an evidential onus on a defendant to raise a defence does not limit the presumption of innocence and thirdly, section 25(1) of the charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law.

The final ones are clauses 87, 88 and 89 and whether they are compatible with the right to freedom of expression. Again, I indicate to the Chair that the restrictions, limitations or prohibitions imposed by the bill in relation to registered places and objects may potentially engage the right to freedom of expression. The restrictions contained in the bill serve the important purpose of protecting and conserving the cultural heritage of the state. However, I consider that any limit on the rights of freedom of expression caused by clauses 87 through 89 is minimal and would be justified in accordance with section 7(2) of the charter.

Finally, in relation to clause 127 and whether it is compatible with the presumption of innocence: the inclusion of the defence reflects the need to minimise the risk that a person may be convicted of an offence when they are innocent of the conduct at which the offence is aimed. The defence in clause 127(3) will only require an accused to point to evidence that they did not know and could not reasonably have been expected to know that the archaeological site was in fact an archaeological site. We will deal with all of those matters in a detailed way, but given the Chair of SARC, the member for Pascoe Vale, is with us today, I wanted to indicate to her the broad thrust of our representations back in relation to the issues that were raised by SARC.

I want to pick up a couple of points that were raised by the member for Melbourne in her contribution. The member for Melbourne at best is misinformed about some of her contribution, particularly in relation to the Palace Theatre, so I just want to ensure that the record is correct. The Palace is within a heritage overlay, which applies to the Bourke Hill precinct. It does not have an individual overlay, and this is a matter for the City of Melbourne. Significant alterations were made to

the interior of the building and the City of Melbourne failed to intervene.

In relation to the Princess Mary Club, Heritage Victoria has been through the Princess Mary Club on any number of occasions, and the Heritage Council inspected the club and made an independent decision to grant a demolition permit. Their decision was based on three separate engineering reports, which found the Princess Mary Club had suffered severe concrete cancer and structural faults which would have cost in the order of \$18 million to fix. The Heritage Victoria permit does include new safeguards for the rest of the heritage aspects of the site, including the church and schoolhouse.

I invite anybody who is listening today to actually go and have a look at the Princess Mary Club and go around the side of it down the laneway, or indeed to the back. They will see that concrete cancer has in fact riddled the building; it is beyond repair, and that is deeply regrettable because the Princess Mary Club has played an extraordinary role in the life of Victorians, particularly women in Victoria who came to Melbourne to start either their working lives or indeed their academic lives. But such is the circumstance of the deterioration of the Princess Mary Club that the very mindful decision of Heritage Victoria to grant a demolition permit is something that I think is a reasonable and balanced decision.

In relation to the Corkman hotel, again I invite the member for Melbourne to consider this extraordinary intervention by developers to basically thumb their noses at the heritage overlay that was over the hotel. It will not go unaddressed. It will not go unaddressed because we have joined with the City of Melbourne and we are seeking through Victorian Civil and Administrative Tribunal (VCAT) enforcement orders against the owners of the Corkman hotel, and that matter will be listed for hearing at VCAT shortly. But there are a range of other aspects to the activities of the owners of the Corkman hotel, which are currently under considered investigation by a range of other parts of government, including the Environment Protection Authority and obviously the Victorian Building Authority itself.

So there is a long way to go with the Corkman hotel, but I reiterate today that the clear determination of the government is that the Corkman hotel will be replaced as a hotel. We want to ensure that all of the remnant historic parts of the hotel that can be retained will be retained in the redevelopment of this building. It is a clear and unequivocal message by this government that you cannot snub your nose at heritage in this state.

In that context I recommend to members who have an enduring interest in the question of heritage in this beautiful state of ours the recently published book *Remembering Melbourne 1850–1960*. It is a special publication of the Royal Historical Society of Victoria, which I had the opportunity to launch down at the Drill Hall in Queen Street only last week. It is a wonderful contribution to the heritage of our state. I recommend this beautiful book to you. When you open it you feel a great sense of pain, because so many beautiful buildings were demolished through the 1950s and 1960s, which of course we will never get back.

But the reality is that this government stands absolutely in the space of heritage. We have got the wonderful Living Heritage program, which has ensured that some magnificent buildings in our city and indeed our state will not only be protected, but indeed enhanced as well. We have a Community Heritage Grants program. Applications are being received and I think we will be releasing those in February.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

DISTINGUISHED VISITORS

The ACTING SPEAKER (Mr Crisp) — Order! Just before we go to lunch, I would like to welcome to the Parliament the Honourable Elie Marouni, a former minister for tourism and member of the Lebanese Parliament. Welcome to the Parliament of Victoria.

Sitting suspended 1.00 p.m. until 2.04 p.m.

SMALL BUSINESS COMMISSION BILL 2016

Second reading

Debate resumed from 9 November; motion of Ms HUTCHINS (Minister for Local Government).

Mr BURGESS (Hastings) — I rise to open the batting for the opposition on the Small Business Commission Bill 2016. At the outset, the opposition has tried very hard to find something in this bill to support rather than just not oppose, because if there were something in this bill that actually worked for small

business, then we would have been wholeheartedly supportive. Unfortunately the industry feedback really confirmed our view that the bill does not really do anything for small business. It does a number of things that will make sure that the Small Business Commission is busier; there is no doubt about that. At the outset, the opposition will not be opposing this bill, but it would have been an opportunity — I believe an opportunity that has been lost — for us to support a bill if for the first time this government was really going to do something that would help small business.

The purpose of the act is to repeal the Small Business Commissioner Act 2003, to re-enact the law in relation to the Small Business Commission with amendments and to establish the Small Business Commission. In terms of the commission, the bill says it is to enhance a competitive and fair operating environment for small business in Victoria, but that is really the extent of what the bill does to establish a fair and equal footing for small business. I think the government has indicated how important it feels this bill is as well by allocating it very little time for debate. Because it has been allocated such a small amount of time so late in the day on Thursday, I will be brief in what I have to say so that we can get more speakers on our side up to have their say about what they feel this bill lacks and whether they have been able to find anything in it that we should be supportive of.

The bill makes some amendments that will arguably address a greater range of disputes involving more organisations. It allows the commission to comment on legislation that may adversely affect small business if it is undertaken in consultation with the secretary and is requested by the minister. The other aspect that is added in — if it could be called ‘added in’ — is the bill enables the commission to work collaboratively with small business commissions in other jurisdictions. The small business commissioner — now commission — is a really important body and has historically been very successful in doing what it does. The majority of what it does really is mediation.

The Office of the Victorian Small Business Commissioner was established in 2003 to develop a competitive and fair operating environment for small and medium businesses throughout Victoria, and to a larger or lesser extent at various times it has done the job and done it quite well. It does it through initial assistance to businesses in start-up mode and in their early times, and it does it in terms of mediation when disputes arise. The body is an independent and confidential organisation. It is low cost — or no cost — wherever possible. It is a quick service, and it is generally successful in its

approach, with the records showing that it has a percentage of success in the high 90s.

One of the commissioner's good purposes is that no legal representation is required. It does not rule it out — I think that is another opportunity lost — but it does not require it. It also allows the people in mediation to think outside the square and to come to solutions that to a large extent help business relationships to continue, and of course, as we know, when disputes go past the point of mediation and end up in a court or a tribunal, that is when those business relationships generally break down and the problems become irresolvable. That is a really big advantage to the way the organisation works. It is to avoid long and costly litigation and also obviously the mental anguish that businesses go through, particularly small businesses, when they are locked in a struggle with another organisation when they really should be focused on getting their work done.

The feedback from the industry has been, 'Is that all the bill does?'. They were looking forward to it having some really beneficial effects. We went out to 127 organisations to get feedback. It is fair to say that we did not get a response from all 127 of those, but we did get quite a good response.

I will take this opportunity to thank the department and the minister's office for the two briefings they provided to me. They were very helpful. One of the people who was responsible for that is sitting in the house at the moment. I am very grateful for the time that was taken and the attention given.

The bill really does zero for small business. One piece of feedback we got was that the only effect of the bill is that the commission will now have to redo all of its letterhead, signage and communications, because it will have to take two letters away from its name — going from 'commissioner' back to 'commission'. Other than that, people have struggled to find any great benefit from the bill. Clause 3 of the bill, which is the definitions, is quite generic in terms of the list of bodies that could be affected by the bill. It started off as generic, then it was changed to a list and now that list has been extended. As anybody would know, when you have a list you are really excluding everybody else from that list. No matter how long you make the list, it will still exclude someone. But the government has chosen to go with a list rather than going back to a generic listing.

Another concern is the definition of a non-profit organisation, with exceptions and extensions to that. Rather than just going with defining a non-profit organisation as one that does not distribute profit, the

government has added a series of organisations that do come under that definition. Really, all that does is serve to complicate matters for schools, registered training organisations and the like. It could have been handled very easily with just a definition of what a non-profit organisation was.

There are exceptions that have been identified where the commission will not be able to act, and that includes where a dispute is with the Victorian Civil and Administrative Tribunal, the Victorian Auditor-General's Office or any organisation like that. What that does is ignore the fact that these organisations enter into commercial contracts with a range of providers, including cleaners, security staff and the like. I really do think that that shows complete ignorance of what the commission does and how it operates. It would have been very easy to have included those and to have allowed them to continue to mediate in those ways. But they have not been able to, and I think the proposed exclusion demonstrates a lack of understanding of the role it plays in commercial disputes.

The definition of a not-for-profit organisation has had more categories added. They appear to be in response to the problem of defining not-for-profits. As I said earlier, that could have been avoided by a simple definition of what not-for-profits are.

The government has also added a function through this bill — or it appears that a function has been added — and that is that the commission is to work with other such commissions and commissioners at the commonwealth level. But what has really happened is that the wording that has been chosen here would technically rule out any organisation that is not named in the same way. For instance, the Queensland Small Business Champion — there is a question mark as to whether that organisation would be included as a result of the wording that has been used. I would suggest that the minister's office have a look at that and consider maybe amending it in order to allow the commission to work with any like body.

The feedback we have received on the bill, as I said, is that basically the bill does very little. One piece of feedback we had indicated that really all this bill is about is the 'emergency room'. Labor made a commitment to reform and empower the commissioner, and it has now realised that after two years it has done nothing in that regard so it has decided to take away two letters and make out that it has actually done something. In reality, changing 'the commissioner' to 'a commission' adds nothing, because if you know what the commissioner's role and powers have been,

you would know that they could already call a commission and already had the powers of a commission. I believe that change is not needed. Page 16 through to page 28 of the bill really just repeats ad nauseam the change of the two letters.

One of the really important aspects of the bill, and of course one of the most important aspects of the whole process, is the importance of the independence of this body. Not only does this body have to be independent, it is really important that this body is seen to be independent. When you have a close look at the functioning of the organisation and the way it is structured, it really is not independent by any stretch of the imagination. When you have the secretary and the department holding the purse strings, it makes it impossible for a true independence to be achieved.

Staff employed in the organisation are really employed by the department under the Public Administration Act 2004, and the commissioner is required to request for staff to be employed and to request extra funding. That funding comes through the department, and the department clearly is at the behest of the minister. It really does put in question the true independence of the commission and the commissioner. It is something that I think the government, through this bill, could have taken the opportunity to address more comprehensively, and it really means that the commissioner needs to go cap in hand to the department to get more money. When, for instance, there is an issue with needing to employ a new commissioner, it really is the minister who directly or indirectly appoints that person.

I would just take a moment to congratulate the new incumbent on taking on the role of commissioner, and that is Judy O'Connell. Certainly the opposition wishes Ms O'Connell well, and we will work closely with her to make sure that she is able to do her job as well as possible according to the legislation that she has been given to work with. In the end, a short list of people for that position is created, and then the minister gets to decide on the appointment. Of course the minister could potentially appoint somebody they believe they could control completely. It is unlikely that the government would appoint somebody they thought would give them political trouble, knowing the way that appointments have been made by the government. The end result is that the best person for the job, the person that could potentially be the best person for the job, is not necessarily selected, because that is not necessarily the criteria. I would suggest that there is a missed opportunity here, because independence is so critical for this body. The opportunity where they could have achieved that was missed.

Another concern with the bill is that there was virtually no consultation. There was a briefing given to the opposition, but some of the feedback from the industry was that they had not been contacted by anybody other than me and that the first opportunity for feedback for them was actually Monday of this week, after the bill had been brought to the house. It really does smack of a situation where the government has tried to bring this in under the radar. Not only was there no consultation but this was also brought in and developed at a time when there was no commissioner. The feeling within the industry was that if there were a problem with the bill, then that would be what you would want to do. The government has not done itself any favours by not consulting well and also by doing it at a time when there was no commissioner in place, so that it seems to have been done with no scrutiny at all.

It has also added a number of duties and obligations but no extra funding. Feedback from a number of people indicated that the commission was already in a situation where it had powers to do some things but not enough money to do them, and by adding extra things for it to do but still with no more money, you really are neutering an organisation that is capable of doing a lot of good work, but clearly not always the work that the government wants done.

The concern is that the commission could become more of an advisory service. Waiting times could be extended, and there could be a focus on results rather than on fair and equitable dispute resolution. That is a concern that the opposition has. If you look at, by way of comparison, the way the Victorian Civil and Administrative Tribunal developed, you will see that there was a similarity in the way it developed with increasing numbers of lawyers being present and not getting its job done as well as had been anticipated. I think we could have done more to discourage lawyers at this point. We do not want this organisation to turn into that sort of forum. The formalisation of it becoming an advisory service to the minister does put extra strain on it but does not give it any more funding to do that. We run a real risk that the original purpose of the act is being lost.

It sounds more like a plan to disempower the organisation than it is a plan to empower it, and I certainly had hoped that this was the way the government was going to go — to provide more power to the organisation and to allow it to do its job in a more efficient and effective way for small business. The minister had told us on numerous occasions that the organisation was running well, and if it was running well, why would you add additional obligations if they were already unable to satisfy all of the obligations that

they had, without any commensurate funding, without stakeholder consultation and with no small business commissioner in place? It really does smack a lot of Labor policy. And why would the small business industry not be sceptical about what the government's intentions are and the government's ability to achieve what it says it is trying to achieve?

I have quite a bit more to say, but I know a number of other members would like to contribute to this debate. I will just quickly say though that small business really is a massively important industry. It is the backbone of our economy; there are 540 000 businesses in Victoria, 97 per cent of them employing under 20 people. Almost half of all non-public jobs come from the small business sector, 30 per cent of them in the regions. Really the health of our economy relies on having a healthy small business sector with growth, sustainability and productivity. If we are not putting in place the people and the organisations that can help that to occur, then we are damaging something that is really important to this economy and to the community, because small businesses are really just Victorians in business. Behind every small business is a Victorian, often a Victorian family. Economic health is reliant upon small business doing well, and the resilience of our community relies on the people behind it being happy and healthy.

It is a challenging field, because it is not enough just to do the rhetoric; it is really important that the government follow through on what it really does mean to the Victorian economy and the Victorian community. It is the true backbone, and the government should really have gone further with this legislation. I will leave my contribution there. I just repeat that it is disappointing that the government has chosen not to take the opportunity to strengthen this organisation. We looked hard to find a way that we could support rather than just not oppose, but in the end the opposition will not be opposing the bill.

Ms WARD (Eltham) — I happily rise to speak on the Small Business Commission Bill 2016. I have to tell you, Acting Speaker Carbine, that I am very surprised to see that yet again the opposition have found an opportunity to not oppose the legislation but have found themselves challenged when it comes to supporting. I would have thought that the opposition, given that they bleat on about their small business credentials quite regularly, would be quite encouraging and supportive of legislation that does, contrary to what was said by the member for Hastings, strengthen the actions of the commission. It strengthens the commission's ability to help our small businesses, which is exactly what they need.

I would recommend that the member for Hastings have a conversation with some of his small business people and talk to them about the real effects that go on in their day-to-day business lives. I will give you the example of Rodger, who is one of my local small business owners. He is a shopfitter and cabinet-maker, and one of the biggest challenges that he faces is the fact that people do not pay their bills on time — or in fact do not pay. He has to spend much of his time and energy chasing bills. It is breaking his heart that the business that he has built and that he loves deeply is challenged by the fact that his cash flow gets slowed down regularly by unscrupulous people who do not want to pay their invoices.

According to the small business ombudsman, small businesses are owed around \$29 billion. That works out to be around \$13 000 per business. That is a lot of money for any small business to carry. It also means that there are around about 3.9 million working weeks spent chasing these payments. We all know that there are a lot of small business owners who have receipts in the glove box and an invoice book in the console of their car. They drive around; they are on the phone; they are trying to sort out jobs; they are trying to sort out businesses.

Mr J. Bull interjected.

Ms WARD — They are absolutely busy people, member for Sunbury. They struggle to chase up and get their invoices paid; they struggle to get the money that is owed to them. They are time poor. So why would we not want to improve and strengthen our commission to help alleviate that stress on our small businesses? I am pleased to tell the chamber we do want to do that, and that is exactly what we will continue to do with this legislation, which we are building on and which came about through a Bracks government in 2003. It identified the needs of our small businesses and created this commission.

Twenty-one percent of small businesses face closure if they are hit with a late payment. One in five small businesses are deeply hurt when payments are late. What surprised me in doing the research for this speech around this legislation was to learn that Australia has the worst statistics in the world when it comes to late payments to small businesses. Of 80 countries surveyed, the average Australian payment is 26.4 days overdue. Mexico is the next worst, with 18 days; in Canada it is 12 days; in the USA it is 7.1 days; and in Japan — bless the Japanese — they pay 6.5 days early! How could you not pay your small businesses? How could you treat your small businesses so badly that you do not pay them on time? We are one of the worst

countries in the world when it comes to paying our small businesses the money that they are owed. This is why we need to strengthen our commission. This is why we need to give small business owners all the help and encouragement that we can to help them not just survive but to help them thrive, develop and strengthen their businesses. We need to help them to employ other people and to help them create and strengthen our economy. We have to put building blocks in place to continue to help people and understand their challenges.

I commend the Minister for Small Business, Innovation and Trade for listening to our small businesses, for paying attention to their needs and for honouring an election commitment, which is the work that we are doing with this commission. We are honouring an election commitment. So I was very surprised to hear the member for Hastings talk about lack of consultation. This was an election commitment. We do talk to people. I know the minister is an incredibly busy, hardworking man who is getting on with it and who is absolutely listening to small businesses and addressing their concerns.

Forty-seven per cent of private sector employees are employed by small business. This underpins exactly how important it is that we support our small businesses. We need to; they employ a lot of Victorians. A lot of Victorians rely on small businesses for employment, so why would we not strengthen and help our small businesses? We do, and that is what this bill delivers.

According to the Australian Bureau of Statistics, I am very pleased to say that we have the fastest rate of new small businesses in Australia, at 1.6 per cent for the 2014–15 year. This government is indeed getting on with it. We are creating an environment that helps small businesses grow and helps strengthen small businesses. This is why it is so important that we continue to stand up for our businesses and why the role of the small business commissioner is so terribly important.

Dun & Bradstreet estimates that only 38 per cent of invoices are actually paid on time. This is absolutely appalling. For our small businesses to have the possibility of having mediation undertaken by the commission to help them get the money that is owed to them is terrific. To be able to strengthen that role of the commissioner is exactly what we need. The average time to settle an invoice in the first quarter of 2013 was 55 days, which is appalling. This is forcing small businesses to not focus on their business but to actually act as debt collectors. Nobody has the time for that; our small businesses certainly do not. But do you know

what? This is just another step, another brick in the platform that we are building to help our small businesses. This government has done so much in the last two years, and there is a lot to celebrate in those last two years of helping our small businesses.

Right now we have got a small business bus in the Latrobe Valley helping local small businesses and addressing the concerns of people in the Latrobe Valley. The small business bus and the minister are doing what they can to help people out, to make sure that their economy thrives and grows. Last year we had in this state the most small businesses open, with 8600 new businesses. That is fantastic. And do you know what? People do that when economies are working; people open small businesses when they have got confidence. What gives them confidence? A government that listens and does things that matter to people, a government that listens and makes the community and economy stronger and better, and this is exactly what we have been doing.

Our 2016 Small Business Festival Victoria reached thousands of small business owners and helped people. In 2015–16 the small business bus made over 300 visits to over 200 locations, helping 6000 people. Almost 4500 mentoring sessions were delivered across the state, giving small businesses access to low-cost expert support. We have also introduced the small business retail regulation review, which cuts red tape and reduces the regulatory burden on small business owners, starting with retail, which is very important. One million dollars each year is given to small businesses looking to grow and expand their business through the Grow Your Business program. This is on top of the increased payroll tax threshold, which increased by \$100 000 to \$650 000.

These are all things that this government is doing to help promote our economy and our small business sector. It fills me with dismay to hear yet again the carping, the moaning and the groaning from those opposite. Instead of getting on the small business bus, instead of being productive and instead of getting with the program and making things happen in this state, all they want to do is complain and moan and whinge. I say to them: get with the program, people. Help make this economy great. Help make this state great. I tell you what: that is exactly what the Andrews government is doing.

We have done so much in the last two years to help our small business communities, to help our schools, to help our hospitals, to help our ambulance services and to help our TAFE system. We are rebuilding this state. We have absolutely restored the state to what it should

be after the previous government came in and did nothing but destroy things. We are creating a fantastic state with a good economy that is creating employment. We are not seeing the record unemployment levels that this state had under the previous government. We have a government that wants this community to thrive, and thrive it will indeed.

I commend the minister for all of the work that he is doing to help our small business communities, and I commend the Premier for working with him in making sure that this state is getting the investment that it needs, that jobs are being created, that so much is happening in this state that people are flocking to it. And they are flocking to it for one reason: because the Andrews Labor government is getting things done.

Mr NORTHE (Morwell) — I rise this afternoon to speak on the Small Business Commission Bill 2016. It is interesting to follow the member for Eltham. I think she lives in a far different world from the world I live in down in the Latrobe Valley at the moment. Apparently unemployment is being addressed by this government, yet in the City of Latrobe in less than two years, unemployment has gone from 7.3 per cent to 10.7 per cent. That does not say to me that small business is flourishing in the Latrobe Valley.

When the government removes or abolishes a number of programs that were in place and these sorts of situations occur, it is an indictment of the government that it has not helped the small business sector. When you add public holidays to the calendar for the business sector to endure, which even the government's own independent advice says is going to cost the business sector billions of dollars, that is not conducive to good outcomes for small business, and neither is closing down a power station within five months without a plan in place. So I take up the comments of the member for Eltham and say that all is not good and well across all parts of Victoria with respect to small business.

Anyway, on the bill itself, the position of the small business commissioner was set up in 2003. It has been a good model that has served us well over a period of time. When disputes occur the commissioner can obviously offer some assistance, guidance and mediation, which is very important, and at low cost, I might add.

Clause 3 of the bill refers to some of those disputes where the Small Business Commission can intervene, and that could mean from a small business to another business, a public entity, a public service body, a council, a non-profit organisation, a school, a registered training organisation, a TAFE institute or a

university. The member for Hastings in his contribution talked about some of those other bodies in organisations where it is precluded, and I will not go into all that detail.

But one of the things I did want to refer to which has served businesses very well is the farm debt mediation scheme, and it is referred to in the second-reading speech. It is something that was introduced by the former coalition government and it has been very, very successful. It basically compels banks and creditors to offer mediation services to farms before debt recovery proceedings on farm mortgages take place.

I have to commend the commission and the people who work within the office of the commissioner for achieving around a 96 per cent settlement rate, which is very good. I do not have the statistics on the actual number of mediations that have taken place, but that is a fantastic initiative that was introduced by the former coalition government, and indeed by a former minister for small business, who is in the house right now. I was pleased to be parliamentary secretary to the former minister, the member for Brighton, and was also pleased to take on the ministerial role after her for a short time in 2014.

On that point, I also want to pay tribute particularly to the former commissioner, Geoff Browne, who I thought was a fantastic commissioner. As the member for Hastings said, he has recently retired. Geoff was a fantastic person who worked incredibly hard, and might I say from a regional perspective that he had the same beliefs as I do: that we need to get not only a small business bus but the activities and events of the Small Business Festival Victoria out into those regional areas to provide that support for small businesses. Again, I take the opportunity to congratulate Geoff on his work as commissioner and wish Judy O'Connell all the best in her endeavours as the new commissioner.

I also want to make mention of the small business mentoring service. The member for Eltham referred to the fact that the small business bus is in the Latrobe Valley at the moment. Whilst those involved with the small business bus cannot resolve all the issues of the world, it is important to have them on site so that small businesses can have that face-to-face interaction with the mentors. To David Gregory and all of his team we say, 'Well done and keep up the good work that you're doing there'. I have to give a plug to the driver, Sakin Boyaci, who is very good and always very accommodating to us as well.

On more important matters, I do want to say that in the context of the bill the small business sector within the

Morwell electorate at the moment is very much under threat. The member for Hastings has been to the Latrobe Valley a number of times recently and he knows full well some of the challenges that we are currently experiencing. Whether they are direct employees, whether they are contractors providing services to the energy sector, particularly to Hazelwood power station, or whether they are just small businesses that might operate in one of the towns, they are all fearful about what the future might hold once Hazelwood closes at the end of March in 2017. It is a very uncertain future.

It is extremely disappointing that a plan is not in place to provide support for those people. Indeed, just before I stood up here today I received a message from one of the people who works in a small business. He said, 'Well, it's about to start because I've just been put off. I've lost my job. Thank you very much'. That person was with a company that provides its services directly to Hazelwood power station.

An enormous amount of work and effort has to be done to give some confidence back to businesses within the Latrobe Valley community over the next period of time. One of those things that we would like to see, as I think the member for Hastings said in a members statement this morning, is that governments at all levels should ensure that where they have departments and agencies within the Latrobe Valley they do all they can within their procurement practices and service contracts to make sure they are using local people and local businesses as much as they possibly can. That would instil a great deal of confidence in the small business sector and in our community.

On that point, I know there are a lot of other members who want to speak on this bill so, as the member for Hastings has said, I indicate that the coalition will not be opposing the bill.

Mr BROOKS (Bundoora) — It is great to be able to join the debate on the Small Business Commission Bill 2016, a very important bill for the small business sector. This bill establishes the Small Business Commission, which will effectively take over the role of the Office of the Victorian Small Business Commissioner. The small business commissioner will head the commission under the new act. The small business commissioner was a post that was created by the Bracks government in 2003 — a great initiative — and that commissioner has represented the interests of small businesses primarily through dispute resolution, providing low-cost resolution of disputes and providing advice.

It has been a very busy office. In the last financial year the commissioner received some 1900 formal requests for assistance, and I understand nearly a third of those were resolved at no cost to those parties. This is an important function as there are more than 540 000 small businesses in Victoria. Small businesses make up nearly 97 per cent of all businesses in this state, contributing about one-third of our state's output in goods and services.

The bill also allows for the commission to provide comment on legislation that might impact on small business. That comment obviously needs to be sought by the minister and organised through the secretary of the department. It also clarifies that the Small Business Commission can work in collaboration and cooperation with similar agencies in other jurisdictions.

It is obvious that many small businesses, by virtue of their size, lack the resources and sometimes the expertise in house to be able to deal with sometimes complex legal disputes, particularly when those disputes might be with larger business partners, so the dispute resolution services offered by the commission will be very important.

This bill improves access to dispute resolution services. It widens the scope for the commission to take into account disputes with educational institutions — for example, TAFEs and universities — as well as professional and trade organisations. It also extends it to certain special bodies as defined in the Public Administration Act 2004, such as Victoria Police. For, I think, very good reason some bodies, particularly those that have an oversight role of the public sector, such as the Independent Broad-based Anti-corruption Commission and the Victorian Ombudsman, will remain outside the jurisdiction of the commission. I think that is quite a sensible move, although the bill does allow for the commission to investigate a claim made by a small business against an excluded body.

This is just, I suppose, the next step, the next initiative, of the Andrews Labor government in assisting small business. We have recently commissioned a small business regulation review aimed at looking at where we can cut red tape and regulation for small business. We have established the Small Business Ministerial Council and the Multicultural Business Ministerial Council, and as I think previous speakers have mentioned, there are a range of other things that Small Business Victoria does which assists small business. There is the Small Business Festival, during which, if I am correct, in August this year there were around 450 events right throughout Victoria. There are also of course the practical things that Small Business Victoria

does for small business, such as providing training and support and advice.

A really big initiative in this year's budget was the funding of \$286 million worth of payroll tax cuts, progressively lifting the payroll threshold for payroll tax from \$550 000 to \$650 000. That will benefit 36 000 businesses across Victoria, so that is a great economic relief for so many small businesses. While I acknowledge absolutely the particular issues that affect parts of our state, such as the decision by the private operator to close Hazelwood in the Latrobe Valley and the decision by car manufacturers to pull out of manufacturing in the automotive industry in a range of areas as well as component manufacturers in Melbourne and Geelong, it is important to remember that the best way that the government can support small business is by providing the conditions needed for a growing, thriving economy.

In this regard the difference between the previous government and Labor — both the Andrews Labor government and the previous Labor government — could not be more stark. Whereas in the past those opposite might have claimed to be the party of small business, I think clearly now Labor is the party of small business. We are the party that delivers the economic growth in Victoria under which small businesses can thrive. We have seen the Andrews Labor government provide strong economic management. There is an operating surplus of some \$2.7 billion for the 2015–16 budget period, and we are on track to deliver a bigger budget surplus this financial year.

Victoria remains just one of two states with a AAA rating. The only cloud on the horizon for a AAA credit rating here in Victoria is the Liberal-National government in Canberra and their credit rating, which may impact on ours. Of course this is because the Andrews Labor government understands that we need to invest and send a very clear signal to the private sector that we want to get on with the job and provide the infrastructure that our state needs, which creates confidence for the business sector to invest. That helps small business. The infrastructure program that the Andrews Labor government has is an extensive one. The last budget saw \$12.4 billion invested in new capital investment, and over the forward estimates our budget papers show an average of \$7.4 billion per year on infrastructure investment across the state. That compares to an average of \$4.9 billion over the years of the Liberal-National Party coalition, so there is nearly double the investment in infrastructure from this government compared to what we saw before from the Liberal-National government.

That is investment in infrastructure right throughout the state. We have mentioned before the South Morang rail line extension to Mernda, Ballarat rail, the Hurstbridge line improvements, the metro rail tunnel, the western distributor and a range of other road projects, including Thompsons Road, Yan Yean Road, the Drysdale bypass and Plenty Road. There is also of course investment in skill-building programs — 1000 projects right across Victoria. If you invest in Victoria, you drive the economic conditions that support the growth of small businesses everywhere.

We have got the best performing state economy in the nation. That is not a Labor politician saying that; that is coming from the ANZ and CommSec. In 2015–16 we recorded 3.3 per cent growth in gross state product. Business investment grew by 4 per cent. Dwelling investment increased by 11 per cent. In every quarter since Labor was elected the Victorian economy has grown. The last time that occurred was when Labor was in office the previous time. When the Liberals and Nationals were in office last time we saw growth of around 1 per cent for two financial years. In one year they even failed to meet their own growth target. So this is a government that delivers on economic growth for the whole economy, including importantly small business.

It is no accident then that we have seen our employment data showing strong growth in jobs, and much of that is driven by the small business sector. We have created over 184 000 jobs since we came to government, many of those being driven by the hardworking people in small business. The unemployment rate is now down to 5.7 per cent, with a participation rate of 65.5 per cent. So the participation rate is higher than a year ago, but unemployment is down from when those opposite had it at a high of 6.8 per cent. Despite the challenges that I acknowledged before, our economic performance is much, much stronger.

On top of that, or maybe because of that, we have seen strong household consumption figures. People and businesses are confident in investing and spending. Household consumption is up 3.2 per cent over the year, and we have got strong retail trade figures, at 2.9 per cent over the year. Our economic management and our investment in infrastructure coupled with the hard work and innovation of people in small business mean that our economy has grown and our small business sector is strong. This bill is just another way in which we can support small businesses to ensure that they continue to grow, continue to invest and continue to employ people.

In the end, when we have an economy under Labor that does all of those things, that is the ultimate goal, whereas we have seen that when those opposite are in government we see cuts to spending, we see cuts to investment, we see the economy slowing down, we see small business contracting and we see unemployment on the rise again. I am very happy to support this bill, and I commend it to the house.

Mr WATT (Burwood) — I rise to speak on the Small Business Commission Bill 2016. I am not sure what the member for Bundoora was speaking on, but I certainly did not hear him talk about the bill at all. I would prefer to speak about the bill and I will actually speak about the bill, but in doing so I will set a bit of context.

A former colleague of mine used to say that if you want to own a small business, you should just buy a big one and wait for the Labor Party to get into government. Nothing could be truer. We can look at the settings that this government is putting in place for businesses and also at the fact that it has introduced new public holidays — like the grand final parade public holiday — and it is an absolute joke. I do not know many people who support it.

I actually consulted many of the businesses in my electorate before the first grand final parade public holiday, and many of the people I went and saw were the people actually working in the businesses who would get the day off but still thought it was absolutely stupid. I went and saw some people, and they said, ‘It’s great that I get a day off for the grand final parade public holiday, but I don’t get to watch the grand final because now I have to work Saturday to cover for the day, whereas I would not have otherwise’. The point I make about this is that those opposite stand up and say they are the party for small business, but they have no idea. They have absolutely no comprehension. They really do not seem to care that the changes they put in place affect businesses small and large in a capacity that many businesses cannot actually take on board and deal with in an effective way.

The Small Business Commission Bill 2016 is to replace the Small Business Commissioner Act 2003. I looked at the bill. I turned up to the first bill briefing, and I was floored at the fact that whenever questions were asked of those who were apparently there to give us a briefing on the bill, the answer was, ‘I can’t give you that; I don’t know’. We asked another question, and again the answer was, ‘I can’t give you that; I don’t know’. Quite frankly, do not waste my time if you cannot actually give me answers to pretty basic questions. It is a

briefing. Get prepared, and if you are not prepared, organise it when you are.

I do not generally go through bills clause by clause as some do, but I must say that for this particular bill I looked at the functions of the commission and then I looked at the functions of the commissioner, and I thought it was interesting that there is very little difference. It leads me to ask why we are bothering with this bill. Why are we bothering introducing a commission when we already have a commissioner?

There are some changes, and I will go into those changes. One of those changes is to introduce the following function:

to work collaboratively with similar small business commissioners in other states or the territories, or similar commonwealth agencies, to enhance conditions for small businesses ...

Quite frankly, if that is the big difference, we could have just inserted that into the act. But no, we have not.

One of the other things that I noticed has been taken out of the functions of the commissioner is:

as required ... to assist other branches and agencies of government to develop legislation, government procedures and administration that provide alternative ways in which small businesses can comply with the requirements of the legislation, procedures and administration ...

While the commission will be spending more time worrying about what other states and territories and the commonwealth are doing, it is actually going to spend less time worrying about the effects that state government policy will have on local businesses. It somewhat concerns me that we are not looking at what this government is doing to small businesses but looking further afield. As I said, given some of the things that we have seen over the last two years while those opposite have been in government, there are some things that this government is doing for business that are very concerning. I for one would prefer that the commission or the commissioner focus on the effects of a terrible Labor government here in Victoria rather than focusing on what the federal government is doing.

I take up the point made by the member for Hastings, who raised the issue of additional burdens being placed on what is now a commission instead of a commissioner without any additional funding. I think it is quite apt that the Minister for Tourism and Major Events is here, because I remember sitting in this chamber on numerous occasions listening to him speak on a number of bills, including the Major Sporting Events Amendment Bill 2013, the Australian Consumer Law and Fair Trading Bill 2011, the Control

of Weapons and Firearms Acts Amendment Bill 2011 and the Drugs, Poisons and Controlled Substances Amendment (Prohibition of Display and Sale of Cannabis Water Pipes) Bill 2011. In every one of his contributions to the debate on those bills the now minister, the member for Lara, stood up and said they were 'half-thought-out bills with no money attached' or there was 'no money attached to it'.

It is interesting that there is actually no more money attached to this bill, and yet I am sure that the minister will be supporting the bill. It is a flawed ideology, and yet we have had this minister talking about half-thought-out bills with no money attached. Let me tell you, that is what we have here: a half-thought-out bill with no money attached. If you are going to give them more things to do, you might want to give them a bit more money to do those things. If you do not give them more money, they cannot do the things that they do as well. Unless of course you take things away from them, and that would be looking at the government and what the government is doing for small business. This is a flawed bill, but then again we are not opposing it.

Mr McGUIRE (Broadmeadows) — Victoria is Australia's leading small business state, last year outgrowing the rest of the country. In terms of economic growth, small business generates half of Victoria's private sector jobs. There are more than 541 000 small businesses in Victoria, contributing about one-third of the state's output in goods and services. Put simply, small business comprises 97 per cent of all Victorian business and is a dynamic economic driver that the Andrews government wants to see thrive. The government recognises the challenges and pressures small business owners confront, and this bill provides a legislative framework to help them succeed. That is the overview of what the Small Business Commission Bill 2016 is really about.

What does it do? It establishes the Victorian Small Business Commission, headed by the small business commissioner, with improved functions and powers. These include the ability to provide expert commentary to the Minister for Small Business, Innovation and Trade on proposed legislation that may adversely affect small business. I think this is an important initiative because there can be unintended consequences. I think it is important to look specifically through the lens of small business to see that there is not undue burden from extra bureaucracy or red tape and that small businesses get the fair go that they deserve. So I think it is an important initiative.

It will also work collaboratively with other Australian small business commissions, including the newly

established Australian small business and family enterprise ombudsman, to enhance the environment in which small businesses operate. This is another progressive proposition that hopefully will get rid of problems between jurisdictions and create a better environment for small businesses to be more effective and efficient. So again, that is to be applauded.

The bill also provides for a more inclusive and accessible dispute resolution service for small businesses in Victoria by including educational institutions, trade and professional associations and some special bodies as defined by the Public Administration Act 2004. This again is an initiative that should be supported, because disputes can be incredibly damaging for small businesses, particularly when they are up against big businesses that use their market clout or deeper pockets to leverage an unfair advantage, in some cases, against small businesses.

I am reminded of an insight of a small businessman in Melbourne who started off with a one-truck business and then developed it into a billion-dollar international logistics company. Lindsay Fox used to say, 'The best thing about small business is that it can become big business', and I think that is what we want to see. We want to see small businesses develop. We need new small businesses, for a start. How do we actually give them the opportunity to grow and thrive, given their absolute significance to the economy? Then for those who have the will, the wit and the nous to be able to evolve into bigger businesses, that is an important proposition and a fundamental proposition for our economic development because that will increase economic activity and also jobs. So I think these initiatives are heading in the right directions.

The commission will continue to operate with administrative support from the existing Office of the Victorian Small Business Commissioner, which is staffed by employees from the Department of Economic Development, Jobs, Transport and Resources.

Just to add to my point about improved access to dispute resolution, many small businesses lack the resources, expertise and time to deal with legal disputes, and this is why it is important to have a small business commissioner provide a more inclusive and accessible alternative dispute resolution service to small businesses. So that is how that will fit into these new arrangements. Commercial disputes arise from time to time between small businesses and various organisations. In these circumstances the dispute resolution services offered by the commission can be called upon. That means that there is a step before you

actually have to take legal action, and hopefully that can minimise cost and speed up resolution.

The bill will improve access to dispute resolution for small businesses involved in disputes with educational institutes such as TAFEs and universities as well as trade and professional associations.

On the issue of dispute resolution, there has been in recent years a rise in litigation companies coming in, making offers to small businesses and saying, 'If you are up against a big business that is using its deeper pockets and market clout to leverage against you, then we will help your company'. But of course if they are successful in this litigation, they take a cut of the payout. So how we actually work through a systematic way of addressing this issue is important, and I think this is a timely way to address that.

One of the other issues concerns the new powers to provide expert commentary. I think this is of significance because we want to actually make sure that we are assessing each piece of legislation for its impact on economic growth and economic development as well as the other range of different views that we take on when we look at legislation in this house. The new function leverages the commission's knowledge and expertise that has been developed over a decade of working with small businesses. It should be noted that the bill clarifies that the commission is not conferred with a policy role in the development of legislation. This will be something that will be done by the department.

I am being asked to yield on account of other MPs who want to make a contribution, so in summary I will just say that this goes a long way to addressing fundamental issues that we need to resolve. The role of small business is incredibly important. I think we need to continue to give owners the opportunity to take care of their businesses and to work in their businesses and obviously not on their businesses all the time, and we need to cut red tape and make a fairer proposition for them. I commend the bill to the house.

Ms ASHER (Brighton) — I am particularly pleased to participate in this debate on the Small Business Commission Bill 2016, not only because I have held the role of minister for small business on two occasions but also because I have held the role of shadow minister for small business for quite a long period of time as well.

The bill before the house, as other members have said, establishes the Small Business Commission, repeals the original act — the Small Business Commissioner Act 2003 — and enables the small business commissioner

to be involved in a broader range of disputes between small businesses and professional organisations, educational institutions and bodies within government. It also enables the commission to provide comment on legislation that may adversely impact on small business and will specifically allow the small business commissioner to work with commissioners in other states and at a commonwealth level.

I want to look at the history of this before relaying a couple of concerns. I think it is a good step forward by the government to expand the role of the commissioner. I am not so sure that establishing a commission as opposed to an office is going to have small businesses jumping up and down with glee saying, 'This is going to help us', but I will deal with my concerns a little later.

The history of this is that a previous Labor government introduced the Small Business Commissioner Bill in 2003. I pay credit to the current member for Footscray. She was the Minister for Small Business then and I was the shadow Minister for Small Business. At that time the opposition supported the Small Business Commissioner Bill. We did not just not oppose it; we supported it. We recognised that there was a significant reason why this dispute resolution mechanism should be established by the government, because there is not a level playing field for small business and big business. There is often abuse of market power, and the cost of justice is particularly high. It is why the small claims tribunal and other entities have been introduced to assist smaller players.

At the time we raised from the perspective of opposition a number of concerns, but I think the small business commissioner has been overwhelmingly successful. I want to congratulate those who have occupied the role previously: Mark Brennan, Peter Lisle and Geoff Browne. The latter two reported to me, and Mark Brennan was truly independent and often briefed me in my capacity as shadow minister. I understand that the government has appointed Judy O'Connell to the role, and I wish her the very, very best of luck in her new job.

I acknowledge that the member for Footscray, the instigator of this, is currently in the house. On the 10-year anniversary of the establishment of the small business commissioner, when I was minister, I moved an amendment bill. By that stage, of course, other states and the commonwealth had instituted a small business commissioner, acknowledging the success story that they had seen in Victoria. The previous government in which I was the minister moved for an extension of the

jurisdiction of the small business commissioner and the Labor Party supported it.

The role of the commissioner — it was a he then — was extended to commercial dealings. We enabled the small business commissioner to include alternative dispute resolution services such as arbitration, facilitated meetings and assisted negotiation, and we extended the types of disputes that the commissioner could intervene in, such as a dispute between a small business and government agencies, both state and local. We also gave the small business commissioner capacity to name businesses that had been recalcitrant in his annual report. We also gave the small business commissioner statutory immunity from acts undertaken in good faith. As I said, the Labor Party supported those amendments, and I think those amendments considerably strengthened the role of the small business commissioner.

It makes very interesting reading to look at the annual report of the Victorian Small Business Commissioner. Again, other members of Parliament have made reference to the fact that the number of disputes settled in the financial year 2015–16 was over 1900, representing a growth rate of 3.9 per cent. If you look at the size of businesses that the commissioner assisted in that financial year, only 6.1 per cent of them had more than 20 employees. So the small business commissioner, who actually does have capacity to knock back disputes, has targeted his work to very, very small businesses. The top five categories of disputes were contractual rights and responsibilities, unpaid moneys, unfair trading, quality of goods or services, and undelivered goods or services.

I particularly wanted to draw the house's attention to page 40 of the annual report, where the small business commissioner actually identified the amount of money his services had saved small businesses. The businesses were asked: how much money have you saved by mediation in these instances? Whilst 16.8 per cent said nil, most of the businesses saved an enormous amount of money by having access to this particular service, obviously given that small businesses generally find it impossible to embark on a court hearing, with very, very high costs of justice. The report shows that 25.1 per cent of people said they saved between \$1 and \$5000; 19.3 per cent said they saved between \$5000 and \$10 000; 16.5 per cent said they saved between \$10 000 and \$20 000; 11.6 per cent said they saved between \$20 000 and \$50 000, which is obviously substantial; and 10.6 per cent of businesses said they saved more than \$50 000 by having access to the small business commissioner's services. So I think it would

be fair to say, for the minister who originated the legislation, that it has been a very great success.

However, in terms of the bill before the house, I have a number of concerns. As I flagged, I do not know if changing an office of the small business commissioner to a Small Business Commission, essentially a change in the employing body — a change in the bureaucratic structure — is going to give a better outcome for small businesses, and I am not so sure that they would be jumping up and down with excitement over this change to the structure. But I do think — and I made it very clear — that small businesses are generally very, very pleased with the services of the small business commissioner.

I believe that the consultation on this bill was minimal, again in complete contrast to the way the current member for Footscray handled the initial bill when there was substantial consultation on the establishment of the commissioner. There are some changes to the existing functions and powers. I look to a member of the government to possibly explain to me why one function has been removed — that is, the function in section 5(2)(i) of the act. Now the commissioner is not going to be required to provide advice on alternative ways that small businesses can comply with the requirements of legislation, procedures and administration. I would have thought that that had some potential to assist small business.

Likewise I would be grateful for some advice as to why the original act's section 5(2)(h), which asked the small business commissioner to monitor and report to the minister on the impact that legislation in Victoria, government procedures and administration have on small businesses, has been narrowed to, under clause 5(2)(i) of the bill, 'to review proposed legislation in terms of its potential to adversely affect small businesses'. It seems to me that the previous minister's bill, in terms of functions and powers, was much broader than the bill currently before the house. I would be grateful for an explanation of why these functions and powers have in effect been narrowed.

I also want to touch on the issue of resourcing. Clearly the Small Business Commission will be required to do more work. I would be enormously concerned if the additional responsibilities of liaising with other states and the commonwealth and providing advice on legislation took away from the core business of the alternative dispute resolution mechanism that the small business commissioner has been so good at in the past. I am not arguing for increased resources; I am simply seeking an assurance from the government that the small

business commissioner will still be able to adequately perform their core function of support for small businesses in disputes and their advisory role and will not be diverted by some of the other policy attributes.

I also have some concern about whether the commissioner will remain truly independent, because one of the enormous features of the original bill and act was that the commissioner was independent and was able to advise both sides of politics.

Mr PEARSON (Essendon) — I am absolutely delighted to speak on the Small Business Commission Bill 2016. I do so because I am a very proud second-generation small business operator. I loved working in small business. I enjoyed myself immensely. I loved the freedom that it presented. I loved the ability to have profit-and-loss responsibility, to understand a balance sheet and to be able to pick and choose what you do. It was just a wonderful opportunity. I just loved working in small business.

I have kept this passion for small business in this job because I recognise the fact that small business provides the opportunity for, in particular, culturally and linguistically diverse (CALD) communities or disadvantaged communities to create real wealth in the first generation. That enables CALD communities or people from more humble backgrounds to be able to provide better opportunities for themselves and for their children.

This bill is important because it enables the commission to advise government on broader policy issues and implications, and I think that is appropriate. When you have a state government that has wideranging powers on the statute books, being able to provide a degree of insight, input or understanding as to the implications that legislation and regulation might have for users is really important. At the crux, though, I think of this bill and the preceding legislation is the notion of trying to find alternative dispute resolution mechanisms in order to try and reduce the cost burden on small businesses when they encounter challenges and difficulties.

I remember I had a bit to do with Mark Brennan, who is a former small business commissioner both here in Victoria and Australia. He was an outstanding office-holder. Mark had a number of mediators he worked with who would be involved in dispute resolution. One was a very, very talented man, the late Greg Meese. Greg was an outstanding gentleman. He played football for Fitzroy in the 1970s. He was on the Victorian Football League tribunal and in every way he was a gentle giant. He was a big guy but he had just

such a soft and gentle way about him. He was fantastic in terms of trying to find a way through disputes and trying to ensure that small businesses had an easy way in which they could resolve problems as they arose without having to go down an expensive legal path. Sadly, we lost Greg a few years ago to cancer, but he was an outstanding member of that office. He worked very well with the small business commissioner. Enabling the commissioner to provide that option for people to have ease of access to redress those issues is really important.

This is an important piece of legislation. Anything we can do to try and foster, encourage, develop and nurture small business can only be a good thing. As I said, I have a real interest in trying to find ways in which we can make it easier for CALD communities to access capital to establish their own small businesses and to get on with them in the same way that my parents did when my father bought his first butcher shop in 1974. Him making that choice and that decision, with the support of my mother, provided so many opportunities for my brother and me which we would not have experienced if he had been working for wages his whole life.

I know many members want to speak on this bill, and I am conscious that the hour is getting late. I commend the bill to the house.

Mr McCURDY (Ovens Valley) — I am delighted to rise and make a brief contribution to the Small Business Commission Bill 2016. The purpose of the bill, as has been discussed by other speakers, is to repeal the Small Business Commissioner Act 2003 and to re-enact the law in relation to the Small Business Commission with certain amendments. It also establishes the Small Business Commission so as to enhance a competitive and fair operating environment for small business in Victoria and for other purposes.

Most in this house know that those on this side of the house understand small business better than most. I must admit I was a little surprised when I heard the member for Bundoora and the good member for Broadmeadows talking about Labor's claim to fame, or speaking as though they are God's gift to small business, when clearly they do not get small business and they do not understand it. If Labor did understand small business, it certainly would not throw in another public holiday to put another impost on small business, whether it is in metropolitan Melbourne or regional Victoria, because places like my electorate of Ovens Valley are built on small business. Our communities thrive on small business, whether it is farming or the towns. The community is built on that.

You cannot keep throwing imposts on small business and then expecting them just to keep surviving all the way through, because it is a difficult task. I think the member for Bundoora must have been sleeping under a rock somewhere. As I said, he claimed to be God's gift to small business and said that this government delivers for small business. He might be correct to say that it has delivered, but what it has delivered is a ball and chain, a millstone that small business has to carry around every working day.

The member for Macedon will clearly understand that. I am sure she meets with her constituents on a regular basis and understands how tough — —

Ms Thomas interjected.

Mr McCURDY — The dog breeders, they are doing it tough as well, I understand, all 800 of them. I think they call her the member for missing in action.

Again I say that it really is an impost on our small businesses. If you understood small business, you would not be driving up electricity prices through extra taxes. You would not expect businesses just to keep surviving under the conditions that you are putting them under. You would not keep putting pressure on employers to pay difficult weekend rates, and I understand that we need to have weekend rates. I understand that; do not get me wrong for a moment. I believe we need weekend rates. But there are people out there in our workforce who prefer to work weekends and it is their choice — single mums, university students. There are lots of people who prefer to work on the weekend — —

Ms Thomas interjected.

Mr McCURDY — The member for Macedon needs to understand that sometimes a single mum or a single dad can have their children babysat on a weekend and they prefer to work. I think the government has to understand that some people prefer to work on the weekend. Again, what I am saying is that if you continue to put imposts on small business, it just makes life more and more difficult, and then you wonder why those businesses fold. If the Labor Party is the answer for small business, then I say, 'God help us all'.

As I said, the Ovens Valley electorate is built on small business, whether it is farming communities or the businesses in towns. We went to great lengths to remove red tape wherever possible and make it easier for small business to operate and survive and thrive where possible. In many ways governments just need to get out of the way of small business — just get rid of

the red tape. Get out of the way and let them do business.

An honourable member interjected.

Mr McCURDY — I am talking about small business, which is what the bill is all about, and the Small Business Commission. The member for Broadmeadows, who I see is in the chair, agrees and says that Labor wants small businesses to turn into large businesses, but can I say — —

Ms Thomas — On a point of order, Acting Speaker, the member has been speaking for some time now and has failed to directly address the bill. He has talked a lot about single mothers and their apparent preference for working on the weekend — that has certainly not ever been the preference of any single parent that I have ever met — but he is yet to talk actually about the bill, and I ask you to bring him back to speaking about the bill.

Mr Burgess — On the point of order, Acting Speaker, it has been a very wideranging debate. For example, I do not think the member for Bundoora even mentioned the bill — —

An honourable member interjected.

Mr Burgess — He was addressing the bill, but it has been a very wideranging debate and it would be not right to cut it off now.

The ACTING SPEAKER (Mr McGuire) — Order! I ask the member for Ovens Valley to come back to the bill. He has made some statements that were not quite on the bill, so in the remaining time I ask him to address the bill.

Mr McCURDY — Thank you, Acting Speaker, and I appreciate your guidance, but I will say that I went very heavily into the bill at the beginning of my contribution. As you have heard, it has been a wideranging debate and I will continue with my contribution.

In terms of small business, we should look at the Regional Growth Fund under the previous coalition government. That supported small business extremely well. It was built on providing jobs. If you could prove that more jobs were going to be provided, you would be eligible for grants, and that was a fundamental outcome for our regional communities. I must say it is very difficult to get any of the grants at the moment.

The government has not delivered for small business, like we have heard. Certainly regional Victoria revolves around small business as I said earlier in this place. The

coalition was also proud of its achievements in the amendments to the Farm Debt Mediation Act 2011. Certainly there are the dairy farming issues out there at the moment, and as we have seen, SPC is under significant pressure as well. With that, I will leave my significant remarks right there.

Ms THOMSON (Footscray) — I am not sure what I can say following the member for Ovens Valley except that on this side of the house we do support small businesses and we do support the need to establish ways in which they can be supported in the work that they have to do.

I would like to, firstly, acknowledge the member for Brighton. I think we have run a bit of a tag team on this one. So for all those members of the opposition who want to slag off the Labor government, can I tell you as one of two small ministers, or rather two small business ministers — and in my case a small minister — that the member for Brighton made an effort to come and congratulate me on my introducing the bill to the Parliament, as I did her when she moved the amendment bill.

When this legislation first came to the Parliament as the Small Business Commissioner Bill 2003 it was never envisaged that it would be stagnant but that it would need to develop and move. The first step was to create it, to give the task to the commissioner of ensuring that we were protecting small businesses against big businesses and that we were giving them an opportunity to have a place to go and where they could have their say fairly and get a resolution at a low cost. We heard the statistics that the member for Brighton read into *Hansard* and we can see that the small business commissioner has in fact worked. The broadening of the legislation only enhances that.

I do not think this bill will take away from the work that the small business commissioner did; I think it will enhance and extend it. In addressing some of the matters that the member for Brighton raised in relation to the question of the Small Business Commission's capacity to influence, I think it is going to be extended because there will be the ability for the commission to now access cabinet-in-confidence documents and actually have some real input into some of the decision-making around policy before the decisions are made. I think that is a good outcome.

I would be surprised to see any powers taken away from the small business commissioner. In fact I think there will be a greater reliance on the Small Business Commission being actively involved in the decision-making of government. Maybe it will work

through other means, but it will still be very actively involved in that decision-making. I think that is crucially important. It was always envisaged that government would be careful about where its legislation impacted on small business and that we would make sure that was taken into account in the decision-making process. You cannot just keep legislating without measuring impact, understanding that impact and trying to ensure that you have done everything you possibly can to minimise the impact. Sometimes you just have to regulate, but you do need to make sure that when you regulate you minimise the impact where you can and make it as easy as possible to comply.

One of the most important roles that the commission can play is when small businesses get into disputes, whether with government or with other businesses. It is important that there is a cheap way for businesses to resolve their disputes in a way that is mediated rather than litigated. The small business commissioner and the Small Business Commission will still maintain that integrity, and I think the results will be even greater.

We were the first state to put in place a small business commissioner, and as the member for Brighton also said, it has now occurred across all jurisdictions in the country, including the commonwealth. The ability through this legislation for there to be more collaborative work across the country with other small business commissioners is also very important. The reason I say that is because the greatest impact tends to be not because of what we do as a state government but what the federal government does. Now that we are making more and more uniform legislation across the country it is vitally important that those kinds of impacts on small business are assessed and looked at in ministerial forums and also by the federal government. I think it is crucially important that there is more collaborative work done. This bill will enable that to occur, and I think that is an important piece of work to be undertaken.

I would like to thank the member for Brighton for her kind words to me — and right back at you, member for Brighton! It is very rare in this house that we get to agree on small business matters. This was one of those occasions where I got unanimous support for my bill when I brought it in. And it was unanimous support — it was not just token support, but genuine support from both sides for those pieces of legislation as they came through the Parliament.

I think it will be good to look back on this piece of legislation and the way the commission works to see how it has been able to expand its capacity for

influence, how it has been able to work with those small businesses that desperately need it and, more importantly, how it has impacted on the environment for small business. We must ensure that we are all thinking about that as legislators and as cabinet ministers.

Even big businesses should think about their dealings with small businesses. First is: can I do this differently so that I have a better relationship with small business? If you are a big business or if you are in government, you can ask: can I do this better to ensure that the impact is less on small business or, more importantly, would benefit small business? I think these are the things that the commission can help influence.

I am looking forward to the work the commission will do. I hope that the work that I have done and that the former minister, the member for Brighton, has done in this space will be enhanced by this legislation. I hope the next minister for small business will have an opportunity to enhance it further. This should be a living piece of legislation that actually reflects what is occurring at the time because our economy is changing rapidly. The way we do business is changing rapidly, and the work of the commission will need to be adapted to those changing circumstances as required. I would hope there would be unanimous support for the legislation because I think we all really care about the vibrancy of small business. We care about ensuring that these businesses succeed, we all really understand that small businesses do drive our economy and jobs, and we are all committed to ensuring that we enhance the environment for small businesses to succeed.

I hope that we will continue to work together as a Parliament and across the divide of the Parliament to ensure that we are putting in place the measures that small business need to do business. I highly commend the bill to the house and wish it a swift passage and every success. I wish the Small Business Commission every success in protecting our small businesses where they need to be protected and in helping to drive the policy direction that we need to ensure that small businesses can be vibrant and can succeed. At the end of the day it has to be the small businesses that succeed.

Mr ANGUS (Forest Hill) — I am pleased to rise this afternoon to make a brief contribution in relation to the Small Business Commission Bill 2016. I note that the purposes of the bill are, firstly, to repeal the Small Business Commissioner Act 2003; secondly, to re-enact the law in relation to the Small Business Commission with amendments; and thirdly, to establish the Small Business Commission to enhance a competitive and fair operating environment for small business in Victoria.

The bill also introduces amendments to the commission's functions and powers which will enable the Small Business Commission to do a range of things, including resolving a broader range of disputes between businesses and particular types of organisations, such as professional associations, educational institutions and certain special bodies within government. It will also enable the commission to provide comment on legislation that may adversely affect small businesses, provided it does so in consultation with the secretary of the department and is requested to do so by the minister. That is an interesting point there, because the Small Business Commission may well be very busy with some of the legislation that has come before this place already, which certainly has negatively impacted on small business. I will come back to that point a little later on in my contribution. Another part of the commission's role is to work collaboratively with equivalent small business commissions in other jurisdictions.

I know that other members have noted in their contributions that there are some 540 000 businesses here in Victoria, 97 per cent of which have less than 20 employees, so they are indeed small businesses. Certainly small business is commonly described as the engine room of the economy, and I would wholeheartedly agree with that.

My experience in this area is twofold; firstly, in running my own small business. When I was a student I ran a very small lawnmowing and gardening business, and that was a microbusiness back in the very old days. Secondly, later on, after I had finished my tertiary education I was able to participate in an accounting practice that I bought into, and I ran that small business for some 18 years, with my partners of course. We gained a lot of experience in running that. We had some good times and some tough times. That is the nature, I think, of small business, with the business and economic cycles and so on we go through. There are always various challenges. I know that in our practice we always used to say, 'If we did not have the staff and the clients, things would be a lot simpler'. The only thing of course was that we would not have a business either, so we were always happy to deal with both the staff and the clients, as we did for so many years.

Over those years I acted for many, many different sorts of small businesses. One of the great joys of my previous role was to be able to see a business that started off as a small business grow — often it was a family business, perhaps starting out of the spare bedroom, the den or the study at home, and then gradually moving on to employ a part-timer, then a couple more staff and then just expanding the business.

Often it would be a husband and wife involved. One would perhaps be doing the bookkeeping and the other would be doing the front end of the business. It was always very rewarding to see them grow over the years and to have a small part to play in terms of business structures, tax advice, accounting advice and other input over their journey. I can think of a number of my past clients who have gone on to now have substantial offices with very significant numbers of staff. They no longer, indeed, would be small businesses, but they have gone through that journey with all the blood, sweat and tears and the enormous risk that goes with growing a very small business into a very substantial business. That has been a really exciting part of my working career, to be able to see that.

All those businesses faced various challenges at different times. Back in the 1980s we were acting for a number of clients, and we had interest rates of 18 or 19 per cent. There were overseas bills for one of my importing clients. I had to deal with that massive impost, which seems so different to what we are facing now. It is indeed different to what we are facing now — it seems so long ago. That was one of the challenges that particular business faced back in those days. There have been a whole range of economic cycles that have come and gone. As I said, that is part of the challenge.

In my electorate of Forest Hill I clearly have got a very wide range and large number of small businesses. I am in touch with them on a reasonably regular basis through different means, and certainly as I am out and about in my electorate I always make time to chat with business owners and operators. One of the things I did last year was I visited dozens and dozens of my local small businesses. One of the issues that came up for them was the introduction of the grand final public holiday. I asked my small businesses what impact that holiday would have on them, particularly the retail businesses but certainly other businesses as well. I did not see all of the business owners, but of the ones I did see all of them said that the holiday has a very negative impact on their business, because clearly it increases the costs for their business.

It is interesting to see that one of the roles of the commissioner is to look at legislation that could have an adverse impact on small businesses. I wonder what the commissioner would have had to say about that particular bill relating to the grand final holiday that the Parliament passed a couple of years ago, because that is a significant impost on all businesses but certainly on my small businesses and particularly the retail businesses. There are other issues in terms of legislation that has gone through this place and the impact it has had on small businesses, but I will leave my comments

there. There are a range of other matters that I would like to make a contribution on, but given that the government has brought on this very important bill very late in the day on a Thursday and there is not much time to debate it, I will leave my comments there and note that the opposition will not oppose the bill.

Ms KILKENNY (Carrum) — I am very pleased to rise to contribute today on the Small Business Commission Bill 2016. I would also like to commend the Minister for Small Business, Innovation and Trade in the other place for all of his work in promoting small business across Victoria. The Andrews Labor government has forged a very clear agenda for small business, recognising its crucial role in maintaining a strong and resilient Victorian economy. We are absolutely committed to small business and small enterprise as well as innovation in Victoria, and we will continue to make sure that we lead the way in providing small business with a strong and relevant voice and a strong, fair and competitive environment in which to operate.

Before I go on, I would like to pick up a point made by the member for Ovens Valley, and that is his assumption that single mothers might prefer to work on the weekends. I can assure the member that I have a lot of constituents in my electorate who are single mothers, and they actually would prefer to spend time with their families, with their children, on the weekend. If they have to work, then we have penalty rates for them having to give up that valuable family time. For the member to actually make that comment just further illustrates the point that there is a genuine and very pressing need for the opposition to increase the number of women amongst its ranks, and I call on the opposition to do that.

We recently launched the small business retail regulation review. This government-wide review is looking at ways to cut unnecessary red tape that is undermining the ability of our small businesses to function as best they can. Certainly businesses in my electorate have been very keen to contribute to this review.

The bill before us, as we know, will repeal the Small Business Commissioner Act 2003 and will re-enact that law with amendments and notably establish the Victorian Small Business Commission. The commission will be headed by the small business commissioner. This is quite significant, because back in 2003 the role of the small business commissioner was actually first established under the Bracks government. This was an Australian first, and not only was it an Australian first but it was extremely progressive at the

time. It was set up to give, in particular, small businesses access to low-cost mechanisms to resolve disputes without them having to proceed through lengthy court proceedings, which obviously are both inefficient and very costly.

Back then a report on the first year of operation of Australia's first small business commissioner found that not only was the appointment of Victoria's, and Australia's, first ever small business commissioner a huge success but it confirmed what many of us know, which is that there are real and tangible benefits to using mediation rather than court or tribunal proceedings to resolve disputes.

With the introduction of the small business commissioner, and certainly with many of the policy initiatives that we have undertaken, it is clear that it is this government, the Andrews Labor government, which is setting the agenda for small business. Frankly I am sick and tired of hearing from those opposite that they are the friend of small business. If you look to the record, if you look to the strength of our economy, you see it is the Andrews Labor government which is setting the agenda and which is creating the environment in which small business is going to prosper.

It is more than 12 years since the office of the commissioner was created, and thousands and thousands of businesses have accessed the low-cost, informal and efficient mediation services. Two-thousand applications were received last year alone for the dispute resolution services. Since the introduction of the small business commissioner back in 2003 the number of small businesses in Victoria has nearly doubled from 270 000 to over half a million today. The ability of small business owners to access efficient, low-cost and straightforward alternative dispute resolution services with a focus on pragmatic commercial settlements has never been more important.

We went to the election in 2014 with a commitment to expand the role of the small business commissioner into a Small Business Commission with improved functions and powers, and that is exactly what we are doing with the introduction of this bill. We are delivering on that commitment, as we deliver on all of our commitments. It is the Andrews Labor government which certainly understands small business. We understand the need to create the right environment in which small business can develop, innovate, grow and obviously create jobs. We understand what small business needs, and that is a strong economy. That is exactly what the Andrews Labor government is now

generating. We understand that small business needs a competitive and fair operating environment and that they need to be treated fairly in their commercial dealings with other businesses in the marketplace and with government bodies.

The bill before us today is setting the legislative framework to establish the Small Business Commission and to enable business owners to focus on their core business, helping them to grow and succeed. Can I say that this is tremendous news for small business owners in metropolitan Melbourne and across Victoria. It is great news for our economy, and it is great news for the creation of jobs.

In conclusion, the bill will provide for a more inclusive and accessible dispute resolution service for small business in Victoria. It will also expand the organisations and bodies that will be involved in disputes to include, for example, TAFEs and universities, as well as trade and professional associations, Victoria Police, the commissioner for privacy and data protection, and government departments.

We often hear that small businesses are the engines of job creation and the backbone to our economies, so this is about recognising that contribution and ensuring that they get the resources and the support they need to grow. It is this bill that will assist them in achieving just that. The Andrews government's priority is to build a strong economy and create jobs, and on any assessment this means building a strong, resilient, adaptive, innovative and competent small business community. I commend the bill.

Ms McLEISH (Eildon) — I rise to contribute to the Small Business Commission Bill 2016. We know well and truly that the purpose here is to establish a Victorian Small Business Commission and to have, as head of the commission, a small business commissioner. This bill actually repeals and re-enacts the previous bill, the Small Business Commissioner Act 2003. That act was brought into being by the member for Footscray in her time as minister, and also underwent some fairly significant changes in 2013 when the current member for Brighton was the minister. I think most people would agree that the role of the small business commissioner has done very well.

The bill introduces new amendments which extend its functions and powers, allowing the Small Business Commission to resolve a broader range of disputes, to provide comment on legislation that might adversely affect businesses and also to work collaboratively with

small business commissioners or the equivalent officers in other states.

This is hardly a new bill, and part of me is quite surprised to see it, when so much of this and so many slabs have been taken from the old bill and put into this bill. I do understand the advice that because there is a new structure in place it also needs a new bill. Extending the functions of the small business commissioner and the commission is very positive.

I have an electorate where it is all small business. I do not have large business, so I have businesses relying on the resources of government, such as Small Business Victoria and the Small Business Commission, to help out when they find themselves in difficulties and perhaps when they are involved in some difficult disputes. When I read through the minister's second-reading speech, I noted that two-thirds of it was saying how fabulous the system was currently. It was almost a surprise to me that they needed to create a new system rather than just extending the powers under the current legislation.

In Victoria we have 540 000 small businesses; 97 per cent of state businesses are small. Small businesses can be one or two people; there can be up to about five or seven people before it would become a medium size business, which is around 20 people. One of the things that does surprise me is that I am hearing those on the other side — and I certainly appreciate the member for Footscray's contribution and the history that she shared — espousing the Labor Party's support for small businesses. I do want to comment on that briefly, because this is a government that has overseen a 20.7 per cent tax increase in two years, and small business is paying a fair whack of that. There has been an increase in the fire services levy, land tax and payroll tax — there have only been some slight tweakings around that payroll tax. This was also confirmed yesterday in the Auditor-General's report, which attributes a lot of the government's surplus, which is well over \$1 billion, to additional tax alone. It also attributed it to some other taxes.

I cannot go without mentioning the absolute slug on small businesses of the grand final eve public holiday. What you would also notice is that there is a bit of decline in small business confidence as well. Victoria now sits below the national average, and the Victorian government is one of the least popular in the nation among small and medium business. You do not need to rely on me saying that, because this is from the Sensis Business Index in September 2016. I cannot help but make the link between some of the things that the Andrews Labor government is doing when it imposes

on small businesses and that lack of confidence, but I am sure that they do appreciate the work, as do I, of the Small Business Commission.

Mr DIMOPOULOS (Oakleigh) — I am conscious that many others want to contribute, so I will keep my remarks brief. I do want to contribute to this bill. I think it is a very important bill. It is strengthening the role of the small business commissioner. It was an election commitment, and I am proud that we are continuing to deliver on our election commitments, including strengthening the role of the small business commissioner, a role that we as a Labor government created 12 years ago. So that is the pedigree. As the member for Bundoora said, we are the natural party of small business. We are the natural party for a couple of reasons. One is because we set a better, more fair and more robust economic framework.

Many people before me have gone through the statistics: employment is at a high compared to the previous government and economic growth is at a high across the country. All the other consumer confidence measures and all the other relevant economic statistics we have helped to create — that is what small business wants. Small business says, 'Get out of my way, government, and create an economic environment that we need to grow and prosper', and that is what we have done. Added to that, again, as other colleagues have said, is our enormous infrastructure agenda. Why infrastructure matters is that it reduces the cost of doing business and it also creates employment opportunities.

I am proud, as are many others on this side of the house, including the Minister for Small Business, Innovation and Trade, to have run a small business. It was one of the hardest jobs I have ever done. Retail and hospitality is hard regardless, but running a cafe specifically is very hard work. But it is very rewarding too, because you see what you put in and you see the measure of that at the other end of the equation. I learned a lot in that role over almost four years. I learned exactly what I said earlier: small businesses want government to get out of the way, give them a go and help create an economic environment where consumer confidence is high so people spend money. I learned that a lot. I also learned how hard it is to do everything. Of course you have staff, but generally in small business you are the proprietor, you are the marketing manager, you are the payroll manager, you are the procurement manager — you are everybody. You work late into the night doing tax and a whole range of other regulatory requirements.

But I am really pleased that the minister for small business in this government is reviewing the red tape

around small business and a whole range of other things, including the procurement power of the Victorian taxpayer to support small business. All those initiatives are important. They are what matters. This bill is just another one of a long list of contributions and achievements in supporting small business by a proud Labor Party, with many small businesspeople amongst us. The bill is just one of the long list of things that we are doing to support small business, which is fundamentally — small business is not just a buzz word — the backbone of this economy. I wish the bill a speedy passage.

Mr PERERA (Cranbourne) — It was because of the Labor Party's interest in promoting small business that the Bracks Labor government took the initiative to create the position of the small business commissioner in 2003. The Victorian small business commissioner has done an outstanding job in representing the needs of Victorian small businesses primarily through a dispute resolution service. The successful mediation by the small business commissioner would have saved small businesses an enormous amount, and the member for Brighton has already stated the figures. Many small businesses lack the resources, expertise and time to deal with legal disputes when they arise. By nature they are not as innovative as big businesses. In most cases they follow the practices they inherited from their family. Therefore the Small Business Commission will be a very valuable resource in many ways for small businesses.

The Victorian small business commissioner has provided quick, effective, neutral and low-cost mediation services for small businesses engaged in business-to-business disputes since its establishment in 2003. By resolving disputes before they reach the Victorian Civil and Administrative Tribunal, the Victorian small business commissioner reduces costs for both small businesses and the government. The Victorian small business commissioner typically deals with disputes over amounts ranging from hundreds of dollars to millions of dollars. However, dispute resolution is low cost: each party pays only \$195 for most mediations and \$95 for owner-driver and forestry contractor disputes. If the matter is resolved through preliminary assistance, the service is free, because the Victorian small business commissioner subsidises the majority of the costs. The dispute resolution process typically happens within four to six weeks of application, subject to the parties' availability. In urgent cases it can be arranged much faster. The bill will improve access to the dispute resolution service provided by the new commission by including certain special bodies such as educational institutions and trade and professional associations.

The bill provides for the commissioner to take a leadership role in advocating for small business at a national level and confirms its place as the first and most enduring statutory office of its kind in Australia. The commission will now be able to assist small businesses with disputes that were previously outside its jurisdiction. For example, if a cleaning contractor was in dispute with an educational institution such as a TAFE college over payment for its services, it can now access alternative dispute resolution with the commission.

The dispute resolution services have been improved to include certain special bodies as defined in the Public Administration Act 2004. These special bodies are government agencies such as Victoria Police and the health services ombudsman. Due to their roles in the public sector, some special bodies such as the Independent Broad-based Anti-corruption Commission and the Victorian Ombudsman will remain outside the jurisdiction of the commission.

The office of the small business commissioner deals with hundreds of small businesses every year. Therefore it is very well positioned to provide commentary to the government on how legislation and regulation impacts on small businesses. It is anticipated that the bill will improve the legislative agenda of the government of the day by providing an avenue for concerns about the potential for proposed legislation to adversely affect small businesses. It is also anticipated that enabling the commission to broaden its input and advocacy for small business within the government will reduce red tape and improve efficiency in policy design and service delivery for small business across Victoria. The objective of this approach is to maintain the independence of these bodies from the executive, in particular to ensure as far as possible that they are not subject to any direction from the minister or executive agency.

The bill allows the commission to investigate claims made against the excluded bodies. It cannot, however, call the excluded bodies to mediation. The commissioner will be able to investigate claims made by small businesses against the excluded bodies and report its findings. However, it will not be able to provide alternative dispute resolution services. As a result of Victoria's successful model of establishing the Victorian small business commissioner, other jurisdictions have since established their own versions. The objective of establishing the Victorian Small Business Commission with improved functions and powers allows it to continue to serve and represent the needs of Victoria's small businesses. Victoria has again led the way. I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until later this day.

**ENERGY LEGISLATION AMENDMENT
(FEED-IN TARIFFS AND IMPROVING
SAFETY AND MARKETS) BILL 2016**

Second reading

Debate resumed from 23 November; motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).

Motion agreed to.

Read second time.

Consideration in detail

Clause 1

Ms SANDELL (Melbourne) — I ask the minister which groups or organisations were consulted specifically in relation to this bill? In particular, were environment groups consulted, and, if so, which ones?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — What I will say is there has been very broad consultation regarding the policies behind this bill. As the member will know, one of the government's election commitments was to request the Essential Services Commission (ESC) to conduct a review or an inquiry into the value of feed-in tariffs and the value of renewable energy and how that should potentially be better reflected in the feed-in tariff arrangements. The Essential Services Commission started that work and then sought to divide the work streams, if you like, into two separate components because they are fairly large tasks.

During the period of the first part of the review the Essential Services Commission undertook extensive consultation over a lengthy period of time. My understanding is that it received many, many submissions from a whole range of stakeholders, including environmental groups, community services groups, retailers of course and other businesses. So it was a very extensive consultation and that is what informed the government's response, if you like, to the recommendations that the Essential Services Commission put forward. Certainly all of the key issues had plenty of opportunity to be ventilated and debated and considered by the Essential Services Commission. Our response to those recommendations has now been publicly released, and the bill is a result of that.

There are other elements of the bill that are not about feed-in tariffs but about improved safety for consumers with respect to giving additional powers to Energy Safe Victoria to be able to recall certain gas or electrical products that may have a safety concern attached and to be able to pursue businesses that may be under administration, whereas at the moment the existing legislation does present difficulties for Energy Safe Victoria in being able to pursue those businesses and ensuring that recall notices are enforceable and can be complied with.

Ms SANDELL (Melbourne) — Is it the intention of the bill to incentivise and increase the uptake of new household solar in Victoria? If so, does the minister believe these changes to the way that feed-in tariffs are set will lead to behaviour change and an increase in the uptake of household solar, given that the likely feed-in tariff change due to this bill will probably be only about 2 cents per kilowatt hour on average?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — The intention of the government in terms of our election commitment is to ensure that the feed-in tariffs that are available to consumers, particularly those who install solar panels on their rooftops, actually get a fairer price — fairer compensation and a fairer price — for the investment they put into feeding excess energy back into the grid. That was our election commitment, and that is what we are fulfilling today with the bill, which effectively goes to that very question of providing what we believe — certainly it is backed up by the work that the Essential Services Commission has done — is a fair price for electricity that is fed back into the grid by those small generators, those mums and dads if you like, who have solar panels on their roofs.

Mr SOUTHWICK (Caulfield) — Further to the question in terms of the intent of the changes, do any specific parts of the bill focus on encouraging new solar uptake, and what element of the battery storage as part of the transition has been incorporated in the bill?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I will reiterate the point of the bill and the original commitment that was made by the government in the lead-up to the election, and that was to ascertain a fair price for electricity that is fed back into the grid by those people who have solar energy that they generate on their rooftops.

In terms of energy storage, the recommendations that were presented by the Essential Services Commission actually do encourage, and potentially have the ability

to encourage, the uptake of storage technologies in homes. The member will reflect on the fact that the Essential Services Commission has recommended particular time-of-use peak arrangements in terms of the time of day that electricity may be fed back into the grid and what the particular value of that might be at a particular time.

The Essential Services Commission also recommended a critical peak period, a critical peak tariff. That critical peak tariff typically would apply in those very few but important times of the year, especially in very, very hot weather conditions when the cost of energy exceeds \$300 per megawatt hour. At that point in time when the system is more constrained there is potentially a great opportunity for consumers to have battery storage installed at the home to be able to, if you like, feed energy into the grid at that critical peak period and get a reward for that in terms of having a different tariff arrangement, which obviously produces a greater value to the broader grid and to consumers right across the grid with extra energy supply coming into the system at those critical peak points where the energy supply on the grid is far more constrained than it would be at other times.

Ms WILLIAMS (Dandenong) — My question relates in particular to amendments to the Electricity Safety Act 1998 and the Gas Safety Act 1997, and I want to ask the minister how this bill will improve consumer safety.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — The bill of course deals with a number of issues. Importantly it deals with difficulties that Energy Safe Victoria have with the enforceability of existing laws with regard to the recall powers that they have if they believe and have evidence to show that a particular appliance, either electrical or gas, may have some safety hazards involved. At the moment there is a lack of clarity in the legislation, which can put into doubt Energy Safe Victoria's ability to see through the enforcement of a recall notice. This fixes that; this makes it absolutely clear that they can do that under particular circumstances, such as those that have arisen in the last couple of years which have raised questions over whether the consumer's safety was foremost in what Energy Safe Victoria could do.

I will provide a couple of examples, if I may. There was a protracted period of time, which concluded satisfactorily last year, I may add, in which Energy Safe Victoria had identified safety concerns with regard to Cannon gas heaters. The seller of those heaters had

gone into administration. Thankfully, albeit over a very protracted period of time, Energy Safe Victoria were able to reach a satisfactory negotiated outcome on that matter, but not because they had clarity in legislation to be able to enforce a recall notice on those who used to run a business but were no longer in business.

The legislation makes good on something that was lacking, and it potentially goes to the issue of safety of not just electrical appliances but also gas appliances. It ensures that Energy Safe Victoria have the full power to be able to enforce recall notices. Ultimately it puts the safety of consumers first and foremost in the activity of Energy Safe Victoria, so I am very pleased that we are able to do that.

Mr HIBBINS (Pahran) — In a submission to the Essential Services Commission's inquiry Professor Alan Pears said that in the present electricity market, due to the monopoly power of network operators, the role of distributed energy systems is distorted. I ask: in responding to the Essential Services Commission report, did the government consider introducing a system which would likely lead to a feed-in tariff that closely resembles the actual retail price of electricity, or a price that closely resembles the retail price minus the marginal cost of network use for household generators, given that this price would more adequately deal with the undervaluing and distortion of the role of distributed generation in our energy system?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I think it is important for us to understand that the market is different when we talk about distribution businesses, when we talk about the retail arm of the market and when we talk about the supply and generation side of the market. We know that the supply side of the market — in terms of generation — and the retail arm are very much deregulated. The term 'deregulated' relates to opportunities for new entrants to come in and go out of the market. When it comes to distribution businesses and indeed transmission businesses, they are heavily regulated and they are monopoly businesses. Certainly there is myriad regulation around how those distribution businesses can work in terms of charges to consumers and how they can go about augmenting the network and making other adjustments to ensure that the network works as it should. Comparing one element of the market with another is really comparing apples with pears. That is what I would say.

In terms of having a feed-in tariff that more closely resembles the retail price of power that is purchased by a normal consumer — all of us sitting here and in businesses out there — through their retail bills, I think

it is important for us to understand that when we look at the market we have got a component of a bill that is made up of the cost of actually generating the power. Then there is a component of the bill that goes to the transmission business to actually carry that power to the distribution point. Then there is another component of bill that goes to the distribution business that takes the electricity from transmission through to the poles and wires and down the streets where people live or where they do their business. Obviously those two middle components are heavily regulated — they are fairly much monopoly agents. Then you have got the retail arm, which is, as I said, very deregulated.

It is important for us to remember and reflect on the fact that when someone gets their bill it reflects every single component of the chain of that electricity being generated and eventually making its way to the home. There are a number of different values and costs, if you like, that have to be acquitted. Therefore that is not easily or fairly translated into what a feed-in tariff might look like in terms of excess energy that is fed back into the grid. We know that what people pay in their retail bills is not the same value as it costs to actually generate that electricity, because we know that that retail bill is made up of generation, transmission, distribution and ultimately retail.

To pay anything that resembles a retail price that people pay now for electricity, which they might get from the valley, from Tasmania or from somewhere else, is not really comparing apples with apples. In effect, to pay a feed-in tariff which is the same value as what you would pay normally through the retail bill for electricity that you get from other means, you would actually be looking at a fairly significant cross-subsidy. The value of the feed-in tariff is about what it actually costs to get the same energy delivered through a wholesale market. That is why when we made an election commitment for the Essential Services Commission to undertake a review of what a fair tariff ought to be, that fair tariff was basically to do with avoiding cross-subsidies, because that would not really be a fair way of compensating people who in fact feed excess electricity back into the grid.

Mr SOUTHWICK (Caulfield) — Currently, in determining the fair and efficient value for small-scale embedded generation exports, the ESC uses the ‘wholesale price plus’ approach, which formulates the feed-in tariff through wholesale price value electricity in addition to the benefits embedded in generation provided by the network. Given the closure of Hazelwood is expected to increase the wholesale prices, have you undertaken modelling on how much this would increase the feed-in tariff using the current

formula, and if so, what would you expect the new price to be — within a range?

Ms D’AMBROSIO (Minister for Energy, Environment and Climate Change) — We have been very clear in what this bill responds to. It responds to a report that was prepared by the Essential Services Commission. Let us be very clear about who sets the rates when it comes to feed-in tariffs for excess energy fed back into the grid. The Essential Services Commission has the role of determining year to year what the value of that feed-in tariff is and what those rates are. It is not the government that determines that; it is the Essential Services Commission.

This bill changes the legislation to enable the Essential Services Commission to take into account certain values, including the social and health benefits of feeding renewable energy into the grid. It also includes of course avoided greenhouse gas emissions that would have been emitted otherwise. It also introduces feed-in tariffs depending on the time of day when a person is actually feeding excess electricity back into the grid. The bill also looks at changing the date when new tariffs are determined and engaged, if you like, from a calendar year to a financial year. This better aligns with tariffs that are struck by the industry in general. That is what the bill does.

The actual tariffs that will be determined will be a matter for the Essential Services Commission. I will be looking at an order in council that will provide the methodologies for the Essential Services Commission to consider as guidelines and use to determine what those rates will be. There will certainly be full consultation about what that order in council will look like.

Mr McGUIRE (Broadmeadows) — Can the minister explain the need to amend the Victorian Energy Efficiency Target Act 2007 in relation to commonwealth agencies and also the need for the minister to be able to fix fees for the purposes of regulations under the act?

Ms D’AMBROSIO (Minister for Energy, Environment and Climate Change) — The Victorian energy efficiency target scheme is obviously an important scheme. It is a scheme that supports 2000 Victorian jobs, and it is one that our government saved when we were elected. It was meant for the dust heap, and 2000 jobs were going to be lost. What this clause talks about and seeks to do is going to be really important for businesses. We know that businesses can save a lot more on their energy bills. This clause establishes a framework that will allow the Essential

Services Commission to establish the value of project-based assessments. Of course those, once they are determined by the Essential Services Commission, will help businesses save on their power bills.

Ms STALEY (Ripon) — The minister has just said that the tariffs will continue to be set by the ESC. My question is: what weighting will the ESC give to the new requirement to add in avoided costs and the other set of inputs that go into determining the rate?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — As I said earlier, the government is currently considering methodologies for an order in council. They will be guidance, if you like, for the Essential Services Commission to then determine what they believe should be the tariffs. There will be consultation happening, so I am not going to illuminate that point yet. But certainly there will be opportunity for broad consultation around that in the coming period of time.

Ms STALEY (Ripon) — Thank you for your answer, Minister. My understanding, however, particularly in relation to these new avoided costs, is that if the Governor in Council specifies a methodology, the ESC has to use that methodology. That will therefore create a mechanism for the government to set the rates from the ESC. So my question is in relation to the timing of the introduction of this new methodology.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — The timing of course is important, because it is important that businesses, retail businesses in particular, have plenty of opportunity to prepare themselves in terms of their billing arrangements. We know that retailers periodically review their billing arrangements and their own tariffs. My understanding is that the Essential Services Commission will need to have determined what the feed-in tariff rates ought to be by 28 February. That will provide sufficient opportunity for the energy retailers to be able to prepare their billing arrangements for the commencement of new tariff arrangements from 1 July next year.

Mr HIBBINS (Prahran) — I am interested to know whether any analysis has been done of how many Victorians, once these changes come into effect, are estimated to be on a lower feed-in tariff rate than they currently are, how much worse off they will be and who, in terms of demographics and geographic location, will be worse off.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — My understanding and my advice is that there are about 70 000 people currently on the standard feed-in tariff and the transitional feed-in tariff schemes. I advise the chamber that both those schemes were closed to new entrants under the previous government, so they are closed groups. Our scheme, which will commence on 1 July with the passing of this bill, will ensure they get an increased benefit from our scheme, in terms of the additions, if you like, above what they would otherwise have received under the previous government's changes to the feed-in tariff arrangements they made while in government.

Mr T. SMITH (Kew) — Minister, have you identified the social cost of higher power prices for non-solar customers?

Ms D'Ambrosio — Is the question about the social cost?

Mr T. SMITH — The social cost of higher power prices for non-solar customers.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — Well, I am not sure how you define a social cost, but what we have been very clear about, as an election commitment, is that we would look to establish what a fair feed-in tariff is, one that would not pose a cross-subsidy to consumers but in fact reward them for the energy they actually feed back into the grid. What is important of course is that there is a network value for electricity that is generated through renewable energy.

The Essential Services Commission is halfway through the work of determining other values to the network, which of course are shared right across the state. Whether people have solar energy or not, there is downward pressure on prices when you have more generation than what is generated from rooftop solar panels. There is a network value to that.

We know that through the arrangements in this bill, with the introduction of a critical peak tariff period, there is an opportunity during critical peak times of the year — just a handful of hours during a particular time of the year when the market is very constrained and supply is very much constrained — when the actual spot price of energy escalates dramatically. By providing a critical peak tariff arrangement and by encouraging and incentivising people to actually add electricity into the grid at those particular times provide value to all consumers in the energy market.

Mr T. SMITH (Kew) — Just following on from that, what monetary value does the government put on carbon?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — We have been very clear. You asked about the value of carbon. What our objective was and what our commitment was — and this is what part of this bill is about — was that we would seek the Essential Services Commission to ascertain the fair value of electricity generated from renewable energy fed back into the grid. We asked the Essential Services Commission to take into account the social and health benefits of feeding renewable energy back into the grid, including of course avoided greenhouse gas emissions. We have been very clear that increasing greenhouse gas emissions have significant health and social impacts. We only have to look at the terrible mine fire at Hazelwood that happened not that long ago to know that with increased greenhouse gas emissions in our atmosphere there are actually very deleterious health and social impacts on communities.

Clause agreed to; clauses 2 to 4 agreed to.

Clause 5

Ms SANDELL (Melbourne) — As the minister already outlined, the bill intends to implement the recommendations in the ESC's report. This report says that of all the environmental and social benefits of a feed-in tariff, the only one they are really able to take into account is the avoided greenhouse gas emissions, as it is the only one they are able to assign a financial value to. They also said that what value to assign to carbon is a matter for the government, not the commission. The minister said that the government will develop a methodology to calculate this value. Could she expand on this, given the ESC's comments about the difficulty of assigning financial value to social and human health costs associated with carbon, and in particular could she let the chamber know whether the costs of carbon to our environment, as opposed to the social or human health impacts, will be priced as well as the social and human health impacts?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — We have been very clear, and the bill makes it absolutely clear what our intention is, which is that the function of the bill when it comes to feed-in tariffs is for us to provide a framework for the Essential Services Commission to use to take into account the social and health benefits. That is quite clear in the bill — the social and health benefits of feeding renewable energy into the grid. This

is not about people's own consumption of the energy they generate for their own purposes. This is about excess energy that is fed back into the grid. This is something for the Essential Services Commission to take into account when determining the feed-in tariffs.

This is obviously an improvement on what happened under the previous government, which removed any consideration of those factors. We were left with a situation where all the Essential Services Commission could take into account was effectively the wholesale cost of the electricity that was fed back into the grid from renewable energy sources. We are very clear about that and it is there for all to see. That of course includes the deaths, so that is important for us to consider.

The feed-in tariffs will also allow the Essential Services Commission to consider what the feed-in tariffs ought to look like depending on the time of day. The Essential Services Commission did make some commentary around some references to how they could potentially look at how these values could be formulated. Obviously we are considering those, and once we have the draft order in council out there will be consultation and we will be able to have a full discussion, if you like, and commentary on the methodologies that will be presented as guidance to the Essential Services Commission in determining those matters.

We have been very clear about this. There is a value that currently people are not being rewarded for, and we want to make sure that they do get that reward, understanding of course that there is obviously an inherent value in producing clean energy as distinct from energy that is highly polluting and has significant emissions attached. There is a value to that. The Essential Services Commission did consider a number of options in their commentary, and I suppose we are being guided by that.

The Essential Services Commission also did indicate what the actual tariffs might potentially look like and how they may be constructed, and they presented some scenarios. I think they are a fair reflection of what fair value ought to look like. So we are very keen to keep working on this, and we will do that and we will ensure that there will be ample opportunity for further consultation around those methodologies.

Mr SOUTHWICK (Caulfield) — On clause 5(4)(c), given that solar customers will be paying more — and this has been confirmed by power retailers and I believe in comments made by the minister and reported in the *Herald Sun* — has the minister identified the costs to non-solar customers by

increasing the feed-in tariff, and what would the minister expect those to be?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I do reject some of those comments; I am just not sure what facts they are based on. But I will leave that there and go to the rest of the issues. We have been very clear, and the Essential Services Commission have been very clear, that there is a value there. It is a value that is not quite based on cross-subsidies. There were some scenarios that were considered. So typically, if you consider the recommendations of the Essential Services Commission, there are actually some savings there for those who have solar panels and feed the excess electricity back into the grid. Certainly there are negligible costs in terms of pass-through, as a general rule. There is a network value to this.

As I said — and I caution people when they make comments and throw around exaggerated figures of costs or pretend to know what these are — ultimately there are two components of the review that the Essential Services Commission are doing. They are now working on the network value of distributed generation and excess energy fed back into the grid. I look forward to the conclusions of that work by the Essential Services Commission. I would encourage anybody who has an informed view about what that ought to look like to actually take the full opportunity that has been afforded to every single citizen right across the state and beyond and contribute to this review. I am very confident that really people are getting what they deserve in terms of the value of the energy they produce and put back into the grid. There is more of that work that is continuing.

This is really part of a transformation that is occurring in our energy market. We know more and more people want to be able to produce their own electricity — they want to produce clean electricity, affordable electricity. Frankly, I know that the decision of the government to in the first instance have this review has been broadly supported and welcomed. People want renewable energy and they want to also have a fair value attached to the electricity they feed back into the grid, which ultimately has a broad community benefit right across our state. Whether you have solar power or you do not have solar power, there is a significant benefit there for everyone to enjoy — and it will continue to grow.

I will say to the member that many in industry have welcomed our government's commitment. The Clean Energy Council has given some very strong indications of support. It has said that our position will actually help to incentivise or encourage other technologies that are

there waiting to be used, that it will help to transform our energy markets and really give power back to people in terms of producing clean energy and having control over their energy bills. We know that when you have more renewable energy you actually get a decrease in costs. This is important. The Clean Energy Council is saying that. Solar Citizens — that I would suggest the member for Caulfield is a member of — have welcomed the government's initiative. I quote:

This is a first for Australia and ... the Victorian government was leading the world with this announcement to better value the benefits of rooftop solar, also known as distributed renewable energy ...

That was Reece Turner, a consumer campaigner with Solar Citizens.

So we are doing the right thing because the broad community in Victoria support renewable energy, they support their own renewable energy and they know that there is a benefit for the whole community when we have more renewable energy and less carbon-intensive generation in our environment. That is the fact, and we are very proud to produce this bill and to produce a fair feed-in tariff for consumers.

Mr SOUTHWICK (Caulfield) — As a follow-up to the last question, with respect to the answer that the minister has just given and to the accuracy of that answer, I point the minister to comments that were reported in the *Herald Sun* on 26 October under the heading 'Victorian government to boost solar energy tariffs from July 2017', in which the government was quoted as follows:

The government estimates the system will cost non-solar households about \$2.50 each annually.

The minister said a minute ago that there would be no cost to householders. Could she elaborate? I will ask the question again: given that solar customers will be paying more — and this was confirmed by power retailers and this article — has the minister identified the cost to non-solar customers of increasing the feed-in tariff, and if so, what will that amount be?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I think I did say that it was negligible, so they are the comments that we have made. We know that there is additional value for the broad population, and that is why the Essential Services Commission have yet to complete their work. We certainly look forward to them completing their work, because there is a broad value — for a whole range of reasons — to all of the community, and that needs to be determined. I invite the member to submit his views to the Essential Services Commission. It is an

open inquiry, one that really is very important because it will help set us up for a transformation in our energy market.

For those people who want to refuse and be anti this, I think they will be the last ones standing, because frankly the world is moving on and people are moving on. They know that this is an important thing to help facilitate because it is good for everybody. If the member wants to talk about what is a negligible amount of cost, he can do that. He will continue to do that, I am sure — he does not need my encouragement — but the fact remains that this is an important improvement in our renewable energy tariff arrangements that provides a fair price at very, very minimal — negligible — cost to all consumers. Our government is about making it easier, not harder, for everybody to have renewable energy, unlike those opposite.

Ms STALEY (Ripon) — My question relates to clause 5(4)(c). Has there been a cost-benefit analysis undertaken of adding in the avoided social costs of carbon to the setting of feed-in tariffs?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — Our government is doing what we said we would do during the election campaign. We have been very clear about that and that is what we have committed to doing. It is all very transparent. We said we were going to ask the Essential Services Commission to determine what a fair price is for feed-in tariffs — excess energy fed back into the grid, so this is the net — and the commission have done a significant piece of work and their determinations are independent determinations.

Mr CARBINES (Ivanhoe) — Can the minister advise how clause 5, which amends sections of the Electricity Industry Act 2000, will assist Victoria to become a national leader in rewarding customers with solar panels, for example?

Honourable members interjecting.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I think we are entitled to one out of six questions. The value of course is absolutely there. We know that governments have to show leadership on these matters and this government is showing leadership. Our inquiry was welcomed by the industry broadly to really nut out this question that was left unanswered under the previous government. The previous government was anti-renewable energy and the coalition continues to have that view now in opposition. It is the same mantra.

Honourable members interjecting.

Ms D'AMBROSIO — I have not heard you say one thing in support of renewable energy. You have got this magic mantle of shadow minister for renewables, but it beggars belief what that means.

Anyway, so what we have got is a clear agenda by our government to make it easier for people to adopt renewable energy and to support renewable energy, and that is making sure that we actually place the right value on renewable energy. This begins to do just that and, frankly, the benefits are not just for those who generate electricity for themselves and feed it back into the grid; it actually helps to create a whole new industry.

A number of new energy technologies lie there and are waiting for a government to say, 'Come in and do the job and let us actually help to transform ourselves to a clean energy future'. That is what the government is doing, and it is absolutely committed to that. There are billions of dollars of investment waiting to come into our state that will create thousands of jobs and ultimately give us a clean energy future, one that really does help to reinvigorate and give us the resilience that people deserve in our environment, for social reasons and for health reasons.

We can see that when we do nothing, we actually go backwards. When we stand still, we actually go backwards, and we can start to see that people now resoundingly support renewable energy. I am really proud that we have got a government and a whole range of caucus members that are absolutely committed to growing renewable energy, making it easier for families to be able to get access to the benefits of renewable energy and lower power bills. Ultimately that is what we are about, and we are getting on and doing just that.

The DEPUTY SPEAKER — Order! Before I call the next honourable member, I note it is the right of every member of this house to get the call for any consideration-in-detail stage or any other debate.

Ms SANDELL (Melbourne) — As the minister would know, battery storage is becoming cheaper and as it becomes cheaper more people are likely to install it and therefore disconnect from the grid, meaning the grid infrastructure will become even more expensive for those left on it. Therefore it does seem to make sense that solar owners are incentivised to stay on the grid, perhaps through a feed-in tariff. Does the government intend to account for the benefits of solar owners staying on the grid and the social costs if they disconnect from the grid through its methodology in asking the Essential Services Commission to set a tariff

that would fairly represent the social costs if those people disconnect?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I think I have got more faith in the network than some others may. I know there are different views about this, but I do not think that there is going to be a rush of people wanting to disconnect from the grid. The grid is important. It will remain important. There will be a need for adjustments to be made by the businesses that manage the network, because you have got new technologies that are coming in and of course that means investment decisions need to change and evolve, absolutely. So for us it is about making sure that we maintain the benefits of what we have got as existing infrastructure, because there are terrific benefits in having a grid. I do not think anyone should deny that. It is very, very important and it will continue to be very important for many, many years to come.

It is about how new technologies are allowed into the existing network that allows us to better integrate more renewable energy at a very local level, whether it is at a household level, a community or business level or actually at a utility-scale level and what that means then for other technologies that need to sit alongside of that. I am very confident about this and I support the existing grid and the network needing to be more flexible to allow for those to come in, but all of that is possible. Yes, you will have some people who like the idea of going off-grid, but I think they are a very small number of people, frankly. The fact is that the grid will remain very, very important for many years to come. It will need to improve in terms of its flexibility to allow for those new technologies to come in, and that is why we are absolutely committed to doing that. That is why we have got a new energy technologies sector strategy, which was released in March, and that is why we have made some very significant announcements around large renewable energy and also assisting with small-scale renewable energy. There are a number of other announcements that we will be making in the not-too-distant future that talk about and help to build that picture of an integrated network, and they will take into account, I think, the ongoing importance of the grid.

Mr CRISP (Mildura) — Leading on from what the minister has just said around the distributed generation and network costs of maintaining the grid, small-scale generators are not contributing to that grid as such but a large-scale generator involving billions of dollars that are going to come in is required to pay expensive connection costs. Do you see a role for the Essential Services Commission in looking at grid costs within

feed-in tariffs for small-scale generators as well as large-scale generators?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I think probably the short answer is no, but let us consider the fact that the Essential Services Commission is still doing an element of work that is about network value and I would imagine that in those considerations — and I think the Essential Services Commission has just released a discussion paper at least, some preliminary work — those types of issues get incorporated in that.

This is about what is fair, and when you are talking about getting fair outcomes, you need to fairly consider all externalities and all the issues that are pertinent to that particular issue. It is not about necessarily advantaging one particular technology over another; it really depends on what the purpose is that you want to achieve. What I would say is that the member talks about the large generators having to pay a particular cost in terms of connection fees, but I would say that even those consumers who have rooftop solar pay fees to be connected and ultimately many of them still heavily rely on electricity from the grid. I just think we need to be a little bit careful about overstating a case, but certainly I do not think it is as you have put it in terms of the issues not being totally considered and certainly not in the reviews that we have got the Essential Services Commission doing.

The DEPUTY SPEAKER — Order! Honourable members in the consideration-in-detail stage have the right to get up twice on a clause, but they then need to seek leave for a further time.

Mr SOUTHWICK (Caulfield) (*By leave*) — Minister, you referred to the fact that there will be minimal cost to non-solar householders as part of the new levy that is being administered. I understand that the Essential Services Commission will be implementing this, but it is a policy decision of the government to implement this new scheme. Can you outline to the house what modelling has been done to arrive at the sort of figure that you are talking about in terms of the cost to non-solar participants, and also what does that modelling show in terms of benefit to those that currently have solar?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — It is correct to say that it is government policy to do a review into a fairer feed-in tariff — but that was it; we did not presuppose or pre-empt any conclusions of the Essential Services Commission. Their first-stage consideration of the review presented recommendations

that the commission has determined represents the fair value, if you like, of energy fed into the grid. The commission certainly describe all the considerations they have taken into account to arrive at the recommendations that they have. The Essential Services Commission is an independent body. They are a very robust body. Before we ended up in the national market they had played a very strong and strategic role in determining electricity tariffs all round. They are very well equipped and expert and are led by some very strong economists who have developed a set of recommendations that are robust and well informed. We have been very transparent in this. The information is out there and available for anyone to have a look at, to interrogate and to agree or disagree with.

Mr SOUTHWICK (Caulfield) (*By leave*) — I take it from the last answer that the minister has no idea of what the actual price implications will be, given that no modelling has been done, according to her answer, that this is purely a review and that we will be waiting on further work from the ESC on this. If that is not the case, could the minister outline exactly how we have arrived at where we are now and what the figures may be?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — That is just wrong, and it is not what I have said. I have been very clear about this. We have had other questions in the lead-up to this. The last couple of questions were about what the value is for those who own solar and what the possible pass-through costs are for those who do not own solar. We have dealt with those, and comments have been made, absolutely.

All of that information is based on the very learned and expert work of the independent Essential Services Commission. We made it very clear that we asked them to do a significant piece of work which was independent and without any presupposition of what the outcome ought to be. They have done that work, so if the member has concerns about that, then I would strongly suggest he take it up with the Essential Services Commission because I think they have been very clear in the commentary they have made and in the report they have presented that, following particular scenarios in terms of the value, certain outcomes would result. Those outcomes are what we have been discussing, whether it is in the *Herald Sun* or whether indeed it is through a range of other stakeholders that have very much welcomed the government's reform agenda when it comes to solar feed-in tariffs.

Unlike others, we want to make sure that consumers get fair value for the energy they feed back into the grid.

We want to make sure that renewable energy is affordable and accessible to every Victorian, and that is why we have got a very clear agenda to grow renewable energy and the opportunities for all families and businesses to be able to get access to and benefit from that clean renewable energy.

Mr SOUTHWICK (Caulfield) (*By leave*) — Based on the last answer, will power prices go up for non-solar householders — yes or no — on top of the Hazelwood power prices going up?

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) — I will tell you what will not be going up under our government: the record number of disconnections that happened under your government. There were record disconnections.

Victoria has the lowest electricity prices of any state in this country. We have been very clear and transparent about the benefits of renewable energy technologies. We have asked the Essential Services Commission to report on this, to do an independent review. They have done that, and I thank them for their expert work. It is absolutely very clear that for those who do not have solar energy the costs are negligible. The overall benefits are there for every Victorian, whether they have or do not have solar panels on their rooftops.

The DEPUTY SPEAKER — Order! 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.

The DEPUTY SPEAKER — Order! The question is:

That clauses 6 to 23 inclusive stand part of the bill, the bill be agreed to without amendment and that the bill be now read a third time.

House divided on question:

Ayes, 46

| | |
|----------------|----------------|
| Allan, Ms | Lim, Mr |
| Andrews, Mr | McGuire, Mr |
| Blandthorn, Ms | Merlino, Mr |
| Brooks, Mr | Nardella, Mr |
| Bull, Mr J. | Neville, Ms |
| Carbines, Mr | Noonan, Mr |
| D'Ambrosio, Ms | Pakula, Mr |
| Dimopoulos, Mr | Pallas, Mr |
| Donnellan, Mr | Pearson, Mr |
| Edbrooke, Mr | Perera, Mr |
| Edwards, Ms | Richardson, Mr |
| Eren, Mr | Richardson, Ms |
| Foley, Mr | Sandell, Ms |
| Graley, Ms | Scott, Mr |

Green, Ms
Halfpenny, Ms
Hennessy, Ms
Hibbins, Mr
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms
Knight, Ms

Sheed, Ms
Spence, Ms
Staikos, Mr
Suleyman, Ms
Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 35

Angus, Mr
Asher, Ms
Battin, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McLeish, Ms
Morris, Mr
Northe, Mr

O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr
Ryall, Ms
Ryan, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Question agreed to.

Clauses 6 to 23 agreed to.

Bill agreed to without amendment.

Third reading

Motion agreed to.

Read third time.

FAMILY VIOLENCE REFORM IMPLEMENTATION MONITOR BILL 2016

Second reading

**Debate resumed from 22 November; motion of
Mr ANDREWS (Premier).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016

Second reading

**Debate resumed from 22 November; motion of
Mr PAKULA (Attorney-General).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

SMALL BUSINESS COMMISSION BILL 2016

Second reading

**Debate resumed from earlier this day; motion of
Ms HUTCHINS (Minister for Local Government).**

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Ms McLeish — On a point of order, Deputy Speaker, on 12 October I raised an adjournment matter for the Minister for Education — no. 11 800 — and that remains unanswered. I would appreciate it if you could direct him or the Speaker to take some action on that.

The DEPUTY SPEAKER — Order! I will certainly pass that on to the Speaker.

Metro Trains Melbourne

Mr HODGETT (Croydon) — (12 078) I direct a matter to the Minister for Public Transport in relation to Metro Trains Melbourne's poor treatment of Mr Paul Cox and his business, B.M.C. & Associates. The action

I seek is that the minister investigate Metro Trains Melbourne, and in particular Mr Mike Houghton, chief executive officer, and Mr Andrew Lezala, managing director, regarding Metro's commercial ban on Mr Cox communicating or liaising for work with contractors or alliances, or being hired for safety-related rail occupation work; the culture of fear that stops others in the rail industry from confidentially reporting safety breaches to Metro; and, most importantly, action taken by Metro to ensure that there is a safe environment for passengers, staff and contractors.

In March 2015 Mr Cox raised major concerns about Metro's procedures, such as hazard assessments not being conducted. Subsequently there was the shocking 2 October 2015 incident, which occurred when trains were running on a public holiday timetable, where a track work supervisor was hit by a Metro train that had crossed from the west to the east line near Laverton, unlike the normal pattern of train operations on weekdays. The mandatory pre-work safety briefing had not been conducted despite a prework hazard assessment having been required by Metro since 3 December 2013. The Australian Transport Safety Bureau investigated and eventually issued a report. Subsequently some of the same track gang were involved in the Seddon incident of 25 November 2015, where they failed to implement proper safety procedures and were eventually dismissed.

I am informed that the commercial ban on Mr Cox was imposed by Varni Petrovic, who at the time was with Metro's project area in safety, and I am further informed that Mike Moyes assisted in implementing the ban on Mr Cox. Mr Cox is acknowledged by others as being focused on safety, yet because he alerted Metro management to major safety failures, he has not been able to enter into short-term employment contracts with companies contracting for Metro. The latter is an alternative to the discussion about the preregistration of contractors under Metro's preregistration program that the Minister for Public Transport is hiding behind.

I ask the minister, firstly, to investigate why the Rail, Tram and Bus Union appears to have the only confidential reporting system for alleged safety breaches, not Metro; and, secondly, to inform me whether the commercial ban on the well-regarded and competent Mr Cox and his business will be immediately rescinded and Mr Cox be encouraged to apply for and indeed be given suitable work opportunities. I know that some in the rail sector are keen to hire Mr Cox. Given that Metro is in negotiations to have its franchise extended, now is the time to examine whether its record on safety is as it should be.

Bridge Inn Road, Mernda

Ms GREEN (Yan Yean) — (12 079) I wish to raise a matter for the attention of the Minister for Roads and Road Safety, and I want to put on record again the need for further investment in roads in the outer north of Melbourne. In particular on this occasion I refer to Bridge Inn Road, a major east–west road that runs through my electorate, just about smack bang in the middle, which was declared a state road earlier this year. The action I seek from the Minister for Roads and Road Safety is that he advise what VicRoads has planned for the future of Bridge Inn Road, and in particular what collaboration is occurring with the Level Crossing Removal Authority, Mernda rail builders John Holland and also the Victorian Planning Authority, who have carriage of the Mernda town centre which is being developed in and around the corner of Bridge Inn Road and Plenty Road.

As the minister and many people in the area know, the roundabout at the intersection of Bridge Inn Road and Plenty Road is a significant congestion point. It is certainly a traffic hotspot in my electorate as commuters travel east–west and north–south, and it will be even more so when the rail is up and running in early 2019. The intersection, which is home to the Bridge Inn Hotel, will also be in the centre of the new town centre, and immediately adjacent to the Mernda rail station. There are a number of bus routes that travel through here, as well as parents trying to get their kids to school. Particularly at school pick-up and drop-off times, it is a significant hotspot. It is vitally important that VicRoads, who are involved in the transformation of the area and currently planning for the duplication of Plenty Road, which was funded in this year's budget, look to do similar planning work for Bridge Inn Road.

Last week I was delighted to welcome the Premier and the Minister for Public Transport to my local community to announce the successful tenderers, John Holland, who are building the Mernda rail project and delivering 3000 jobs. The Mernda rail extension will service 8000 passengers a day, and there will be 1000 car parking spots and a transport hub. It does mean that Bridge Inn Road does need some action on it around the same time.

I was disappointed that the City of Whittlesea, despite welcoming the successful tenderer last week, have a motion on the books this week which seeks to delay this great project. Ninety-five per cent of the community have said that they are in support of this. A Liberal-led counsel, just like they were when they were in office at state level, commentate on a lot of projects but actually do not get anything done. I know that we

will be getting on with the job of delivering Mernda rail and the Plenty Road duplication, and I urge the minister to deal with Bridge Inn Road as well.

Euroa Health

Ms RYAN (Euroa) — (12 080) The matter I raise tonight is for the attention of the Minister for Health. I have previously invited the minister to visit Euroa to meet with the board and CEO of Euroa Health to hear their case for public funding. Tonight I would like the minister again to agree to this very reasonable request.

The Shire of Strathbogie in my electorate has no publicly funded hospital beds, not a single one. The shire is home to more than 10 000 people, and is the only shire in the state without access to public hospital beds. If somebody does not have private health insurance, they are forced to travel to Shepparton, Benalla or Seymour to access publicly funded hospital care.

It is important to understand the context in which Euroa Health operates. Like many health services in a rural area, it has evolved from the old bush nursing hospital model. For the past 87 years it has provided outstanding health care to the region. It is a not-for-profit organisation run by a community-based board, and the local community makes an enormous effort each year to raise funds for the hospital. This weekend Seven Creeks Estate is holding its annual fair for that very purpose, and I look forward to attending it.

The hospital provides 24-hour acute hospital services, residential aged-care, allied health services and community support programs as well as a range of visiting health services. Euroa is not a wealthy community. The number of residents over the age of 60 is double that of the state average, and 70 per cent of households are low income. Many people simply cannot afford private health insurance, and as the number of war veterans and their widows in the community dwindles, so too have the number of people with private health insurance. It is likely that further financial strain will be placed on Euroa Health as a result, and the flow-on from that is added costs to the local community and added pressure to other regional hospitals.

That is without mentioning the fact that it also ties up the resources of the local ambulance, which has to transport patients to and from other hospitals, diverting it away from emergencies and also resulting in the ludicrous situation where, if somebody in Euroa Health's residential aged-care facility gets sick but does not have private health insurance, they have to be

transported 50 kilometres even though the capacity to treat them might exist next door.

The government's silence on this issue has been absolutely deafening. As the minister would be aware, I supported Euroa Health's push for public beds during my election campaign and I was able to secure a commitment from the previous coalition government. If that had been delivered, there would already be at least two publicly funded hospital beds, with the option of up to eight more.

Mercy College, Coburg

Ms BLANDTHORN (Pascoe Vale) — (12 081) I appreciate the opportunity to raise a matter for the attention of the Minister for Education. The action I seek is that the Minister for Education support the application made by Mercy College in Coburg for a capital grant under the Victorian government's capital funding program for non-government schools.

The Andrews Labor government's 2015–16 budget included a commitment of \$120 million to help build and upgrade Catholic and independent schools in Victoria, and indeed St Oliver Plunkett Primary School in Pascoe Vale has already been a beneficiary of this program. It is an important program that ensures that we give funds to those programs that need it most, with funding to be allocated across two project categories: expanding capacity in areas of Victoria experiencing significant enrolment demand and upgrading school facilities according to need.

The project at Mercy College in Coburg fits into both of these categories. Coburg is an area that is experiencing rapid increases in the student population across all of its schools, and Mercy Coburg is no different. It is also a school that has students from a mix of communities and communities of various levels of opportunity, from students coming from refugee and asylum seeker families to students living in some of the most disadvantaged postcodes in our communities and students of other opportunity levels. The school would like to build flexible learning spaces, and they would also like to be able to create a gathering space for the junior school where the junior school can come together and share meals and their learning experiences.

The principal at the school, Dr Michelle Cotter, does an absolutely fantastic job bringing this multicultural community together at Mercy College in Coburg. As a former student of the Sisters of Mercy at Lilydale, I can well and truly attest to the Mercy education that the girls receive there. Going back to the school always reminds me of my own Mercy education. I well and

truly commend the project. I ask that the minister support the Mercy College application for a grant for funding.

Brighton electorate police resources

Ms ASHER (Brighton) — (12 082) The issue I have is for the Minister for Police, and the action I am seeking of her is that she provide additional police resources for the bayside areas, specifically the Brighton area, in the form of much-needed additional frontline police. I refer the minister to a number of circumstances.

Firstly, the recent crime statistics in the bayside area show an increase in crime of 16.2 per cent from June 2015 to June 2016. We have seen in our area increases in theft, assault, robberies, stalking and harassment. Secondly, I refer the minister to the Police Association Victoria survey showing that the bayside area needs 60 additional police officers by 2022. Thirdly, I draw the minister's attention to some horrific examples of crimes in the Brighton area. There was a recent home invasion in Brighton East, which I have drawn to the attention of this house on a couple of occasions, and the sentencing follow-up to that has been in the newspapers recently. I can assure the minister that Brighton residents are fearful for their safety. I also want to draw the minister's attention to a recent carjacking in broad daylight in East Brighton, and again the impact of that has reverberated around the community.

On top of this, in our area there is a significant fear of home burglaries. There is also a constant and ongoing serious problem of vandals graffitiing in the streets. Unfortunately there is drug use. Indeed I saw an apprehension by two police in Bay Street in broad daylight, with some drug-crazed individual on the ground. Obviously in that instance there were police to handle it, but there are insufficient police in the area overall. I think the case is well made for our need.

I draw the minister's attention to the fact that a previous Labor government shut the Brighton police station and removed that presence down to Sandringham. I also draw the minister's attention to the fact that previously there was a police van in Church Street at night. It was a very, very useful thing to have a police presence in Church Street at night when it was needed. So I implore the minister to provide these additional police resources for Brighton.

Kilbreda College

Mr RICHARDSON (Mordialloc) — (12 083) My adjournment matter, following the lead of the member

for Pascoe Vale, is to the Minister for Education. My adjournment relates to the non-government capital works fund and consideration of Kilbreda College's application. This government is committed to education across all sectors, and our commitment to both public and independent schools to provide the necessary resources to invest in our children's future is a paramount focus. If we consider the investment that we have made in our schools, on average more than \$500 million each year is made available to our schools from the capital works funds to deliver those necessary projects. The previous government's average spend was \$278 million, and that showed where their priority was in education.

Our priorities also extend to the non-government sector, and Kilbreda College has educated thousands of young women in my local community, who feed in from St Joseph's School in Chelsea all the way through to St Patrick's School in Mentone. Kilbreda College provides an outstanding education to our community. They are looking to do some upgrades to their theatre and to increase capacity. It is much needed for that local community, with growth in that sector in the number of students going through. We need to also support their capital works. In conclusion, I ask the Minister for Education to consider Kilbreda College's application under the non-government school capital works fund.

Tolerance

Ms SANDELL (Melbourne) — (12 084) Today I ask the Minister for Multicultural Affairs to write to me to outline what this government is doing to stand up to the hate, xenophobia and racism peddled by the likes of Pauline Hanson and what this government is doing to protect our wonderful multicultural community. There have been many heartbreaking moments in 2016. We have seen Britain vote to leave the European Union and the multicultural values it represents. We have seen the United States elect an openly sexist and racist candidate in Donald Trump to the highest office in the land. At home we have seen the return of Pauline Hanson, who tells us in all seriousness to fear 'being swamped by Muslims'. Now we have a federal immigration minister, Peter Dutton, saying that Australia made a mistake by helping migrants and refugees in the 1970s, because they and their grandchildren are partly to blame for foreign fighters and terrorism.

It is not just the policies of Pauline Hanson, Peter Dutton and Donald Trump that are dangerous. Their words alone send a strong message to the community that hate, fear, racism and xenophobia are okay. They are not. Not only are hateful words not okay but they have a real impact on people's lives. I have recently

heard some very disturbing stories from primary school students in my electorate since Pauline Hanson was elected. One 10-year-old girl saw a woman's hijab ripped off in the street. She told us that she is afraid that in future no-one will give her a job and she will not have a place to live. An 11-year-old girl told us that she was called a terrorist at her school sports carnival and was so upset she stopped in the middle of her race. Young children are asking me, 'Why do so many people hate us?'. No child should be made to feel that they do not belong or that they are hated for the colour of their skin or their family's religion, but this is the effect of Pauline Hanson's words.

I have never felt so welcome as when I attend events in the African and Muslim community in Carlton, North Melbourne, Flemington and Kensington, but many of these people no longer feel welcome in their own neighbourhoods. So today I am here to send a strong message to the Muslims in my community and to all people of varied faiths, colours, races, religions and backgrounds: you are welcome in Melbourne, you are valued and you are loved. The Greens stand with you. The people of Melbourne stand with you. We see you, we respect you, you belong here. I hope the Minister for Multicultural Affairs in this government also feels this way and can reassure my community that they will be supported and protected here in Melbourne, no matter what people like Pauline Hanson and Peter Dutton say.

Glasses for Kids program

Ms SULEYMAN (St Albans) — (12 085) The adjournment matter I wish to raise is for the attention of the Minister for Education. What I seek is for the minister to join me in visiting a local St Albans primary school to see firsthand the positive impact that the Glasses for Kids program, which was announced this week, has on a school community. This week we announced as part of the Glasses for Kids program that we were enabling 14 schools in my electorate of St Albans to take part in this program. I have already received messages of support from the principals of Furlong Park School for Deaf Children and Jackson School for the positive impact that will have on kids who otherwise may have missed out on eye testing and free glasses due to the financial circumstances of their families. Of course in the electorate of St Albans, where 80 per cent of people come from non-English-speaking backgrounds and a high percentage are from a disadvantaged demographic, this really makes a difference in a child's life.

I am extremely proud of the Andrews Labor government because it is investing in children's

education, no matter what their postcode. As I said, this will have a significant impact on people's lives, particularly children's. I am pleased that we have invested so much in education in the St Albans electorate. Again, this program will have lasting impact on the everyday lives of kids in the west. I think it would be great for the Minister for Education to see firsthand some of the positives that come out of this program, so I am looking forward to the minister visiting the electorate. I know the school community will be extremely enthusiastic in welcoming the minister, and in particular Furlong Park School for Deaf Children and Jackson School. I know the minister has firsthand knowledge of the great work that those schools do, not only for the schoolkids but also for the community. They contribute in such positive ways to the St Albans electorate.

Before I conclude, I again commend the minister on this announcement. It really does make a difference, in particular for my electorate of St Albans, when it comes to the provision of free eye testing and free glasses for kids from prep to grade 3. This will have some real lasting impacts for parents who otherwise may not be able to afford glasses for their kids. I look forward to the minister coming out to visit the St Albans electorate in the future.

Breakwater Road, Belmont, realignment project

Mr KATOS (South Barwon) — (12 086) My adjournment matter this evening is for the Minister for Roads and Road Safety. The action that I seek is for the minister to rectify flooding problems to private property in Marshall that has occurred as a result of the installation of the Breakwater Road realignment project to create a flood relief culvert. This culvert work has resulted in flooding to properties between the Geelong to Warrnambool rail line and the Barwon River in the vicinity of Horseshoe Bend Road and Woolscour Lane. The flooding has affected various properties but particularly those owned by Mr and Mrs Neil Chapman and Mr Dick Wylie.

This culvert was intended to cater for the loss of natural floodland in the event of a Barwon River flood to compensate for the footprint of the new Breakwater bridge. However, right from the start property owners expressed their concerns about the culvert levels being too low to the Corangamite Catchment Authority, which in turn told them that the culvert levels were properly engineered by VicRoads. During the construction stage in February 2011 property owners met on site with VicRoads and Fulton Hogan. A number of issues were discussed and again concerns

were raised about the culvert levels: rectification works, debris and rubbish build-up and fence repairs after a major flood.

Not long after completion of the culvert there was a local thunderstorm and water run-off from the newly constructed council drain found its way into the culvert adjacent to the properties, inundating the land, which justified the concerns of the landholders about the culvert levels. VicRoads acknowledged this problem and they saw firsthand the water entering the culvert from a foreign source. VicRoads arranged a local contractor to build a bunting wall on the invert of the culvert to stop local water run-off entering properties.

On 13 September this year there was a major rain event resulting in the Waurn Ponds Creek breaking its banks, being diverted directly into the newly constructed culvert adjacent to the properties and completely inundating the farmland. In the 40 years that the Chapmans have owned this land, flooding has never occurred in this manner. Yes, they have been flooded before on a number of occasions due to the Barwon River breaking its banks, but as a result of the culvert they now have a creek and residential stormwater running through their properties to the Barwon River as well. Through no fault of their own, the diversion of the stormwater and the Waurn Ponds Creek has rendered the Chapmans' productive farmland useless for long periods of time due to flooding. I urge the minister to undertake works to rectify this situation and prevent stormwater and the Waurn Ponds Creek from flooding these properties again.

Ascot Vale public housing estate

Mr PEARSON (Essendon) — (12 087) Deputy Speaker, can I first of all say what an absolute honour and privilege it is to be afforded the opportunity of asking the last question in the adjournment debate of spring 2016. Roll on summer, I say, Deputy Speaker.

I direct my adjournment matter to the Minister for Housing, Disability and Ageing, and the action I seek is that the minister advise me when the rollout of CCTV cameras will be completed on the Wingate Avenue public housing estate. The Wingate Avenue public housing estate was constructed after World War II on land that was a former racecourse owned by John Wren. While the quality of housing is, in parts, better than at Flemington, it is not particularly safe. I think there have been a number of serious incidents on the estate in the last 12 months, while there have not been as many at Flemington. The installation of CCTV cameras will make the area safer, and I absolutely commend the government on commencing this initiative.

Deputy Speaker, I hope you have a fantastic summer.

The DEPUTY SPEAKER — And I wish the member for Essendon a good summer as well.

Responses

Ms ALLAN (Minister for Public Transport) — The member for Croydon made a number of claims in his contribution about issues between Metro Trains Melbourne and a company that he was making representations on behalf of, and he referenced a number of safety incidents. I will ask Public Transport Victoria to investigate those matters and report back to me.

A further nine honourable members raised matters that will be referred to the relevant ministers for attention.

The DEPUTY SPEAKER — Order! The house is now adjourned — a few days before summer.

House adjourned 5.35 p.m. until Tuesday, 6 December.

