

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Tuesday, 12 April 2016

(Extract from book 5)

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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.

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

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Deputy Speaker:

Mr D. A. NARDELLA

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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

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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

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP

¹Elected 31 October 2015

²Resigned 3 September 2015

³Resigned 3 September 2015

⁴Elected 14 March 2015

⁵Elected 31 October 2015

⁶Resigned 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 Elasmr 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, Ms McLeish and Ms Sheed. (*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*): Dr Carling-Jenkins, 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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Tuesday, 12 April 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.05 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

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

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Employment

Mr GUY (Leader of the Opposition) — My question is to the Premier. On 6 October the Premier promised to create 100 000 full-time jobs in the first two years of government. On 23 December he said that, ‘We’ll honour each and every one of these commitments that has been made’. The Treasurer now claims this promise has always been a stretch target and that he is not apologetic for that. I ask the Premier: has the promise been abandoned, or was the Treasurer wrong?

Mr Walsh interjected.

Mr ANDREWS (Premier) — I do not often quote the Leader of The Nationals, but as he just said, ‘Is that the best you can do?’ — the light grey suit and the lightweight question. That is where we are up to today. This is a government that honours all of its commitments — all of them — and it is a government that has got a strong, fully funded infrastructure plan to grow jobs in our state.

We will not sit by, as those opposite did, seeing unemployment go up and up and up — up and up every quarter, every year that Victorians were subjected to their indolence, their slothful style of leadership and their uniquely weak style of leadership. And speak of the devil, here he is now.

Honourable members interjecting.

Mr Guy — On a point of order, Speaker, on relevance, firstly, lying to Victorians about jobs growth is not a lightweight question — lying about jobs growth is not a lightweight question. Simple question: is the 100 000 figure abandoned, or does it still stand?

The SPEAKER — Order! The Chair does not uphold the point of order.

Mr ANDREWS — Thanks for that, Speaker. Now that the Leader of the Opposition has assured us he is not a lightweight, according to him, this government will get on with it.

Mr Guy interjected.

Mr ANDREWS — That is the question — get on with it.

Mr Guy interjected.

Mr ANDREWS — Yes, that is right: removing level crossings — being delivered by Labor; getting on and delivering Melbourne Metro rail — delivered by Labor; fixing the mess left to us in vocational education and training — who is doing that? Labor is getting on and doing it, employing more teachers, more nurses, more paramedics and more police. In all these areas there is a reason why we lead the nation for private business investment. Only just a few moments ago the latest economic data released showed that sentiment in our state is at a very strong position.

There is strong confidence that Victoria has a government that delivers on its commitments and a government that works full-time, not a government that does nothing. That endeavour, that work and the creativity and capacity of the Victorian community are well represented in almost every economic statistic we have seen since we came to government, and those opposite would do well to reflect on their own appalling record of unemployment and cutbacks before they start lecturing anybody else, least of all those on this side of the house, who are about jobs and growth and keeping our economy and our community strong.

Supplementary question

Mr GUY (Leader of the Opposition) — One hundred thousand new full-time jobs in the first two years of government, that was the promise. Given the Premier is now poles apart from his own Treasurer over whether this promise still stands or not, whose word should Victorians believe on economic policy in this state — the Premier’s or the Treasurer’s?

Mr ANDREWS (Premier) — The supplementary is no better than the pathetic original question from a lightweight in the light grey. It is as simple as that. Who is poles apart? Well, I reckon the Leader of the Opposition is poles apart from the then industry minister, the member for Brighton —

Honourable members interjecting.

Mr Guy — On a point of order on relevance, Speaker, this question is not about suit colour; it is about people's jobs.

Honourable members interjecting.

Mr Guy — The Labor Party may laugh. It is about people's jobs, their livelihoods and their families. It is a simple question. Who should — —

The SPEAKER — Order! The Leader of the Opposition knows too well that so far he has not managed to make a point of order that conforms to standing orders and rulings. The Leader of the Opposition, to conclude his point of order or I will ask him to resume his seat.

Mr Guy — Halfway into the answer the Premier has not answered or even tried to answer the relevance point, which is: who should we believe about economic policy, the word of the Premier or that of the Treasurer?

Honourable members interjecting.

The SPEAKER — Order! The Chair does not uphold the point of order. The member for Warrandyte knows that.

Mr ANDREWS — We are all laughing at him — no-one else, just him. Let us be clear about this. The government will continue to invest. The government will continue to deliver on each of its commitments. The Treasurer, me, every minister and every member of the government in their local communities will continue to work hard every day to keep our state strong. We will not be lectured to by those who saw growth down and unemployment up and were rejected because they were an appalling government.

Ministers statements: health funding

Mr ANDREWS (Premier) — I am very pleased to be able to announce to the house and to all Victorians what is one of the biggest, if not the biggest, boost to elective surgery capacity not just in our state's history but indeed if you look at all those investments made by every government across our nation, this is the most significant boost to elective surgery that our state and our nation has ever seen.

Honourable members interjecting.

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

Mr ANDREWS — Why is that important? We are a growing community. We are an ageing community. Medical science means you can do more for more

people but not if you do not provide the resources and not if you do not give them to our doctors and nurses and all those in our hospital system who work as teams to provide more care faster. That is what a Labor government in this state is doing — not cutbacks, not closures and not an elective surgery waiting list that got to 50 000. It was Etihad Stadium those over there were running. That is how many people were waiting for surgery. We do not see that as a way forward.

What is instead important is to make profound investments such as \$335 million in additional funding. That will mean that in this year 200 000 Victorian patients will get the surgery that they need, and those opposite — —

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Hawthorn. I will not warn him again.

Mr ANDREWS — The member for Warrandyte could listen and maybe learn something. We know he does not know anything. It is in one ear and out the other.

Honourable members interjecting.

Mr ANDREWS — We know that they know nothing about investing in hospitals, so those opposite should listen up and learn something. With \$335 million, 200 000 patients will get their care quicker than they otherwise would have, and more patients will be getting the care that they need when they need it. That certainly sits in stark contrast to cutbacks and closures and to barracking for Malcolm Turnbull and his cutbacks and closures. We will continue to get this done because that is what is most important.

Employment

Mr M. O'BRIEN (Malvern) — My question is to the Premier. Given the Treasurer made clear on 18 February this year that, and I quote, 'I'm in charge of the economic settings', did the Treasurer have the Premier's approval when he dumped the promise to create 100 000 new full-time jobs in this government's first two years in office?

Mr ANDREWS (Premier) — I thank the member for Malvern. I do very much thank the member for Malvern. Fancy a former Treasurer expressing surprise that the Treasurer of the day is responsible for the economic settings! We know what sort of Treasurer the member for Malvern was — old side letter, old Windscreens O'Brien over there with the glass jaw.

This is a Treasurer and a government that is delivering higher growth than those opposite, more jobs than those opposite and a funded and aggressive plan for infrastructure — a real one, not just ads on the TV.

We remember all the tourists down at Southern Cross station coming up to the staff members, saying, ‘We see all these signs about airport rail. Where do we catch the airport rail?’. Those opposite painted it on the steps. The Picasso of non-delivery over here — —

Honourable members interjecting.

The SPEAKER — Order! The member for Malvern asked a question.

Mr ANDREWS — Do not waste your time on me.

Ms Ryall interjected.

The SPEAKER — Order! I will not warn the member for Ringwood again.

Mr Guy — On a point of order, Speaker, before the Premier drinks any more red cordial, I wonder if he could inform the house and if he could actually get back on relevance to the question. Did the Treasurer tell him that he was about to dump Labor’s key promise on jobs; yes or no? That is what was asked. I ask you to bring him back to answering it.

The SPEAKER — Order! I do ask the Premier to come back to answering the question.

Mr ANDREWS — It is a fantastic program and one that every member of our government fully supports. I am asked about this program. And rather than the jaundiced view of those that were rejected by the people of this great state after four years of incompetence and just the most bizarre set of leadership propositions — —

Honourable members interjecting.

Mr ANDREWS — Rather than responding to all the noise from this one over here, I inform the house that I was in Wycheproof last week at a great small business, Bakery on Broadway, which was very recently opened. The Minister for Environment, Climate Change and Water, the Minister for Agriculture and Minister for Regional Development in the other place and a number of other members of our travelling party were delighted to go there and have some coffee.

While I was there at this great small business, supporting it with a very healthy breakfast, I might add, I met a new member of staff, the employment of whom

was made possible only because of the Back to Work scheme. I would simply say — —

Honourable members interjecting.

Mr Guy — What was his name?

Mr ANDREWS — The Leader of the Opposition assumes that it was a man. It was a woman in fact. He assumes many things, including that those policies we took to the election are all we will do. Well, the budget is coming, and watch this space.

Supplementary question

Mr M. O’BRIEN (Malvern) — Given the Premier has said that he takes responsibility for each and every thing that occurs in his government, I ask: can the Premier produce a single document that ever described his election promise of 100 000 full-time jobs in two years as a stretch target?

Mr ANDREWS (Premier) — The only person being stretched here is the member for Malvern obviously. Why did we need a Back to Work scheme? We needed a Back to Work scheme put in place by our government because this mob opposite had run the highest unemployment rate on the Australian mainland. On a good day they could keep their nose out in front of Tasmania, and that is about it.

Mr Guy interjected.

Mr ANDREWS — Well, it is a very simple question, isn’t it? Holden, Ford, Toyota, Qantas, Unibic, ANZ, Boral, BlueScope Steel — should I go on? All job — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat, and so will the member for Malvern. The member for Malvern on a point of order, to be heard in silence. Stop the clock, yes, I beg your pardon.

Mr M. O’Brien — On a point of order, Speaker, the question was very specific. It invited the Premier to produce a single document that ever described his election promise as a stretch target. He has not turned himself in his answer to that question whatsoever, and I ask you to bring him back to answering the question about sourcing that election commitment as a stretch target.

The SPEAKER — Order! The Chair failed to stop the clock at the time and wants to give the Premier opportunity to respond. I ask the Premier to come back to answering the question.

Mr ANDREWS — There is the Premier's Jobs and Investment Panel and the fund associated there. There is the Regional Jobs and Infrastructure Fund, the Future Industries Fund and all the other work that is being done across government in every part of every portfolio. This is a government that is committed to doing everything it possibly can to grow jobs, to grow the economy and to make sure that Victorians have got the services and supports that they need.

We will not be taking lectures on the release of documents from those opposite — least of all from the member for Malvern. Nor will we be taking job creation lectures from those who gave us the highest unemployment rate on the Australian mainland.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 11(2), which enables you to require a minister to provide a written response if an oral response has not been responsive to the question. As the member for Malvern submitted, this was a very specific question about whether the Premier would produce a document referring to the promise as a 'stretch target'. You gave the Premier additional time to come to that issue. He failed to do so. I ask you to now ask him to provide a written response to the question.

Ms Allan — On the point of order, Speaker, in asking you to rule out of order the point of order made by the manager of opposition business, I remind you and the house that the question went to the issue of election commitments that we on this side took to the November 2014 election — clearly successfully. It went to the issues of the work we had to do from opposition in developing a jobs plan and program. As the Premier was concluding his supplementary response, he went to detail the election commitments that were made and how they are being implemented and delivered by this government. I would therefore suggest that he has answered the question and the supplementary question and is not required to do as the manager of opposition business has asked.

The SPEAKER — Order! The Chair will give the Chair the benefit of the doubt, will review the answer and will come back.

Ministers statements: health funding

Ms HENNESSY (Minister for Health) — I rise to inform the house of a new government initiative to provide Victorian health services with an immediate investment of \$20 million for capital works to build new theatres and provide beds and equipment so they can treat more patients quickly. This comes on top of the \$335 million elective surgery investment that will

treat an additional 200 000 patients in the next financial year — that would be up to 18 000 patients — that the Premier spoke about earlier in his ministers statement.

We do understand that for people who are waiting too long for their surgeries it does have an incredibly negative impact on the quality of their lives. Our government is committed to making sure that people have access to the right health services when they need it and where they need it. This capital funding will be provided this year, and it is going to be specifically focused on building the capacity for some health services so they can deal with this Australian first, one-off large investment when it comes to elective surgery. That means there will be more beds for elective surgery and patients will be able to access more points of care across the system.

This funding has already been allocated, and some of those key projects include expanding the surgical capacity and ambulatory care at Austin Health, including providing four additional overnight beds. There is going to be additional elective surgery capacity at Peninsula Health, two special nursery cots at Sandringham nursery and extra capacity at both Monash Health and Eastern Health. We will be ensuring that patients at Ballarat Health Services are seen faster in emergency. There is also going to be new equipment invested in at Barwon Health, Melbourne Health and Northern Health. Patients right across Victoria will benefit from this.

We do want families to be happy and healthy at home. That is why we are investing in our health services — unlike those opposite, who put \$1 billion worth — —

Mr Guy interjected.

The SPEAKER — Order! The Leader of the Opposition!

Employment

Mr M. O'BRIEN (Malvern) — My question is to the Treasurer. Now that he has dumped the promise of 100 000 new full-time jobs in two years and says that breaking his election promise is not something he is apologetic for, I ask: does the government have a new specific job creation promise or, given its failure on the last one, has it just abandoned it altogether?

Mr PALLAS (Treasurer) — I thank the member for Malvern for his question. Can I make it very clear that this government stands by all its commitments. Let me be very clear that when we say that we will stretch ourselves, we will not be stretching the truth, which is what those opposite specialise in; we will not be

showing elasticity the way they did when they hid from the people of Victoria contracts that they signed to undermine the economic wellbeing of this state.

What we will do is go about delivering infrastructure that the people of Victoria voted for, so let us compare the comparative effort. We said that we would put in place a Back to Work scheme — a Back to Work scheme that had many components, one of which was of course the Back to Work-funded scheme to provide the opportunity for young people and other disadvantaged groups to be able to find their way back into the workforce.

And what did the Jonahs on the other side say about it? It would not work, and it was nonsense. Can I advise the house today that I have received advice from the commissioner of the State Revenue Office, the man charged with the responsibility of managing the Back to Work scheme, and he has advised me that I must wind up this scheme by the end of the year. Now, why has he advised me that? Because what he said is it is because the scheme is growing exponentially. He tells me —

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte!

Mr PALLAS — He tells me that given the significant take-up, particularly in the apprenticeship category, we expect that the scheme will be fully expended on an accrual basis —

Mr Pesutto interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Hawthorn

The SPEAKER — Order! The member for Hawthorn will withdraw himself from the house for the period of 1 hour. The Treasurer, to continue in silence.

Honourable member for Hawthorn withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Employment

Questions and statements resumed.

Mr PALLAS (Treasurer) — This is a demonstration of what happens. This scheme has been an outstanding success, and the Jonahs on the other side were the people who wanted to take away the opportunity of disadvantaged youth, of young people looking to find a job or, as the chief executive officer of the Victorian Chamber of Commerce and Industry (VCCI) described it, proud Victorian families seeing their members being given jobs. VCCI is a robust supporter of this scheme. Let us be clear. Just because we stretch ourselves does not mean we compromise on our commitments, because those opposite would not understand it. They could not stretch themselves to get out of bed. They could not jump over their own shadow to assist the Victorian economy.

Supplementary question

Mr M. O'BRIEN (Malvern) — I am just reeling from that onslaught, Speaker. I am just trying to compose myself. With the Premier previously promising not to increase debt and not to introduce any new taxes or charges, can the Treasurer confirm that both of these promises still stand and have not also become stretch targets?

Mr PALLAS (Treasurer) — We know how those opposite love to stretch the truth. We know it because we saw their election commitments before the 2010 election. They promised not to increase taxes and charges, and they promised to reduce debt. And what did they do? Exactly the opposite. Up to that point they were the highest own-source taxing government in this state's history. Let us be very clear. We will not increase state debt beyond the level we inherited from those opposite — beyond the level of 6.2 per cent of gross state product. They were economic vandals, and we are going about the job of diligently repairing the damage they did to this economy.

Ministers statements: city loop upgrade

Ms ALLAN (Minister for Public Transport) — I am very pleased to provide new information to the house on how the Andrews government is providing an ongoing investment in building a better, stronger and safer public transport network for all Victorians.

Yesterday I made an announcement about how we are investing in a vital security and safety upgrade in the

city loop. This is important news because there are 130 000 people using the city loop every single day. It is at the heart of Victoria's public transport network. It is where 700 trains come into the loop on 15 rail lines, and it really is such a vital part of our system.

I was pleased yesterday to visit the Metro control centre at Melbourne Central station and be in the control room with Elizabeth, who is a Metro worker and has been a public transport employee for 27 years. She is at the heart of the safety of the system, where we are providing \$134 million in critical funding for the city loop. It will provide important safety upgrades to improve the intruder detection systems. We are having too many instances of trespass in our train network, which can cause both significant disruption but also a grave safety risk as well. There is further work to be done on fire detection and smoke extraction works as well.

These programs of works will improve the reliability of the network. They will clearly improve safety, and they also go towards the work we are doing in the longer term. We are improving and building on the city loop now because, of course, in a few years time the city loop will be significantly expanded upon, when the Melbourne Metro rail project is delivered, providing more capacity for us to run more trains into the heart of the city. That is what the Melbourne Metro rail project is about and why we are so determined to build and invest in a stronger, better public transport system for Victoria.

Employment

Mr M. O'BRIEN (Malvern) — My question is to the Treasurer. With Labor's Back to Work scheme paying \$5000 to hire a current criminal justice client on a community correction order and another \$5000 to hire a recent prisoner but for drought-affected farm workers just one single job having been supported, why is the Treasurer's Back to Work scheme doing more to help criminals than it is to help drought-affected farm workers?

Honourable members interjecting.

Mr PALLAS (Treasurer) — We have seen the true colours of the Liberal Party; they are on full display here today. What it is saying is that young people who have run on the wrong side of the law should never have a chance of finding their way back into community acceptance.

Ms Staley interjected.

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

Mr PALLAS — It wants to make them a drain on this community. It lacks compassion. It lacks sensitivity.

Ms Staley interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Ripon

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

Honourable member for Ripon withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Employment

Questions and statements resumed.

Mr PALLAS (Treasurer) — I have never heard a more disgraceful attempt to wedge an opportunity here. Let us be very clear: we have, of course, a drought employment program already in place, a drought employment program that will provide \$3.15 million to catchment management authorities (CMAs) that are employing farmers and farm workers, individuals affected by drought, to undertake environmental projects.

This provides farmers with off-farm income as well as providing CMAs with a boost to deliver on their priorities. Might I say we also amended the criteria for the Back to Work scheme to ensure that drought-affected families would be able to get income earners through these arrangements and to facilitate businesses to do it.

Let me just reinforce this point: those opposite might well want to consign young people who run foul of the law to the dustbin of history and make them a constant drain on the public purse, but I think every kid has a chance at rehabilitation, an opportunity to show this state, to return the confidence that the state puts in the rehabilitation of young people. We will continue to do it, and we will do it unashamedly, because it is an investment that will pay itself back in spades. Now those opposite might want to pick away at the scabs of prejudice, as they do so well — as is part and parcel of

what it means to be a modern Liberal — but this government will not turn its back on people.

Let me just reinforce this point: 4000 people have got the opportunity through the Back to Work scheme. That scheme will have fully subscribed itself by the end of this year. It will have achieved its purpose, and we will continue to stretch ourselves in every possible way in order to repay the faith that the people of Victoria have shown in us. And if you are a young person, if you run foul of the law, and you want an opportunity to get back on the right side of the track, we will not demean you or defile you.

Honourable members interjecting.

The SPEAKER — Order! The Attorney-General!

Mr Pakula interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Attorney-General

The SPEAKER — Order! The Attorney-General will withdraw from the house for a period of half an hour.

Attorney-General withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Employment

Supplementary question

Questions and statements resumed.

Mr M. O'BRIEN (Malvern) — As opposed to the criminal justice clients, can the Treasurer advise the house that the State Revenue Office is correct in reporting that after nine months of the Back to Work scheme, only one single retrenched automotive worker has been supported into new employment?

Mr PALLAS (Treasurer) — This is the modern Liberal Party on full display, demonstrating exactly how in touch its members are with what is going on in the Victorian economy. There have been none of the auto manufacturers in this state shut down yet, Speaker, so it would be a little bit hard in those circumstances to make payments to retrenched auto workers, given that they are all working.

Honourable members interjecting.

Mr PALLAS — They are all working harder than you are; let us put it that way!

Honourable members interjecting.

The SPEAKER — Order! The member for Malvern!

Mr PALLAS — They are working a lot harder than you are! More than 4000 Victorians have been employed thanks to our scheme. Unlike those opposite — let us look at our comparative performance in terms of employment — essentially we have been able to create 52 000 full-time jobs and 100 700 new jobs in this state. That is a record to be proud of. You can talk it down all you want but that will not hide the facts.

Ministers statements: drought assistance

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I rise today to inform the house of announcements that this government made last week in relation to drought-affected communities. Last week the Premier, the Minister for Agriculture and I returned, as promised, to the communities of Wycheproof, Ararat, Donald and of course Wedderburn. Wedderburn has been a community hit very hard by dry conditions. We have seen farmers carting water three or four times a week for the last two to three years. This community has seen enormous drops in the average rainfall over the last decade. We are now seeing an average of only 275 millimetres compared to an average of 451 millimetres 10 years ago.

This is a community that we have visited a number of times. We have been there. We have announced a business case to connect the Wedderburn region into the Wimmera–Mallee pipeline. Last November the Premier announced the first stage of the funding of that pipeline, with 40 kilometres of pipeline to be built to enable the communities of Woosang and Korong Vale to be connected.

Just last week the Premier announced our commitment of \$40 million, plus the \$20 million from the water authority, to build 1300 kilometres of pipeline to link the Wedderburn region into the pipe and connect it into the Waranga channel. This is about delivering water security. It will provide 134 jobs. It is about water security for a region that is very important to the economy of Victoria.

Last week we heard a lot of whingeing from a couple of members — the members for Ripon and Lowan — about 'just get on with it'. This issue was raised in 2013 with the previous government, and it did nothing. It did

nothing in government. Again it is up to a Labor government to build water security for our rural and regional communities. The president of the Wedderburn branch of the Victorian Farmers Federation said:

This announcement is a game changer for the region; we certainly didn't think we would get a funding commitment this big.

We stand behind rural and regional communities.

Employment

Mr GUY (Leader of the Opposition) — My question is to the Premier. With the Back to Work scheme a failure and the Treasurer unapologetically abandoning the 100 000 new full-time jobs promise, is it a fact that Victoria has created just one-third of the number of new full-time jobs that New South Wales has created over the last 14 months?

Mr ANDREWS (Premier) — As with so many of the claims that the Leader of the Opposition makes, I think I would need to check that.

Mr Guy — You don't know?

Mr ANDREWS — We will check that. If it is okay with the member, we will just check that out. I do not know that the word of the Leader of the Opposition can be trusted. I do not know that his word and his claims can be trusted. We will just check that out. If it is all the same to the Leader of the Opposition, we will just double-check what he has said, because he has form when it comes to making claims that are false. We will give him the benefit of the doubt.

What we can talk about without any doubt or risk of contradiction is that in December 2010 unemployment was at 4.9 per cent. Then it went to 6.7 per cent; that is what it was at the end of November 2014. It is 6 per cent today. It is still too high, of course, but it is certainly much lower than what was left to us by the indolent members opposite. What is more, in regional Victoria unemployment was 5.8 per cent in December 2010. It soared to 6.6 per cent, and it is now down to 6.5 per cent. It is still too high, and that is why we are continuing to invest in every portfolio and in every community, not just in terms of those programs that have been branded as job creating but in every area — in health and education, in roads and public transport and in TAFE.

That brings me to a few other claims that cannot be contradicted by any of those opposite. Those opposite gutted TAFE, and you know where it hurts most? It hurts among young kids who cannot get the skills they

need for the jobs they want. It might be news to those opposite — —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, the question was very specifically about the fact that Victoria has only created one-third of the full-time jobs compared to New South Wales. I ask you to bring the Premier back to actually answering that question.

The SPEAKER — Order! The Chair does not uphold the point of order. The Premier, to continue.

Mr ANDREWS — It is a bit hard to be lectured by those who actually sacked 5000 public servants themselves — the party of job creation, the workers' friends over here! TAFE was gutted, and hundreds at least, perhaps thousands, of staff were gutted out of that system. What is more, that is a failure to recognise that in our economy jobs start with skills. If you do not give people the passport they need to move to a changing economy, then you will always hold them back.

As I have said — and it is probably news to the Leader of the Opposition — if one Victorian is held back, we are all held back. It is as simple as that. That is why we are investing in TAFE, repairing the damage and making sure that we have got the skills that every Victorian is entitled to to play their unique role in the productive capacity of our state.

If we look at a few other comparisons, though, because it is not just in Melbourne but right across the regions, we see that in Geelong the figures are 8.2 per cent down to 7.1; in Hume region they are 5.8 per cent down to 5; in Warrnambool south-west region they are 5.2 per cent down to 3.4. The list goes on, but we will not settle for those numbers. We will not settle for that. We will continue to do more to get Victoria back to work.

Supplementary question

Mr GUY (Leader of the Opposition) — How many extra Victorian jobs has the Premier's Melbourne versus Sydney social media about hook turns, yacht races and Wobbies World created for our state? Is this the best he could do for Victorian families when New South Wales has created three times as many full-time jobs as Victoria in the last 14 months?

Mr ANDREWS (Premier) — The Leader of the Opposition ought to get down to Wobbies World because he might have the numbers there. He should not waste his time on me; he might have the numbers down at Wobbies World. They might need a leader down there — he will be unopposed. Unopposed, I

reckon — unopposed. This question demonstrates the immaturity of the Leader of the Opposition, the immaturity of he who is on his feet now.

Mr Guy — On a point of order, Speaker, on relevance, I am not the one immaturity engaging in a Melbourne versus Sydney 1970s debate. I am not stuck in the 70s — —

The SPEAKER — Order! The Leader of the Opposition will resume his seat. There is no point of order. The Premier, to continue.

Mr Guy interjected.

Mr ANDREWS — Here is a bit of advice, old son: do not repeat the allegations. Twice today — —

Mr Guy interjected.

Mr ANDREWS — Hickory Building Systems, SCT Logistics, Dulux, Renault, Zendesk, GoPro, NBN — all businesses that have voted with their feet. They are employing in Victoria, we are proud of them, and we will keep working hard for every Victorian.

Ministers statements: education funding

Mr MERLINO (Minister for Education) — I rise to speak on new initiatives in our schools capital works program that were announced yesterday. These new initiatives are in addition to last year's budget, which delivered \$730 million to schools across Victoria. Our budget contained close to 100 school projects and funding for many dozens more through programs like the School Improvement Fund and the Inclusive Schools Fund.

The former government failed to invest in our schools. Our budget allocation last year was bigger than its first three budgets combined. We know that there will be 80 000 additional students that need to be accommodated over the next five years. That is why we need consistent investment in our school building program.

The Andrews Labor government kicked off its next round of school upgrade announcements yesterday at Pascoe Vale South Primary School — a \$3.5 million investment to modernise the school, including upgrading arts and physical education facilities, classrooms and administration. The school has been left without attention for far too many years. The outdated facilities just do not suit modern learning needs. Thanks to the advocacy of the local community, the Minister for Emergency Services and the member for Pascoe Vale, this great school will be transformed.

We also announced \$3 million for the Tucker Road Bentleigh Primary School to modernise the school and build a new gym, again through the efforts of the school community and the member for Bentleigh. I note with interest statements over the weekend around planning for population growth. Well, you do not manage growth by failing to build new schools; you do not manage growth by planning Fishermans Bend without schools or open space. That is the record and the failure of the Leader of the Opposition. We have a different agenda.

Mr R. Smith — On a point of order, Speaker, I am sure you are the only person more sick of me getting up on this issue than I am. With regard to question on notice no. 448 directed to the Minister for Roads and Road Safety, the minister was late in answering it last year, it was inadequately answered in December, it was reinstated by you — thank you very much, Speaker — in December, and coming up to four months later I am sure that you have written to the minister, spoken to the minister, cajoled and begged on bended knee that the minister actually answer this question.

This government has no projects. I do not know what this guy is doing. He must have time to answer one question, surely. If he does not listen to me, Speaker, I beg you: can you make sure he listens to you?

The SPEAKER — Order! The Chair will continue to follow through on this matter for the member.

Mr T. Bull — On a point of order, Speaker, I wish to raise for your attention three questions on notice that are overdue, all of which were asked on 9 February: questions 6688 and 6687 to the Minister for Education, and 6676 to the Minister for Housing, Disability and Ageing. I raised these three questions with you last sitting week, but I still have not received a response, and the good people of Gippsland East deserve a timely response.

The SPEAKER — Order! The Chair will follow through on these matters for the member for Gippsland East.

CONSTITUENCY QUESTIONS

Rowville electorate

Mr WELLS (Rowville) — (Question 7073) The constituency question I wish to raise is for the attention of the Minister for Emergency Services. A number of constituents in the Rowville electorate who happen to also be Country Fire Authority (CFA) volunteers have raised serious concerns with me in relation to the

CFA's vehicle replacement program. Volunteers advised that while 12 medium tankers for CFA volunteer brigades have been funded this year and a commitment was made for the funding of 10 additional medium tankers for each of the next five years, they have now been told that future funding for medium tankers has been reallocated to other projects including the funding of new pumpers at career-staffed stations.

I therefore ask the minister on behalf of my constituents if it is true that the minister is now renegeing on a funding commitment to volunteer brigades for vitally important new medium tankers and whether she can confirm that this funding has been reallocated to funding pumpers at career-staffed brigades as a political payback by the Andrews Labor government to the United Firefighters Union for its deceitful support of Victorian Labor at the 2014 state election.

Carrum electorate

Ms KILKENNY (Carrum) — (Question 7074) My constituency question is for the Minister for Health. How will the minister's announcement on Sunday detailing the largest one-off funding boost to provide more elective surgeries help patients living in my electorate of Carrum? I ask this because Peninsula and Monash Health, which is located in the south-eastern suburbs of Melbourne and which does fantastic work for constituents in my electorate, is in need of assistance to reduce the number of patients waiting for surgery. This is a wonderful announcement that continues the Andrews Labor government's efforts to get our health system working again after four years of neglect by those opposite and in the face of massive cuts by the Turnbull Liberal federal government.

Mildura electorate

Mr CRISP (Mildura) — (Question 7075) My question is to the Minister for Public Transport. The Murray Basin rail project has been a long time coming and is a step closer with the \$220 million funding from the federal government. The business case has put the cost of the project at \$416 million, and with the federal government's contribution, \$440 million is now available. There is considerable economic benefit in having 24-hour turnaround of train sets servicing Mildura. The current project does not assure a 24-hour turnaround, and I ask: will the minister use the additional \$24 million to ensure that there is a 24-hour turnaround for freight trains serving Mildura?

Yuroke electorate

Ms SPENCE (Yuroke) — (Question 7076) My question is to the Minister for Multicultural Affairs. The youth ambassadors for the Hume Interfaith Network Youth Community Connections Project team have been working with the diverse range of communities in Melbourne's outer north, including in my electorate of Yuroke. They have subsequently produced a document entitled *One Community, Many Faiths*, which outlines opportunities to engage young people on issues of religion and faith. The network's youth ambassadors in particular are eager to undertake further activities to promote social harmony, tolerance and inclusivity across Hume city. My question to the minister is: what funding opportunities may be available for the Hume Interfaith Network to expand their engagement of local youth in the Hume municipality including in the electorate of Yuroke?

Eildon electorate

Ms McLEISH (Eildon) — (Question 7077) I address my question to the Minister for Tourism and Major Events. The question I raise is on behalf of the committee of the Alexandra Truck, Ute and Rod Show. The committee wants to know whether or not the minister is attending the event this year — the 20th year. Held on the long weekend in June, this event is without doubt the major truck show in Victoria. Each year it draws enormous crowds. Trucks and rods line the street almost as far as the eye can see.

The event is a major boon for the town of Alexandra. Local businesses do a great trade, and it provides terrific fundraising opportunities for the town's many clubs and organisations. I understand, Minister, that you have been asked on two occasions to attend the event, and you have indicated that you will. However, the organisers need to confirm the details and so they want to know, Minister: are you coming to this year's event or not? I am extremely disappointed that the minister walked out of the chamber as I was raising this question to him.

Essendon electorate

Mr PEARSON (Essendon) — (Question 7078) I direct my constituency question to the Minister for Roads and Road Safety. As members would be aware, the widening of the Tullamarine Freeway is currently underway. I have been contacted by Russell Smith, who is a constituent, expressing some concern about the fact that a number of trees opposite Travancore Park that were planted by community volunteers 30 years ago have been removed, as well as other vegetation that

borders the project and along Moonee Ponds Creek. Can the minister provide an update on plans to revegetate these areas once the project is concluded?

Prahran electorate

Mr HIBBINS (Prahran) — (Question 7079) I recently asked Prahran residents what constituency question they would like me to ask in Parliament. Unsurprisingly the most popular topic for questions was regarding the new Prahran state secondary school. On behalf of Katie, Justin, Carissa, Katie, Tina, Kim, Morag, Geraldine and Helen, I ask the Minister for Education: what is the latest information regarding the new Prahran state secondary school? Specifically, residents would like to know when construction will start and what the finish date will be so they can plan for the secondary education of their primary school-age children; details of the funding commitment and whether the new school is fully funded; and how physical exercise will be accommodated on the school site at the old Swinburne University site.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (Question 7080) My constituency question is for the Minister for Housing, Disability and Ageing. The question I ask is: what government funding is available to assist organisations supporting young people with autism? In particular I record in the house that on Friday, 1 April, I met with three fabulous young women: Ms Katie Koullas and her two daughters, Kikki and Mia, to discuss the Yellow Ladybugs plans and the services they provide to girls with autism. Autism affects boys and girls very differently and often girls are much harder to diagnose than boys. Indicators of autism manifest very differently in young boys and girls, in particular where boys may be louder or may sometimes cause disruption in the classroom that ultimately leads to families seeking help and seeking diagnosis, girls often tend to be quite the opposite and therefore require and often prefer the company of adults. Yellow Ladybugs is doing a fabulous job bringing this to our attention.

Polwarth electorate

Mr RIORDAN (Polwarth) — (Question 7081) My question is to the Minister for Small Business, Innovation and Trade. Will the minister be providing small one-off cash grants to individual small businesses affected by the Christmas Day Wye River bushfire, as he promised the community immediately following the fire? In the immediate aftermath of the Wye River bushfire, local small business operators were assured

assistance would be made available to them to help them get back on their feet and re-establish their businesses.

To date the government has shown support for the region as a whole but in the Wye River community approximately 10 small operators, ranging from cleaners, gardeners, handymen and artists to small accommodation operators, have had their livelihoods either partially or totally destroyed. As small backyard operators, their backyards have been destroyed, and their capacity to replace work sheds and tools or get their businesses back to a viable state has been near impossible. In trying to hold the government to its promise, one such operator was told by the small business minister's office, 'The fire was not big enough to warrant assistance'. The devastation to the community cannot be measured in hectares but in lives affected.

Sunbury electorate

Mr J. BULL (Sunbury) — (Question 7082) My question is for the Minister for Sport, who is also the Minister for Tourism and Major Events. It comes after last Thursday's fantastic announcement that URBNSURF and Melbourne Airport are bringing a surf pool to Tullamarine in my electorate. There will be 300 jobs in construction and 45 full-time ongoing jobs. This pool will see 1.9-metre waves for experts and much smaller waves of course for beginners. The pool will be over 300 metres long. I know that the members for Essendon, Niddrie, Yuroke and Broadmeadows will all be down there to catch a wave, and maybe even the member for Lowan will come down to get on a wave herself. Can the minister advise what benefits to the local economy will come to my electorate from such a wonderful project?

The SPEAKER — Order! I wish to clarify in relation to the member for Warrandyte's point of order in respect to question on notice 448 that I am informed that the minister has responded to him and that the correspondence is on its way, so the minister has now responded.

Mr Watt — On a point of order, Speaker, the constituency question from the member for Essendon in which he asked the minister to provide an update is not in order, and I ask you to rule that out of order in line with your previous rulings.

In relation to the question from the member for Sunbury, who asked, 'Can the minister advise', I would say that subsequent to rulings and discussions I have

had with you and the clerks it is also not in order. I ask you to rule both of those questions out of order.

The SPEAKER — Order! The Chair will review these questions and come back to the house when possible.

JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016

Introduction and first reading

Mr SCOTT (Minister for Finance) — On behalf of the Attorney-General, I move:

That I have leave to bring in a bill for an act to amend the Evidence (Miscellaneous Provisions) Act 1958 in relation to the use of audiovisual links, to amend the Legal Aid Act 1978 in relation to the board of directors of Victoria Legal Aid, to make minor and consequential amendments to other acts and for other purposes.

Mr CLARK (Box Hill) — I appreciate the difficult situation the minister is in, but nonetheless I ask if he is able to provide a brief explanation to the house.

Mr SCOTT (Minister for Finance) — The bill is designed to expand the use of audiovisual links particularly in relation to Magistrates Court proceedings and also to increase the size of the legal aid board by two and make other minor and consequential amendments.

Motion agreed to.

Read first time.

LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016

Introduction and first reading

Ms HUTCHINS (Minister for Local Government) introduced a bill for an act to dismiss the Greater Geelong City Council and provide for a general election for that council, to make related amendments to the City of Greater Geelong Act 1993 and for other purposes.

Read first time.

Ms HUTCHINS (Minister for Local Government) — I move:

That under standing order 61(2) the bill be read a second time later this day.

I advise the house that the other parties and Independent members have been provided with a copy

of the bill and a briefing in accordance with standing order 61(2).

Mr Clark — On a point of order, Speaker, I question with you as to whether or not the requirements of standing order 61(2) have been complied with. As I understand the minister's statement, she asserted that copies of the bill and a briefing had been provided to other parties and Independent members. I am not sure whether that is in fact the case, and unless it is the case it is not in order for the minister to proceed as she proposes.

Ms Allan — On the point of order, Speaker, it is not entirely clear what the manager of opposition business is protesting about at this point. The minister has first read the bill. As I have been advised by the minister, opposition and other members of this chamber or their representatives have been briefed on the bill. We are in a procedural situation where the bill was required to be first read at this juncture. The report that, if you like, accompanies this bill will very shortly be tabled in the Parliament. It is unfortunate that the parliamentary procedures require that this is the ordering of the process. This is the process that is set out by the Parliament. I am advised that we can proceed down the path that the minister has outlined in that the second reading of the bill occurs later this day.

The SPEAKER — Order! The Chair will hear from the other parties as well and be satisfied that this question complies with standing order 61.

Mr Hibbins — I can confirm that a representative of the Greens did receive a copy of the bill and a briefing this morning.

The SPEAKER — Order! The Chair will seek a further confirmation from the opposition parties to the effect that this rule has been complied with or to the contrary.

Mr Clark — I understand that what I was originally informed was a draft copy of the bill, but which now in fact appears to have been a copy of the bill as is intended to be presented, has been provided to a representative of the Liberal Party.

Ms Sheed — I received a copy of the bill earlier this morning and a briefing from the minister's advisor and Mr Moran.

The SPEAKER — Order! The Chair will accept the question as put by the minister that the bill be read a second time later this day. On the question, the manager of opposition business.

Mr CLARK (Box Hill) — I do want to raise concern about this. This bill is being brought on precipitously. The timing of the opposition being briefed about it has been quite disruptive, and indeed one could almost say chaotic, in terms of the matter first being drawn to the opposition's attention last night. During the course of the morning I gather there have been attempts to schedule a briefing for the opposition shadow minister, the Honourable David Davis, and the representative in this house, the member for Mornington. The opposition is of the view that more time needs to be provided if this bill is going to be brought on for debate.

Today there has been no clear indication from the government as to the government's intention in relation to timing. To be fair to the Leader of the House, we were in the course of having a brief conversation earlier which was interrupted, but the opposition's view is that the case for treating this as an urgent basis still needs to be made. It is very difficult to make that case and very difficult for the opposition to form a view about that case until it has had time to consider the report on which this bill is being based. I understand that a copy of the report has been made available to the shadow minister but has not been made more generally available to the house, to the community or to individual members, and there has been certainly no time for the opposition parties collectively to consider our views in relation to this. We believe there needs to be, at absolute minimum, some commitment that the bill not be brought on for debate until 5.00 p.m. today or later, by way of example, simply to give the opposition parties time to consider this matter.

As the house and the community will know, there were reports on this in the media this morning, and many of us are going on the basis of reports that have by some means or other turned up in the media about a report that is yet to be tabled in this house. It is very difficult for the house to reach an informed view about how to handle this very serious matter that goes to the consequences that affect the elected government, as to whether it continues in office and whether there are sufficient grounds to dismiss it. It is very difficult for this house to make an informed decision on that matter in the way in which this issue is unfolding.

There can of course be circumstances in which matters such as this do need to be dealt with expeditiously; that case is yet to be made to this house. Certainly the Liberal and National parties in opposition have shown that we have not been obstructive when a good case has been made for urgency, and we have been willing to accommodate good cases for urgency, but that case is yet to be made. To seek to bring this bill on at an

unspecified time later this day without a proper explanation or guidance being given to the house as to the government's intentions and without the time for the opposition or the community to receive, consider and form a judgement on the report on which this bill is based is not the right way to run a government and is not the way to treat this Parliament with respect. Unless we can get appropriate commitments from the government, the opposition opposes the question before the house.

Ms ALLAN (Minister for Public Transport) — In support of the motion put by the Minister for Local Government that the second reading of this bill be undertaken later this day, what we are doing in moving that way is actually providing the manager of opposition business exactly what he wants — more detail. We would be providing to the house, and therefore more broadly publicly, the second-reading speech of the bill that would assist him in achieving the information that he is seeking.

Further, as I mentioned before in responding to the point of order, it is a challenge, and I will acknowledge that it is a challenge for all of us that parliamentary procedure has required the process to be undertaken in this way in that the report upon which this bill is based has been unable to be made available until it is tabled in this place. Of course if you look at the notice paper, the daily program that governs our practice in the house, you will see that introduction of bills comes before the documents that are tabled by leave. So the government proposes that this bill, after being introduced, be second read later this day, as I have said, therefore giving at the earliest opportunity the further information that can be provided through the second-reading speech and other associated material.

In the intervening time, the report will be tabled — and indeed this very debate is delaying the report being tabled. There will be a substantial period of time during which other business will be dealt with, including the government business program debate, members statements and two other items that we need to get to before we come back to the second-reading speech of the minister.

This has all been very clearly spelt out to the opposition, and I appreciate the manager of opposition business indicating that this was discussed last night. Given the seriousness of what we are considering here and given the need for certainty in the Geelong community around these issues, whether it be for a community member, a business operator or indeed, I would suggest, councillors and the staff themselves, I would have thought that they want this information to

be made available and for this matter to be considered as quickly and as appropriately as possible. That is exactly what we are trying to achieve here. Indeed this debate, which is being prolonged by those opposite, is stopping the exact thing that they are wanting to achieve, which is more information being made available.

As the Minister for Local Government has already indicated, she provided briefings to the coalition opposition, the Greens political party and other Independent and crossbench members of this place. Therefore the requirements have been met, and that is why we should move as quickly as possible later this day to the second reading of this bill.

Mr CRISP (Mildura) — I rise to speak from the National Party's perspective on standing order 61(2), and I note very clearly the words:

... if representatives of the other parties, and any Independent members, have received a prior copy of the bill and a briefing ...

I note that the members of the National Party, to my knowledge, have not received a copy of the bill or been offered a briefing. I think in the interests of what the standing orders clearly state, this cannot proceed until such time as at least a copy of the bill has been provided to the National Party.

Mr PEARSON (Essendon) — Just in response to the member for Mildura's contribution indicating that the members of the National Party have not been provided with a copy of the bill, the reality is that the National Party is in coalition with the Liberal Party. A copy of the bill has been provided to the opposition and to the shadow Minister for Local Government. If the Liberal Party is not communicating with the National Party, that is not really our fault. It is not our problem. The reality is that the opposition has been provided with a copy of the bill, and that is how it works.

The SPEAKER — Order! Will the Minister for Local Government provide an immediate briefing to the National Party, and will the National Party accept that?

Ms Allan — On a point of order, Speaker, I would appreciate some clarification on this matter, because for the purposes of the allocation of parliamentary resources for the allocation of speaking spots in this place, the Liberal and National parties are treated as coalition partners. Now, if the National Party is telling us today that it is splitting from the coalition and is wanting to stand in this place as an individual party, then that is a very different and separate matter that should be dealt with outside of this debate. I appreciate

that the National Party has identity crises from time to time — I have seen it firsthand on many different occasions — but this is not the forum to have that identity crisis.

The Minister for Local Government has adequately briefed the opposition. She is more than happy to go further and have a separate conversation in The Nationals party room if its members so desire. She would absolutely be pleased to do that, but as is required under standing orders, she has briefed the opposition coalition, the shadow minister and his nominated representative in this place. If National Party members have an issue with how their coalition party room is being treated by its majority Liberal partners, they should take it up with them.

Mr Crisp — On the point of order, Speaker, the Leader of the House is endeavouring to cloud what is a simple issue of an interpretation of the standing orders. I urge you to support the standing orders as they stand and request that the government follow through and offer that briefing. The National Party would be pleased to accept a copy of the bill and a briefing. However, the standing orders are very clear in the words that are written in standing order 61(2).

Mr R. Smith — On the point of order, Speaker, in your last contribution, if I can put it that way, you asked the government if it would provide a briefing. In the Leader of the House's comments she said that the Minister for Local Government would be happy to provide that briefing, and I am sure that that is quite enough. It complies with what you asked for, and I think furthering the debate would probably not get us very far.

The SPEAKER — Order! The Minister for Local Government will provide a briefing to the National Party. On that basis, will the National Party accept that?

Mr Crisp — Yes.

House divided on motion:

Ayes, 45

Allan, Ms	Knight, Ms
Andrews, Mr	Lim, Mr
Blandthorn, Ms	McGuire, Mr
Brooks, Mr	Merlino, Mr
Bull, Mr J.	Nardella, Mr
Carbines, Mr	Neville, Ms
Carroll, Mr	Pakula, Mr
Couzens, Ms	Pallas, Mr
D'Ambrosio, Ms	Pearson, Mr
Dimopoulos, Mr	Perera, Mr
Donnellan, Mr	Richardson, Mr
Edbrooke, Mr	Richardson, Ms
Edwards, Ms	Scott, Mr

Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Halfpenny, Ms
Hennessy, Ms
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms

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

Noes, 38

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr
Clark, Mr
Crisp, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, 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
Sandell, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Tilley, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Motion agreed to.

**LAND (REVOCAION OF
RESERVATIONS — METROPOLITAN
LAND) BILL 2016**

Introduction and first reading

Ms NEVILLE (Minister for Environment, Climate Change and Water) introduced a bill for an act to revoke permanent reservations of certain land at Cranbourne, Fitzroy and Springvale, to provide for the reservation of certain land for specified purposes and to save certain leases and for other purposes.

Read first time.

**VICTORIAN FUNDS MANAGEMENT
CORPORATION AMENDMENT BILL 2016**

Introduction and first reading

Mr PALLAS (Treasurer) — I move:

That I have leave to bring in a bill for an act to amend the Victorian Funds Management Act 1994 and the Borrowing and Investment Powers Act 1987 to make further provision as to the powers and procedures of the Victorian Funds Management Corporation and for other purposes.

Mr M. O'BRIEN (Malvern) — I invite the Treasurer to provide a brief outline of the content of the bill.

Mr PALLAS (Treasurer) — The bill seeks to clarify the Victorian Funds Management Corporation's investment powers and also to modernise the board corporate governance provisions in the corporation's enabling act.

Motion agreed to.

Read first time.

**ROAD MANAGEMENT AMENDMENT
(BUS STOP DELIVERY POWERS)
BILL 2016**

Introduction and first reading

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

That I have leave to bring in a bill for an act to amend the Road Management Act 2004 and for other purposes.

Mr R. SMITH (Warrandyte) — I ask the minister for a brief explanation of the bill.

Ms ALLAN (Minister for Public Transport) — It is a bill that is in the public transport portfolio. The bill has a deceptively misleading title because it goes to the authority that Public Transport Victoria has to install bus stops, and I look forward to briefing the shadow Minister for Public Transport, the member for Croydon, on those issues.

Motion agreed to.

Read first time.

**PUBLIC ADMINISTRATION AMENDMENT
(PUBLIC SECTOR COMMUNICATION
STANDARDS) BILL 2016**

Introduction and first reading

Ms ALLAN (Minister for Public Transport) introduced a bill for an act to amend the Public Administration Act 2004 to provide for a legislative framework for governance of communication and advertising by public sector bodies and for other purposes.

Read first time.

PETITIONS

Following petitions presented to the house:

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Gippsland East electorate draws to the attention of the house that the government has imposed the ban on singing traditional Christmas carols in Victorian government schools.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses this decision and allow students attending government schools to sing traditional Christmas carols.

By Mr T. BULL (Gippsland East) (1296 signatures).

Rivermouth Road, Eagle Point

To the Legislative Assembly of Victoria:

The petition of residents in the Gippsland East electorate draws to the attention of the house that the government has proposed to close the last 2 kilometres of Rivermouth Road, Eagle Point, to vehicular traffic.

The petitioners therefore request that the Legislative Assembly of Victoria request a review of the closure, including extensive consultation with local residents and anglers to ensure elderly anglers, birdwatchers and tourists with limited mobility are able to access this popular fishing and tourist location.

By Mr T. BULL (Gippsland East) (1008 signatures).

Yarram Primary School

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly that funding is needed to rebuild the Yarram Primary School, to replace the ageing 1950s era buildings.

The petitioners therefore request that the Legislative Assembly of Victoria calls on the state government to commit funding for the full rebuild of the Yarram Primary School as a matter of priority in the 2016–17 state budget.

By Mr D. O'BRIEN (Gippsland South) (907 signatures).

Gippsland rail services

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria and Gippsland draws the attention of the house to the failure by the Victorian Labor government to either commit to or implement upgrades to improve V/Line services and capacity on the Gippsland rail line.

In addition to substantial investment on the Gippsland rail line whilst in government, the Liberal-National coalition prior to the 2014 election committed to delivering a number of projects that would provide greater reliability for commuters

who utilise V/Line services in Gippsland. Some of these initiatives include:

additional V/Line rolling stock to reduce overcrowding;

duplication of tracks to improve reliability;

more weekly services including peak services to increase flexibility; and

removal of level crossings and signalling upgrades to improve punctuality.

The Labor government ignored Gippsland when it initiated its regional rail link project and it still has not committed to any major investment that would improve the Gippsland V/Line rail service, its reliability or capacity.

The petitioners therefore request that the Legislative Assembly of Victoria direct the Labor government to adopt the Liberal-National coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region.

By Mr NORTHE (Morwell) (100 signatures).

Tabled.

Ordered that petitions presented by honourable member for Gippsland East be considered next day on motion of Mr BULL (Gippsland East).

Ordered that petition presented by honourable member for Gippsland South be considered next day on motion of Mr D. O'BRIEN (Gippsland South).

**COMMISSION OF INQUIRY INTO
GREATER GEELONG CITY COUNCIL**

Report

Ms HUTCHINS (Minister for Local Government), by leave, presented report.

Tabled.

Ordered to be published.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 5

Ms BLANDTHORN (Pascoe Vale) presented Alert Digest No. 5 of 2016 on:

Confiscation and Other Matters Amendment Bill 2016

Education and Training Reform Amendment (Miscellaneous) Bill 2016

Livestock Disease Control Amendment Bill 2016

Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016

Witness Protection Amendment Bill 2016

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Lakeside Stadium Reserve

Victoria Royal Park Reserve

Orders under s 17D granting leases over:

Mordialloc-Mentone Beach Park

Victoria Royal Park Reserve

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Inquiries Act 2014 — Report of the Royal Commission into Family Violence (8 Volumes) — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's reports into Victorian oversight agencies for 2013–14 and 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ararat — C32

Bass Coast — C134

Boroondara — C178, C235, C237

Brimbank — C161, C162

Colac Otway — C89

Corangamite — C39, C42

East Gippsland — C121, C127

Glen Eira — C139, C140

Glenelg — C57

Greater Bendigo — C193, C214, C216, C218

Greater Geelong — C280

Latrobe — C94

Mansfield — C38

Mildura — C85

Moira — C83

Moyne — C55

Stonnington — C224, C226, C228

Wellington — C85, C88

Whittlesea — C194

Yarra — C213

Statutory Rules under the following Acts:

Geothermal Energy Resources Act 2005 — SR 15

Magistrates' Court Act 1989 — SR 17

Supreme Court Act 1986 — SR 14

Victorian Energy Efficiency Target Act 2007 — SR 16

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 11, 12, 14, 15, 16, 17

Documents under s 16B in relation to the *Domestic Animals Act 1994* — Order Exempting Holders of Certain Scientific Licences from Various Provisions

Wildlife Act 1975:

Wildlife (Control of Game Hunting) Notice No. 1/2016

Wildlife (Prohibition of Game Hunting) Notices (*Gazette S58, 15 March 2016*), (*Gazette S73, 24 March 2016*) (two documents).

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

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016 — Parts 1 to 7 — 5 April 2016 (*Gazette S86, 5 April 2016*)

Justice Legislation Amendment Act 2015 — Part 7 — 6 April 2016 (*Gazette S86, 5 April 2016*).

**ACCESS TO MEDICINAL CANNABIS
BILL 2015**

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

ROYAL ASSENT

Message read advising royal assent on 5 April to:

**Aboriginal Heritage Amendment Bill 2015
Crown Land Legislation Amendment (Canadian
Regional Park and Other Matters) Bill 2015
Land (Revocation of Reservations) Bill 2015.**

APPROPRIATION MESSAGES

**Message read recommending appropriation for
Witness Protection Amendment Bill 2016.**

BUSINESS OF THE HOUSE

Standing and sessional orders

Ms ALLAN (Minister for Public Transport) — By leave, I move:

That so much of standing and sessional orders be suspended so as to allow, on Wednesday, 13 April 2016:

- (1) The order of business to be:
 - (a) formal business;
 - (b) statements by members (standing order 40);
 - (c) statements on parliamentary committee reports;
 - (d) motion to take note of the Royal Commission into Family Violence's report;
 - (e) question time at 2.00 p.m.;
 - (f) government business;
 - (g) interruption of business for the adjournment under sessional order 3;
- (2) the matter of public importance be omitted from the order of business on that day.

Mr CLARK (Box Hill) — The opposition does not oppose this motion. We believe that it is appropriate that this house consider the report of the Royal Commission into Family Violence. We do, however, think it would have been better had this motion provided for the commencement of the motion to take

note of the report to occur at 2.00 p.m. tomorrow rather than immediately following committee reports at around 10.45 a.m. It seems to us that it would provide an opportunity for less interrupted debate if it were to commence at 2.00 p.m. and then potentially continue through to 7.00 p.m. tomorrow. Under the current arrangements there has to be considerable reordering of the normal program of the day, and it provides less opportunity for the royal commission report to be considered. That other approach would have been our preference. We believe that would have been a better way to go. Nonetheless, we do not oppose the motion. We believe it is appropriate that this house address this very important issue.

Mr CRISP (Mildura) — The Nationals also do not oppose the motion. However, we rise to agree with the manager of opposition business and his proposal of a better way to go about discussing this matter. Certainly to bring on the motion at 2.00 p.m. would give consistency of debate. Consistency, I think, is extremely important, as is the continuity of the debate, because this is a very serious matter. Interrupting this matter with question time will detract from the quality of debate that is offered to members.

Motion agreed to.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE

Reporting date

Ms ALLAN (Minister for Public Transport) — By leave, I move:

That the resolution of the house of 5 May 2015 be amended to extend the reporting date for the Economic, Education, Jobs and Skills Committee's inquiry into portability of long service leave entitlements to no later than 30 June 2016.

Motion agreed to.

PRIVILEGES COMMITTEE

Membership

Ms ALLAN (Minister for Public Transport) — By leave, I move:

That Mr Clark be appointed a member of the Privileges Committee.

Motion agreed to.

BUSINESS OF THE HOUSE**Program**

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 14 April 2016:

Confiscation and Other Matters Amendment Bill 2016

Education and Training Reform Amendment (Miscellaneous) Bill 2016

Gene Technology Amendment Bill 2015

Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016

Transparency in Government Bill 2015.

I am going to speak for a few short moments on the program that has been moved and is hopefully supported by the house. I will not so much comment on the program that I have moved but will make some additional points about some of the activities around the Parliament during the course of this week. As the house has already resolved — and I appreciate the support of the chamber in doing this by leave — we established that tomorrow morning will be provided for a consideration of the Royal Commission into Family Violence report. Putting aside the slight difference of opinion around what time of day we undertake this opportunity, I think it is going to be an important occasion when this chamber and the Parliament more broadly consider the royal commission report.

In addressing one of the issues the manager of opposition business raised in his contribution, this will be a take-note motion that will remain on the notice paper, and we will be able to come back to it, because I am sure that there will be many members who will want to give their views and opinions on the Royal Commission into Family Violence report. I also note that at some stage, probably during the course of today, we will be hopefully passing the two bills that have been amended in the upper house.

Finally, the government has already signalled to the opposition and other representatives in the chamber that it intends to declare that the bill that has just been moved by the Minister for Local Government, the Local Government (Greater Geelong City Council) Bill 2016, be treated as an urgent bill. Yesterday afternoon the government gave advice to the opposition that it intended to do this — or it might have been yesterday evening — signalling very clearly that it wishes to

move this bill through this chamber as quickly as possible but giving people the opportunity to be briefed. The Minister for Local Government undertook those responsibilities over the course of last night and into this morning. Of course now the report has been tabled.

The government intends immediately, at the commencement of government business, to move to this matter. We feel that once the report has been able to be considered people will very quickly come to the view that we had no other course of action but to move quickly to address the serious and significant issues that are contained in the report, particularly with a view to providing greater certainty to the Geelong community. That is why we are moving quickly but appropriately through this process, and of course the bill will be considered by the Legislative Council as well. So we have a significant body of work to move through this week. I hope this government business program motion can be supported so we can get on with those important considerations.

Mr CLARK (Box Hill) — The opposition does not support the government business program. While I appreciate the efforts of the Leader of the House to provide some additional information to the house, unfortunately neither in the Leader of the House's comments nor in any other statements that have been made to the house have the house or the community been given any adequate explanation as to the rush to pass the bill relating to the dismissal of the Greater Geelong City Council or the way in which the government is proposing to handle that debate in this house.

It is not a matter to be taken lightly to dismiss any council. There can from time to time be good reason to do so. The report has just now been made available to the house. Some members and spokespersons have received a copy of the bill somewhat earlier today, and my understanding is that they are still in the process of considering it. At this stage the opposition is not in a position to form a view as to the merits or lack of merits of what is proposed or as to the contents of the report. The way it is being brought to the house is making it very difficult to make informed judgements on this matter.

The Leader of the House referred to the process of briefing having started last night. To be more accurate, there was telephone contact with me and with the shadow Minister for Local Government, the Honourable David Davis, in the Legislative Council. My understanding is that the process of briefing commenced around 10.30 this morning, obviously interrupted by other matters that need to be attended to

on the morning of a sitting day. So as yet the opposition is in no position — and has not been given any reasonable opportunity — to form a view as to the merits of the legislation that has been proposed or about the report that has just been tabled in the house. Nor, importantly, have we received any indications or commitments from the government as to what time it proposes to allow, what the reasons for urgency are and what the government envisages might happen in the other place if indeed the bill is passed in this house today. Yet again we have a government that is not treating this house with courtesy or respect and that is acting precipitously on this very important issue.

There is one further aspect of this that I think deserves attention which has not yet been addressed — that is, that one of the consequences of what the government is proposing is that there will not be an opportunity for the Scrutiny of Acts and Regulations Committee (SARC) to consider and report on the bill prior to it being debated and put to a vote in this house. Of course to abrogate the democratically elected council does affect a number of rights of the community, and it certainly goes to the heart of the democratic process. Now there may well be good reason for doing so. There has been in the past; there may be on this occasion. That is not something on which we can make a judgement at this point. But it does again reinforce the fact that proceeding in haste without a good case, as the government so far has done, also means that this bill will not be properly scrutinised by SARC and this house will not have the benefit of SARC's report when we come to consider it.

For these reasons we do not believe that the government business program should be supported. There have not been the sorts of commitments we would have expected. There have not been any assurances as to the time at which this debate will come on. Indeed the Leader of the House indicated it was going to come on immediately after members statements. She may have intended to say immediately after the bill is in the Council as well — —

Ms Allan interjected.

Mr CLARK — She now indicates a change of mind in that regard. Well, that confirms that the opposition is going to be forced into this precipitously, and for that reason we oppose the government business program.

Mr McGUIRE (Broadmeadows) — On the eve of the Andrews government's second budget, this is an important government business program that highlights how Labor is delivering for all Victorians across a range of significant issues. This agenda underscores

that the Andrews government is a big-picture government that is also showing how everyone fits into this big picture. I am looking forward to the forthcoming budget describing this in more detail.

In the meantime, on issues of public safety, the priorities in this government business program help women and children. There is greater protection against serious sex offenders and increased protection for our schoolchildren which I hope will receive bipartisan support, especially given the insights into the ongoing impact of child sexual abuse contained in the *Betrayal of Trust* report tabled in the last Parliament. There are also important initiatives relating to serious and organised crime. On improving health, there is a bill on gene technology critical for medical research, and its insights will offer potential better health for generations to come. The better the genetic characteristics of a disease are understood, the better the remedies. In agriculture gene technology has led to crops that increase productivity and growth, so I look forward to the support of The Nationals.

Greater scrutiny and accountability of government is also subject to further legislative reforms under the debates we will have this week. We will also address the bill to dismiss the Greater Geelong City Council quickly and appropriately, as the manager of government business has proposed. I note the opposition's statements about the merit of the report and trying to make an informed judgement, but let us get on with this as a matter of urgency according to the merit of the report.

A debate I am also looking forward to is the take-note motion on the report of the Royal Commission into Family Violence. This was a landmark investigation to prevent family violence, deliver tailored support to survivors and hold perpetrators to account. Put simply, this is one of the most important initiatives of Victoria's 58th Parliament.

I am delighted to support today's government business program, and, having lost time due to the previous division, I think we should just let debate begin and the votes be cast.

Mr HIBBINS (Prahran) — The Greens will not be opposing the government business program in this instance, although I do have a number of concerns about it that I will raise. There are five bills listed on the government business program — firstly, the Confiscation and Other Matters Amendment Bill 2016. I think this bill's name — 'confiscation and other matters' — is a bit of a misnomer as 'other matters' actually refers to a number of serious matters, including

control orders for organisations and surveillance. I think it would be appropriate if the government, in its titling of bills, would actually list what is in a bill. Just dismissing this one as 'confiscation and other matters' when there are actually a number of serious matters I do not think is appropriate.

That also raises, again, another reason that consideration in detail is so important. With omnibus bills, such as the Confiscation and Other Matters Amendment Bill and the Education and Training Reform Amendment (Miscellaneous) Bill 2016, which again has a number of disparate elements, the ability for this Parliament to consider each individual item of a bill in consideration in detail is, of course, very important.

There are three other bills that will be discussed this week: the Gene Technology Amendment Bill 2015; the Transparency in Government Bill 2015, which the Greens certainly welcome — it is something for which we have been campaigning for a very long time; and the Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016. There is also a take-note motion in relation to the report of the Royal Commission into Family Violence, which is appropriate. I am sure a lot of members will be looking forward to making a contribution on that particular motion. I welcome the opportunity that members have been afforded to do so.

In terms of the bill to dismiss the Geelong council, what has occurred is that last night phone calls went out to party leaders and party representatives. There has been a drop in the media, in the *Geelong Advertiser*. Certainly that newspaper got the tip-off very early; it does seem that its journalists have been briefed on the report as well. We had briefings this morning, and essentially we were told that this is an urgent bill. The report was only made available recently, and we are supposed to digest this report and form our own view on this very serious matter of dismissing a council. I would say that the time we have been given to assess this report and form our own view about whether the Parliament should take this extraordinary step has not been adequate. It is not appropriate to push the bill through today.

The only reason the government has given us for doing this is that to do so would provide certainty. The government has claimed that it seeks to provide certainty, in place of following parliamentary process. One might say that the government can do that in this house because it has a majority, but I think that the government saying it is giving the people of Geelong certainty by putting this bill through to the upper house, where the numbers could fall either way, is a bit

misleading. I think that if the minister were of the inclination to give certainty to the people of Geelong about their councillors and whether they should remain in their positions, she could exercise the power she has to move to suspend councillors for 100 days. That is my understanding. What has been indicated to us is that the minister will not proceed with that particular power she has. She could exercise that power concurrently with debate on this bill. If she were to do that, I think that would both give the community of Geelong a bit of certainty as to its council and give this Parliament and its members time to consider the report.

The Greens will not be opposing the government business program in this instance, although we do have concerns.

Mr PEARSON (Essendon) — I am delighted to say a few brief words in relation to the government business program. There is a substantial amount of work for the house this week. We have two bills returning from the Council. We have five bills before us as well as the bill in relation to the City of Greater Geelong. I appreciate the concerns of the manager of opposition business in relation to opposition members not having sufficient time to digest the bill or the report and to vote, but I think that even on the most cursory of analyses of this report, members will find that the findings in relation to the conduct of the mayor and some councillors at the City of Greater Geelong are damning and clearly that the council is dysfunctional. I put it to the manager of opposition business that if we were to simply sit on this report, kick it around, mull it over, contemplate it and think about it while allowing this council to remain in place, then we would be negligent. We would not be discharging our duties properly. These are very serious findings that have been made against the council, and they warrant a response from this place.

I did not embark upon this sitting week of the Parliament thinking that this was something I would have to vote on. I do not think any of us really thought it likely we would confront this set of circumstances, but the question is: what is the right thing to do? What is the reasonable thing to do? What would a reasonable person do? In seeing this level of conduct and behaviour in an organisation, if members had the power to end that behaviour, to terminate that behaviour, and they refused to do so, then I think that would be an indictment of this place. That is why we find ourselves in this position. We do not resile from taking this action or from taking action that is required where necessary. I commend the government business program.

Mr CRISP (Mildura) — I rise on behalf of The Nationals to oppose the government business program. The bills we are to consider this week are the Transparency in Government Bill 2015, the Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016, the Gene Technology Amendment Bill 2015, the Education and Training Reform Amendment (Miscellaneous) Bill 2016 and the Confiscation and Other Matters Amendment Bill 2016. Of course we are also considering the report of the Royal Commission into Family Violence, which is something of substance and something I have spoken of before.

In the time I have, I do note that the Minister for Local Government is going to proceed to give notice that she will declare under standing order 133 the Local Government (Greater Geelong City Council) Bill 2016 an urgent bill. The minister intends to do that immediately upon the cessation of members statements, which I think would be sometime between 2.30 p.m. and 2.45 p.m.

We note that the report has only just been tabled, and it is currently being considered by members, so this debate could be considered a little premature. However, the member for Gippsland East is the member nominated by The Nationals to have received a copy of the bill and received a briefing. As members can see, the member for Gippsland East is still sitting in the house. I understand he will receive his briefing at 2.30 p.m. This gives us considerable difficulty in that an agreement was reached with the Speaker earlier today that this bill would not be brought on until such time as standing order 61(2) had been fully discharged.

I do offer a solution to the manager of government business — that is, that we can do the bills that have come down from the upper house first, and that way we can ensure that the agreement on process that was made with the Speaker less than an hour ago is in fact adhered to. I think anything less than that is probably going to invite a scuffle on points of order which, again, would probably be an avoidable waste of time for the house to go through. I do urge that a little common sense apply in this, that we allow the agreed processes to run and then we can get to this matter and give it the full consideration that it does require.

With that, The Nationals will be opposing this business program but urging a reconsideration of the program for the next hour from the manager of government business.

House divided on motion:

Ayes, 48

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

Noes, 36

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

Motion agreed to.

MEMBERS STATEMENTS

Freedom of information

Mr PESUTTO (Hawthorn) — In this secret state which is littered with broken promises by this government on transparency and access, I award this week's FOI award jointly to FOI officer Michael Ghobrial of the Department of Premier and Cabinet (DPC) and senior FOI adviser Bronwen Wareing of the Department of Health and Human Services.

DPC's increasing delays in FOI matters have not gone unnoticed. In the case which has prompted

Mr Ghobrial's award, he took three months to initially respond to an FOI request from Mrs Inga Peulich in the other place. Responding so late after Mrs Peulich's request, Mr Ghobrial took the step of seeking clarification of the request, presumably to start the clock ticking again. Having secured a narrowing of Mrs Peulich's request, Mr Ghobrial then took another three months to respond. Such delays are unacceptable and leave the department's reputation in FOI matters much diminished.

Ms Wareing's award is much more troubling. In response to a legitimate FOI request from Ms Mary Wooldridge in the other place, Ms Wareing has resorted to bundling a large number of Ms Wooldridge's FOI requests together so they can be rejected as an unreasonable diversion of resources. This is outrageous. The nine requests that Ms Wooldridge made should not have been characterised as a single request, as they relate to diverse, separate and discrete issues. Even if they could be characterised as a single request, they do not constitute an unreasonable diversion of resources for the department. Even if they did constitute an unreasonable diversion, the role of the opposition is to hold the government of the day to account. Such a transparently specious application of our FOI regime by ministers' offices and FOI decision-makers is debasing the integrity of our disclosure framework.

Keysborough electorate schools

Mr PAKULA (Attorney-General) — I rise to speak about meeting the education needs of students in my electorate of Keysborough. In the four years of the previous Liberal government, local schools did it very tough. The last Liberal budget allocated zero funding to any government school either in my old electorate of Lyndhurst or within the boundaries of the new Keysborough electorate. That is why I have been advocating strongly for much-needed infrastructure funding for Chandler Park Primary School and Keysborough College, which will help expand the facilities serving the local communities in Springvale, Noble Park and Keysborough.

The first Labor state budget provided initial funding instalments to enable those schools to do detailed design work and planning. I visited both of them yesterday to check on progress. At Chandler Park primary I met with the new principal, Naomi Reed, to look over the plans for six new classrooms and a new art and library facility. At Keysborough College the principal, John Baston, told me the school currently has 1674 enrolments, and, when complete, the upgrade will allow for up to 2200 students across both campuses.

With a growing community in Keysborough South, this capacity boost will be well timed.

There are population projections that show there will also be a need for a primary school in Keysborough South. I have spoken regularly to the Minister for Education, advocating for land acquisition for a new school for that growing area. Local students and their families deserve the support of a state government that values education, and in the Andrews Labor government, at long last, they have one.

Aislin Jones

Mr T. BULL (Gippsland East) — Aislin Jones, a 16-year-old year 10 student at Nagle College, has been selected for the 2016 Olympic Games in Rio, to be held in August. Aislin will be the youngest ever athlete to represent her country in shooting. Her rise to become an Olympian has been remarkable but is testament to the work of her parents, Dave and Lynne, and her many other supporters, including the East Gippsland Sports Foundation.

Dan McConnell and Jason Whateley

Mr T. BULL — Two former East Gippsland residents, Dan McConnell and Jason Whateley, have also been selected. Jason, a boxer who grew up in Lakes Entrance, booked his flight to Rio following his Asia/Oceania Olympic qualification win in China two weeks ago. Daniel, a cross-country cyclist from Bruthen, is making his second Olympics appearance.

Battle of Long Tan commemoration

Mr T. BULL — With Anzac Day just around the corner I wish to note the special significance this year for Vietnam veterans of the 50th anniversary of our nation's involvement in the Vietnam War and the 50th anniversary of the now famous Battle of Long Tan. I wish to pay my respects to all those who served and all those who continue to serve in our defence forces, and I encourage all Victorians to pay their respects on 25 April.

Gippsland East electorate infrastructure funding

Mr T. BULL — With this year's budget next sitting week, East Gippslanders are expecting some good news. Major priorities are the Stratford rail bridge, which has had all the preliminary works completed, the Macalister irrigation district upgrade, which has had funding committed due to the sale of the Port of Melbourne lease, and the Bairnsdale Secondary College upgrade, which is very important. I do not hold a high

level of optimism for this school upgrade, given the minister has not bothered to respond to repeated invites to visit the school from the school council and me.

Hume Interfaith Network

Mr J. BULL (Sunbury) — I am constantly inspired by the people I meet doing amazing work in our community. They do this work not for themselves but to benefit others, and they do it because they care. The member for Yuroke, the member for Broadmeadows and I had the great privilege of meeting the Hume Interfaith Network (HIN) and receiving its report on the youth community connections project known as One Community, Many Faiths — Understanding Social Cohesion in Hume. The project aimed to build youth engagement with the HIN and strengthen social cohesion. It targeted young people who lived, worked, studied and recreated in the Hume, who were from diverse faiths and cultural groups and who were under 25.

I want to take this opportunity to thank the Hume City Council staff, the HIN — especially the chair and the deputy chair and of course the fantastic youth ambassadors Sal, Mohamed, EJ, Phillip and Nisal — for their outstanding work. We want to welcome them to Parliament today to meet with us, and I am thrilled that they are here in the gallery. Phillip is studying at Kangan Institute and Nisal at Monash University, EJ has worked at Spectrum, Sal is studying education and Mohamed is training at Hume City Council. This is important work, and it is work that they should be very proud of. I look forward very much to working closely with them in promoting social cohesion for young people across our community.

Battle of Long Tan commemoration

Ms ASHER (Brighton) — I wish to add my voice to the many who, I suspect, this week will be drawing attention to the 50th anniversary of the Battle of Long Tan, which is being commemorated this year. It was one of the key Australian victories of the Vietnam War — against the odds, it is fair to say. Commemoration of this event will be jointly supported by the Vietnam Veterans Association of Australia, the Victorian branch of the Vietnam Veterans Association of Australia and Vietnamese community in Australia.

It is vital to pay tribute to our Vietnam veterans because for too long, certainly after the war, they did not receive due respect either from our political system or indeed from the community at large. I lived through the duration of this war and its aftermath, and I have a very clear recollection of the protest movement and the

moratorium demonstrations, led by Jim Cairns, a famous Labor member who subsequently became Treasurer. I do recall very clearly the fact that many of these brave veterans were denied a hero's homecoming as they should have been given under those circumstances, and I recall very clearly the refugee program that occurred under former Prime Minister Malcolm Fraser and the vital role, of course, that so many of these migrants have played in our society. I pay tribute to all those involved.

Hume Interfaith Network

Ms SPENCE (Yuroke) — I rise to acknowledge the important work being undertaken in my community by the Hume Interfaith Network youth ambassadors through the youth community connections project team. The team has been working with the diverse range of communities in the Hume municipality, including in the electorate of Yuroke. It was terrific to recently meet with the team, including youth ambassadors Mohamed, EJ and Sal, and to receive their recent report entitled *One Community, Many Faiths*. It is also terrific to see them in the chamber today. This report highlights the need to engage young people in positive intercultural and interfaith dialogue. It recommends that an interfaith youth group be established and supported in Hume and that more programs, activities and platforms for young people to connect be made available.

I congratulate the team on its work to date, in particular the Hume City Council staff and the youth ambassadors, including the current chair of the Hume Interfaith Network youth group, Salat Youhana (Sal), who is studying a bachelor of education at Victoria University; Elgaili Mangati (EJ), who has worked with Spectrum and the Centre for Multicultural Youth's Shout Out program, promoting young multicultural voices for change; Mohamed Yussuf, who studied political science and sociology at Latrobe University and now works as a trainee for Hume City Council; Phillip Di, who is currently studying at Kangan Institute and volunteering in the office of the member for Broadmeadows; and Nisal Karawita, who is studying at Monash University and is a facilitator in the Bahai junior youth spiritual empowerment program. I look forward to continuing to work with these inspiring and passionate young people and to seeing their network expand in the community.

Family violence

Mr WELLS (Rowville) — This statement implores the Andrews government to keep an open mind and not totally dismiss the concept of introducing to Victoria a family violence information disclosure scheme or a

perpetrator's register modelled on Clare's law in the UK despite the family violence royal commission's report not supporting such a scheme at this time. I do so on the basis of a visit to the UK last year, during which I had briefings from UK police, government officials and family violence experts and was provided with details and specific case examples to demonstrate the important benefits of Clare's law. All were in total agreement that the scheme was a significant and practical way for police to assist in reducing domestic violence.

The UK experience highlights that more people are entering relationships with absolutely no knowledge of their partner's history. The UK scheme was launched in 2014 after a 14-month pilot, and as at January 2015 there had been more than 3760 applications under the law in less than a year of operation, which resulted in 1335 disclosures. I also note the Victoria Police support for a perpetrator's register in its submission and as acknowledged by the royal commission. As the royal commission's report acknowledges, New South Wales has commenced a trial of a family violence disclosure scheme and New Zealand introduced its police family violence information disclosure scheme in December last year. I call on the Andrews government to closely monitor the New South Wales trial and that of the New Zealand scheme over the next year with a view to introducing a scheme, or at least a Victorian trial, based on Clare's law by 2018.

Broadmeadows

Mr McGUIRE (Broadmeadows) — My call is for the Australian government to urgently declare Melbourne's north and its capital, Broadmeadows, an enterprise zone for jobs, growth and to address national security. An enterprise zone would provide tax incentives, fast-track infrastructure, high-speed broadband, innovation and other initiatives complementing the Victorian government's economic development strategy and triggering significant private sector investment.

Such initiatives are critical because the convergence of coalition governments at a state and national level has left the Broadmeadows electorate as a hotspot for terrorist recruitment, with unemployment equal to the rate in Greece and youth unemployment at more than 40 per cent, while denying access to almost \$1 billion to the poorest community in Victoria at its time of greatest need and vulnerability. The Abbott government pocketed \$800 million from the automotive transformation scheme, designed to help supply chain businesses survive the end of Australia's once proud automotive manufacturing industry by finding new

markets, declaring the money would instead be used for higher priorities.

There are no higher priorities right now than national security, jobs and growth. One of the best anti-radicalisation strategies is a job connecting the disconnected, and one of the most informed national security responses is community engagement. Australians are crying out for such leadership, particularly in manufacturing, but the Abbott-Turnbull coalition refuses to participate. Its attitude of acting as a bystander is perilous and smacks of the debate within the Thatcher government of the 1980s of managed decline in the blue-collar community of Liverpool. Such cynicism was disastrous.

The ACTING SPEAKER (Ms Ward) — Order! The member's time has expired.

Stonnington Russian Seniors Group

Mr HIBBINS (Pahran) — I was recently hosted by the Stonnington Russian Seniors Group at the Horace Petty public housing estate in South Yarra. The Prahran electorate has a strong Russian community, many members of which migrated to Australia during the 1970s and in the years after. We shared a meal and discussed a number of issues regarding the estate, including improving support programs, security doors and maintenance. We also spoke about the need for renovations and problems regarding heat during summer months. Thank you to the president, Klaudiya Karp, for the invitation and congratulations on the reform of the Stonnington Russian Seniors Group. I look forward to working with the group to address its needs in our community.

Rugby Rainbow Round

Mr HIBBINS — I attended the opening of the Melbourne Chargers rugby season for the Rainbow Round at Orrong's Romanis Reserve in Prahran with Greens Higgins candidate, Jason Ball. I was pleased to be able to wear my rainbow laces along with the players to show my support for the fight against homophobia in sport. Our footy and rugby clubs have been known as bastions of homophobia and exclusion, but thanks to the efforts of clubs like the Chargers and Melbourne Unicorns many are now on the front line of changing attitudes, not just in sport but the wider community. Thanks to Dan Syrus, president of the Melbourne Chargers, and Gerry O'Neill, president of the Melbourne Unicorns, for hosting me. Congratulations to all players involved.

Duck season

Mr HIBBINS — I condemn the Labor government's decision to proceed with this season's duck shooting season. It has resulted in the death or injury of ducks, protected species and non-game species. If it had any sense, it would make this year's duck season the last ever in Victoria.

Napoleons Primary School

Mr HOWARD (Buninyong) — Prior to the election the Premier joined me at Napoleons Primary School and promised that, if elected, Labor would fix the school crossing there. A number of parents from the school community first contacted me in 2013 to raise their concerns about the safety of their children crossing the Colac–Ballarat Road outside their school. They made a very reasonable request for electronic signage and improved visibility of the crossing point outside the school. However, this request fell on deaf ears with the former Liberal government.

I am pleased to say, however, that the Andrews Labor government has listened and yesterday delivered. I was able to join parents and children from the school community to see the new solar-powered electronic speed limit signs that will slow down traffic and improve safety for children moving to and from school. I would like to thank the Napoleons Primary School community, VicRoads and the Shire of Golden Plains for working together to deliver these crossing improvements that will make the school safer.

TAFE Rescue Fund

Mr HOWARD — Last week I joined my colleague, the member for Wendouree, to meet with engineering students at Federation University Australia to announce \$1 million from Labor's TAFE Rescue Fund to boost support for vulnerable students. Not only will this funding double the number of students that can access assistance with language, literacy and numeracy but it will also support community outreach in Ararat, Maryborough and Stawell and youth engagement to assist at-risk young people and school leavers. Unlike the Liberals, whose cuts devastated TAFEs across Victoria, the Andrews Labor government is standing up for young people and TAFE.

Morwell electorate funding

Mr NORTHE (Morwell) — I rise today to call upon the Labor government to provide funding in the upcoming budget for a number of projects and organisations in the Morwell electorate. For example,

the Gippsland Carers Association (GCA) provides important support and advocacy services across our region, but it faces significant challenges if state government support is not forthcoming. Through funding from the former coalition government and philanthropic sources, GCA was able to recruit staff to assist its administrative and carer support services, but this is now in severe jeopardy. The coalition had previously allocated \$100 000 to GCA, with a further \$120 000 committed prior to the 2014 election.

However, the Andrews Labor government has completely ignored pleas for assistance. Without a commitment from the Labor government, GCA staff will most likely be lost, services compromised and the financial position of GCA severely tested. Similarly mental health advocacy group Barrier Breakers benefited from funding by the coalition government but yet again the Andrews Labor government has indicated that it will not provide any financial support for this organisation. Barrier Breakers relies heavily on the goodwill of volunteers, and without funding to assist its administrative operations I fear that mental health services and support will be reduced across the Gippsland region.

Our community has also campaigned long and hard for projects such as the redevelopment of the Latrobe Performing Arts Centre and a public heated indoor pool in Traralgon. These projects deserve the support of the Labor government, and I call on the Premier to provide funding in the upcoming budget for these initiatives, along with recognising and funding the important work of both the Gippsland Carers Association and Barrier Breakers.

Level crossings

Mr STAIKOS (Bentleigh) — The Andrews Labor government is getting on with the job of removing our dangerous and congested level crossings. We have just completed the Easter construction blitz at Centre Road and McKinnon Road, where bridge decks have been constructed. This involved 360 cubic metres of concrete, 100 tonnes of steel and nearly 68 000 man hours. Bridge decks have now been constructed at all three locations in my electorate, which means that the 37-day major construction period will take place in the middle of the year without the need to close these major roads. It was a pleasure to visit Centre Road on Easter Saturday night with the Premier and thank workers for their hard work.

Throughout the construction blitz I saw people stopping at the site with their children and their grandchildren and showing them the construction work taking place.

There is a lot of interest in the community because this is a project people welcome. They have been asking for it for a long time, and between June and August there will be 1000 people across the three sites working day and night to get the job done. We will remove the three level crossings and open brand-new stations by August, before the footy finals, and we are very proud of that.

I note that the Liberals claim to support these projects but the truth is that we have had a member for Southern Metropolitan Region in the other place, Georgie Crozier, say that the level crossing removals in my electorate are not a priority, and we had the shadow minister for small and medium enterprises — I had to google him to find out who he was — whipping traders into a frenzy. But only the Labor Party supports — —

The ACTING SPEAKER (Ms Ward) — Order! The member's time has expired.

Salute to the 39th Kokoda dinner

Mr BLACKWOOD (Narracan) — On Friday, 18 March, here in Queen's Hall I had the pleasure of hosting the 2016 Kokoda Salute to the 39th dinner, as I have done in previous years. This year's function was attended by around 110 people, and once again the focus was on the veterans of the 39th, who were our very special guests of honour. In support of the veterans were members of the 39th Battalion Association as well as the carers and partners of the veterans. The member for Gippsland East did a fantastic job as master of ceremonies and the trekkers who used the occasion as a reunion were very generous in helping us raise around \$15 000 for Network Kokoda.

Farm World

Mr BLACKWOOD — Last weekend Farm World 2016 was held at Lardner Park. In its 54th year this event attracted some 700 exhibitors and over 57 000 visitors. This provided a perfect opportunity to launch new products, generate leads, make sales and develop valuable contacts.

In June this year Mark Cockerell will retire as CEO of Lardner Park events. During his time as CEO, Mark has been a tremendous asset to Lardner Park and the community, providing great leadership and expert management of the facility. The growth and success of Lardner Park over the past 12 years is testament to Mark's incredible work ethic and great people skills.

Anzac Day

Mr BLACKWOOD — Before the next parliamentary week comes around we will once again

commemorate Anzac Day. Anzac Day is a reminder that each of us has a responsibility to ensure the mateship, endurance, sacrifice and courage of every Aussie digger is never forgotten.

I also recognise Peter Leifman of Warragul for his leadership in support of our Vietnam veterans. Peter will lead this year's Anzac Day march in recognition of the 50th anniversary of the Battle of Long Tan.

North Eltham Wanderers Cricket Club

Ms WARD (Eltham) — I rise to congratulate the North Eltham Wanderers Cricket Club on its recent premiership in the Diamond Valley Cricket Association (DVCA) Money Shield. Firstly, I acknowledge club president Brian Stieg who has been at the helm for 19 years and has really focused the club's efforts on the junior program. I thank him for all of his hard work regarding the development of the new Wanderers' clubrooms, and I look forward to sitting on the new deck with him and having a beer in the near future.

For a number of years the club has fielded the highest number of junior teams in the DVCA. That investment in youth has paid off with a grand final win in an epic match. Their opponents, Lower Plenty, were on the ropes in week one but managed to fight back for a defendable score of 149 on a lively wicket. Due to rain during the week there were quite a few nerves about batting on a tough deck. And it was tough; 18 maidens were bowled in a row at one stage.

The Wanderers were in a world of strife at 8 for 130 with three 18-year-olds standing between a nerve-wracking defeat. They had taken 60 wickets between them all season but were lower in the order for a reason. Kyle Horkings and Connor O'Leary got to one run shy of the target. Number 11, Luke Anderson, came out with nerves of steel and swung and missed four times until with two balls to go he got it over slips for three, and the Wanderers won by two runs with a ball to spare.

All three of these young men have played at North Eltham since they were 12. Congratulations to the club, its president and its investment in junior cricket, which has really paid off. I look forward to seeing how their investment in girls cricket will also pay off, because this is a tremendous family club which is investing heavily in our community and working very, very well with me, the Nillumbik council and the broader community to ensure that the facilities at Eltham North Reserve reflect the quality of the clubs that play there.

Jamieson-Licola Road

Ms McLEISH (Eildon) — Last week I attended a meeting of the Jamieson Community Group to discuss local concerns with the large group who attended. A high priority for the community is the sealing of the Jamieson-Licola Road, in particular the first 7 kilometres. I understand that due to the popularity of off-road activities, such as four-wheel driving and dirt biking, the traffic on this road just out of Jamieson on weekends and public holidays is horrendous. As it is unsealed, dust and potholes cause constant problems for the residents. I look forward to working with the community to push this project forward and would hope that with the sale of the port of Melbourne there will be funding to fix local country roads such as this.

Anzac Day

Ms McLEISH — Anzac Day provides us with the opportunity to reflect not only on the wars our country has been involved in and how they have shaped our society but also on the valour and determination of our servicemen and women. It is important that we also remember those from other countries with whom Australian troops worked alongside. Through these joint efforts we establish strong bonds and ongoing connections with these other countries and individuals.

This year being the 50th anniversary of the Battle of Long Tan, I want to remember, in particular, Vietnam veterans from Australia and South Vietnam who fought to quell the rise of communism in Asia. I want to acknowledge the camaraderie between our countries that has existed from this time. Servicemen from South Vietnam, like many in Australia, suffered greatly — some permanently — as a result of the war effort. I have had the honour to speak at remembrance services where members who served for South Vietnam alongside Australian troops have attended. I pay my respect to them and acknowledge all of those who have served and continue to serve for our great country.

Northern Football League

Ms GREEN (Yan Yean) — Last weekend marked the beginning of the season for the Northern Football League. I note that the Speaker, the member for Ivanhoe and the member for Eildon all greeted the fabulous introduction to the season. Whittlesea club had a fabulous hit-out and was sadly defeated by two points, but it was the club's first foray back into division 1 after winning the division 2 flag last year, so I think it is a signal that it is going to be extremely competitive. It is a brilliant community club.

Diamond Creek and Panton Hill in division 2 had a twilight match at A. E. Cracknell Reserve, and Diamond Creek were victorious. Hurstbridge had a bye, and it will begin its season this weekend against Lalor. It will coincide with their always welcome women's day, and I will enjoy catching up with them. It was also good to see Mernda defeat South Morang. The Northern football and netball leagues are fabulous and involve women and boys playing football and netball, and I am glad that we as a government are supporting the development of their facilities.

Standing orders

Mr T. SMITH (Kew) — It is my pleasure to rise this afternoon with a grizzle about the standing orders of this place. It is inconceivable in this day and age that members of Parliament on either side of the house cannot put videos of their speeches on their Facebook pages. I recently was compelled to take down a video of my speech on the Safe Schools Coalition under the standing orders of this place. It strikes me that it is utterly ridiculous that members of Parliament, unlike their federal colleagues, cannot put their speeches on their Facebook pages to communicate with their constituents, their party members and Victorians further afield.

I understand that the member for Bentleigh had a video on his Facebook page that he was compelled to take down. I would simply implore the powers that be here to look at this issue as a matter of urgency so that members of Parliament can put their speeches on their Facebook pages and their websites and broadcast them as is done in Canberra all the time.

Queen Elizabeth II

Mr T. SMITH — With the little time that I have left available to me, I would like to draw the house's attention to the fact that next week is the 90th birthday of our sovereign, Queen Elizabeth II, and I would like to know what this house will be doing to celebrate such a milestone. We seem to celebrate every other obscure cause in this place; we should be observing that as well.

Mordialloc Beach Primary School

Mr RICHARDSON (Mordialloc) — Recently I had the opportunity to visit Mordialloc Beach Primary School to get an update on its year so far, as it finishes the first term, and its future plans for the coming year. This is a fantastic local school that, in a couple of short years, will celebrate 150 years of servicing our community of Mordialloc. The school was there when Mordialloc was developing as a community and well

before the Frankston train line came through our community. The student numbers are going towards 200. This is a testament to Sue Leighton-Janse, the tremendous principal of Mordialloc Beach Primary School, but it would be remiss of me to not mention two other wonderful advocates in Amanda Healy and Simone Wall, who lead the parents and friends group, which does a remarkable job at that school.

One of the things that we discussed when I went to the school was the challenges it was facing with its heritage-listed building, which is protected in our community. The building supports the number of students and the number of classrooms, but it is getting a bit tired. We talked about what we could do as a community to try to improve that structure and improve the support for the students on site. While being a small school with just under 200 students, there is a remarkable school community. Its community fete is exceptional, and it has a lot of participants, volunteers and support. I look forward to working with the school to try to get that vital maintenance funding and support in the coming months to improve the school facilities.

Regional and rural infrastructure

Mr RIORDAN (Polwarth) — White-hot anger has filled the airways, newspaper columns and social media in my electorate of Polwarth since the release of last week's shameful Grattan Institute report that denigrated and downplayed the valuable contribution that the electorate of Polwarth and other rural electorates have made to this state's prosperity. The shameful headline of its media release, 'Roads to nowhere', cannot be left unanswered. Constructive debate about infrastructure development and priorities are important, but the debate cannot be had when such dishonest public announcements are made and then hawked across the mainstream metropolitan media.

The most galling allegation, of rampant excess, is nothing more than a distortion of the facts, designed to quarantine infrastructure spending to the cities. The country communities and economies situated west of Geelong have had billed against them the Geelong Ring Road and its accesses to the Surf Coast area — all highly expensive infrastructures designed to get Melbourne people to their holiday houses and into their lycra on a Saturday morning to go bike riding, not to transport the billions of dollars of produce from south-west Victoria to domestic and international markets.

Volunteer Fire Brigades Victoria

Mr RIORDAN — On 2 and 3 April the Volunteer Fire Brigades Victoria's rural championships were held in Colac. I congratulate the Colac organising committee for coordinating and holding a most successful event that raised awareness of volunteering and helped local service clubs to highlight the value to the community of a well-supported volunteer fire service, which is the only way to keep Victoria safe.

Chaldean Babylonian New Year festival

Ms BLANDTHORN (Pascovale) — On Sunday, 20 March, I attended the Chaldean Babylonian New Year festival at the Coburg Lake Reserve. There is a particularly large Chaldean refugee community in the suburbs of Glenroy and Hadfield. The new year celebration marked the 7316th Babylonian year, which originated from the Chaldean Babylonian ancestors and the ancient lands of Mesopotamia. This is a part of the world and a time in history that I was particularly fascinated with when I was a student at Mount Lilydale Mercy College in Lilydale, and it was a great privilege to be able to share in the community's traditions and culture on the day.

It was also particularly fitting that this occasion fell on Palm Sunday this year, because for many of the Chaldean community who are refugees here in Australia their journey is one of faith. They are people who have journeyed to Australia in pursuit of religious freedom. They are mostly Christians who have been persecuted in their homelands for being Christians, and they are the last speakers of the original language of Christ. They are people who have come to Australia to pursue religious freedom. It was lovely to be able to share in this occasion with them.

Mr Crisp — On a point of order, Acting Speaker, I refer to a breach of process or an intended breach of process under standing order 61(2). Earlier today the Speaker sought an assurance that the National Party would receive a briefing on the bill that is about to be introduced. The briefing began at 2.00 p.m., and the member for Gippsland East and ex-local government minister are receiving the briefing. The member for Gippsland East has assured me that he will return to the chamber to indicate the briefing has been completed. The member for Gippsland East is not in the chamber. To commence the debate in the chamber before the briefing is complete is, I believe, defying the Speaker's ruling. There is other business the chamber could do while the briefing is being completed, and I request that you support the integrity of the position of the Chair and proceed to other business before dealing with the

Local Government (Greater Geelong City Council) Bill 2016.

Ms Hutchins — On the point of order, Acting Speaker, I can clarify for the house that a briefing was offered to the National Party as soon as it was instructed to be given earlier. In fact the National Party representative who undertook to provide that briefing was not available until 2.30 p.m. I expect that that briefing will be concluded very shortly.

Mr Walsh — On the point of order, Acting Speaker, I support the member for Mildura's point of order that debate on this bill be delayed until that briefing is concluded and National Party members have had time to meet and discuss whatever information has come out of it. In response to the Minister for Local Government's cheap shot at the member for Gippsland East, he was not available because he actually had a members statement to give in this chamber. I would have thought that the member for Gippsland East had a responsibility to his constituents to use his members statement time to raise the issue that he wanted to raise in this house. The fact that the minister is saying he was unavailable is blatantly not true. He was actually in this place performing his duty as a local member. I think that needs to be put on the record very clearly.

In supporting the member for Mildura, I request that the house delay this debate until there is a time for the member for Gippsland East to brief our party and for us to form a position on the bill. It is not about not debating; it is about actually following the due process of the house to enable all the parties in this place to be briefed appropriately on something. It is not going to stop the end result. It is about following due process and making sure that that is done.

If the Minister for Local Government had actually followed due process at the start of this and offered a briefing earlier than at the last minute at the instruction of the Speaker, instead of trying to take cheap shots again about who is or is not in the coalition and which party should be briefed and which party should not, we would not even be having this debate. The issue would be resolved. I urge you to rule on the member for Mildura's point of the order that debate be delayed until the briefing is finished and our party can form a position on this bill.

Ms Allan — On the point of order, Acting Speaker, it may be the unintentional outcome for members of the National Party to delay proceedings through this point of order to enable a briefing in their party room. Let us take up that point first. The Nationals claim they have a party room. To have a party room in this Parliament,

you need to be a party. The National Party is not a party in the Parliament as required by the regulations. The Leader of The Nationals, the member for Murray Plains, wants to know why the Greens and the crossbenchers got a briefing. That is because the Independent member for Shepparton is the Independent member for Shepparton and is entitled to her own briefing. The two Greens representatives may be Greens representatives outside this chamber, but for the purposes of this chamber they sit in here also as Independents or crossbenchers. Thus and therefore they are entitled to the briefing that was provided by the minister.

The point is, though, that the National Party, as it has presented to this Parliament from the very first day of this session of sittings, sits in a joint coalition with the Liberal Party. That is how it gets its extra resources for a white car for the member for Murray Plains. It is how it gets its extra resources, because it does not have entitlement otherwise under the fact that it does not have party status. If The Nationals want to come forward with a different set of arrangements and bust open the coalition, we can have a look at it. What I can say is that the Minister for Local Government went above and beyond what was required of her under standing order 61. She went above and beyond. She has provided the National Party, as its members like to present themselves, with the briefing it sought. It is not her fault that the National Party could not make itself available until 2.30 p.m. this afternoon. She made that briefing available to The Nationals at the first opportunity.

What The Nationals are going through once again is clearly an identity crisis. They do not know whether they are Arthur or Martha. They want to be with the coalition and they want to be outside the coalition when it suits them. We are not going to put up with this nonsense. We need to push on and address these very serious and real issues that are faced by the community of Geelong, and that is exactly what we intend to do with this debate this afternoon.

Mr Clark — On the point of order, Acting Speaker, much of what the Leader of the House was arguing was attempting to relitigate matters on which the Speaker has previously ruled. There was an exchange and a decision made by the Speaker that an agreement reached with members of the house is the best way to accommodate the issues that have been raised in relation to standing order 61. The Acting Speaker is obviously in a very difficult position, because the rulings were made by the Speaker himself. It may be more appropriate and fair to her that the Speaker return to the chair and rule on this matter.

But the point that is being made by the member for Mildura is that the Speaker gave a direction that was in effect an agreed outcome that was accepted by all in relation to the issue that had been raised: that a briefing should be provided to The Nationals. That was organised. The Nationals representative made himself available as soon as he was able to, given his prior commitment to make a members statement in this house. That briefing is now continuing and presumably will be concluded shortly, but the arrangement that was reached and the understanding across all parties was that this was what would occur. That was what would resolve the issue that had been raised by the member for Mildura. It is a common courtesy to allow that process to be concluded.

There are other bills, as the Leader of the House had previously foreshadowed prior to changing her mind. There are messages received from the Legislative Council that could be conveniently dealt with over the next half an hour or so so that the briefing of The Nationals could be concluded and the government could proceed with what had been resolved upon by the house earlier. It is intemperate and discourteous to the house in the extreme to not allow that briefing to be concluded. It is a sign of the continued contempt with which this government is treating this house and the democratic process. Members opposite should do the right thing, allow the briefing to continue and deal with other business for the next half hour or so, and then they can come back to the motion relating to Geelong city council.

Mr Wynne — On the point of order, Acting Speaker, I am advised by the Minister for Local Government that the briefing of the National Party has concluded, so in fact we could expedite the matter and get on with this serious debate and resolve this matter in an expeditious fashion. Can I say, just by way of a point of comparison, the last time we debated a bill such as this — and the member for Malvern was with us at the time — opposition members were provided with no capacity to be pre-briefed before the Wangaratta matter. There was no capacity to be pre-briefed, and in fact the document that the minister relied upon, as the member would be aware, was tabled on the day. As he well recalls, it was tabled on the day. We are ready to get on with this debate. It is an important debate not only for this Parliament but more importantly for the people of Geelong. Let us get on with it.

Mr Morris — On the point of order, Acting Speaker, the Minister for Planning just went very, very close to misleading the house. The approach that was followed in the Wangaratta situation was to table documents and the opportunity was given by the

government to adjourn the debate for a couple of weeks. The Minister for Planning, then the shadow Minister for Local Government, chose not to stand up and move that the debate be adjourned. He chose to go ahead and debate the bill. He says clearly in *Hansard* repeatedly that he accused the then government of seeking to avoid the debate on that day. We were happy to debate it on that day, or we were happy to have it laid over to allow him to consult as he chose. In that circumstance, the opposition chose not to consult. It chose to proceed, and the government was happy to grant that. As those who were here will recall, the bill passed both houses the same day it was introduced. In this case, there is a report that has been on the table for just on an hour now, and there is a briefing which is apparently concluded or reaching its conclusion. It is appropriate to follow proper process and allow the member for Gippsland East to talk to his colleagues and reach a conclusion before the commencement of debate on the bill.

The ACTING SPEAKER (Ms Ward) — Order! It is difficult for me to overrule anything that the Speaker has said. The bill was determined to be called back later this day, and that is in fact what is happening in line with how the government has arranged today's business. I do not uphold the point of order.

LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016

Declared urgent

Ms HUTCHINS (Minister for Local Government) — I declare that this bill is an urgent bill, and I move:

That this bill be considered an urgent bill.

Required number of members rose indicating approval of the motion being put.

House divided on motion:

Ayes, 46

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Nardella, Mr
Carroll, Mr	Neville, Ms
Couzens, Ms	Pakula, Mr
D'Ambrosio, Ms	Pallas, Mr
Dimopoulos, Mr	Pearson, Mr
Donnellan, Mr	Perera, Mr
Edbrooke, Mr	Richardson, Mr
Edwards, Ms	Richardson, Ms
Eren, Mr	Scott, Mr

Foley, Mr	Sheed, Ms
Garrett, Ms	Spence, Ms
Graley, Mr	Staikos, Mr
Green, Ms	Suleyman, Ms
Halfpenny, Ms	Thomas, Ms
Hennessy, Ms	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr

Noes, 38

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

Motion agreed to.

Ms HUTCHINS (Minister for Local Government) — I move:

That consideration of the remaining stages of the bill be completed by 5.30 p.m. today.

Mr CLARK (Box Hill) — This is an absolute disgrace. The government is proposing 2½ hours to consider this crucial bill that goes to the future of the people of Geelong, and government members want to allow a total of 2½ hours for it. This is supposed to be a place in which democratic decisions are made through open debate, not by ramming a bill through on as important a subject as this within 2½ hours.

I have made the point before that this debate is being rushed on. No case has been made for it. We have not even had the second-reading speech yet; we have not even heard the government's justification as to why it believes it is so urgent that this bill be passed today by this house. We have not even heard that, yet the minister in moving her motion offered no speech, no justification and no explanation whatsoever as to why to allow only 2½ hours for this crucial issue to be considered in this house. Members of the Labor Party time and time again purport to be the champions of democracy, the champions of local government and the champions of due process and accountability, yet they want to allow a total of only 2½ hours for the entire

second-reading debate on this bill, and they propose to do that without offering any justification whatsoever.

We on this side of the house have made clear previously that, if there is good reason, we are prepared to expedite legislation being passed — we have been prepared to do it in the past, and we are prepared to do it in the future — but this house as a whole and the community are entitled to know the government's reasons for urgency, and we have not had a word on that to this house from the Minister for Local Government. We have not had a word on it to this house from the Leader of the House, yet only 2½ hours is being proposed for this debate.

This is a complex matter. It is not simply a yes or no question, although that is profound enough, because it goes to balancing considerations of whatever is in the report — the concerns, the recommendations and the evidence that are in the report — on the one hand against the rights of the community of Greater Geelong to democratic representation and the need to have a good case to rebut that presumption in favour of democratic representation. But there is not only that threshold issue of principle; there is also the issue, if there is to be a dismissal of the council, of what is to take its place. We are being asked in this house to pass judgement on that question within 2½ hours on a bill of which the opposition and the community first had notice earlier today and which the community still has no opportunity to scrutinise.

There are questions of how long administrators should be appointed for, of who those administrators will be, of what process they will be determined by, of what mandate they have and of how the good governance of Geelong will be achieved in the meantime. All of these issues need examination as well as the threshold issue of whether or not the council should be dismissed. It is a disgrace. It is an abuse of democracy that the government is seeking to guillotine this bill through the house in just 2½ hours without any good reason whatsoever. Why should the debate at the very least not continue for the balance of today? The government has had goodness knows how long to consider this issue and to have legislation drafted, and certainly legislation such as this takes some time to prepare. This is obviously something the government internally has given a lot of consideration to, yet it wants to spring it on this Parliament and, equally seriously, spring it on the community and push this legislation through before either this house or the community has had a proper opportunity to consider the issues involved. For that reason the opposition strongly opposes the allocation of time put forward and proposed by the minister.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I think it is very concerning that we have the opposition really trying to delay this discussion. We are putting aside a substantial period of time to have a conversation about this. We need to get this piece of legislation, in the interests of Geelong, through this Parliament and the upper house.

In my view the report speaks for itself. It talks about the breakdown of good governance. This council is not able to continue to function in its current form. This council, in its current form, is not able to continue to function in the interests of the Geelong community. It is absolutely clear in this report, and the urgency about this is that we cannot allow the uncertainty to go on. We cannot allow uncertainty about the status of the council — is it in place or is it not in place? — for weeks on end.

This is not an unusual process. It is unusual to sack a council, absolutely; it is absolutely unusual. It is a very serious matter, and it is a very serious report that brings to the attention of this house the inability of the City of Greater Geelong to continue to provide governance to the community of Geelong. Not to act now would just create further uncertainty. We cannot allow a situation where weeks go by with the legislation between this house and the upper house without there being an understanding of whether the council exists or does not exist. Can it make decisions or can it not make decisions? That would be, in my view, a terrible indictment of this Parliament and all parties if we allowed that to happen.

I am pretty sure that if you ring any of the community leaders across Bellarine, across Lara and across the City of Greater Geelong, you will find that people want this issue resolved as quickly as possible so that we can hopefully get to a position where we can rebuild and start afresh with a council that is able to provide good governance, is able to protect its staff and is able to ensure that the community's interests are being heard. Clearly this report suggests to us — —

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte and the member for Hawthorn!

Ms NEVILLE — Certainly as a resident of Geelong and in speaking on behalf of the community of Geelong, we need to resolve this issue, and we need to resolve it quickly. I ask the opposition to allow this debate to start and to continue.

Mr CRISP (Mildura) — I rise to oppose the motion, particularly around ending the debate at 5.30 p.m. We

have heard much about how important this particular bill is to the people of Geelong, and certainly we all agree with that. The report that surrounds this legislation only hit the table about an hour ago, and it appears very much that the people of Geelong are not going to be treated in the way they should be treated by allowing for a full and comprehensive debate on this particular issue. In fact we seem to be making a mess of an issue that should be straightforward today — that is, the issue of managing the process, and it certainly has not been managed well.

The Nationals have just received the bill and the report, and we are in the process of reviewing them, as are many people. It is a very lengthy report. It needs considerable consideration, particularly as we are dealing with the dismissal of a council, which is an extremely serious matter. It is something that this Parliament has not taken lightly. In my years here I have only seen it done once before. It raises those issues where, when you are dismissing a council, it is one level of democracy imposing its will on another level of democracy, and it should be debated and debated in a full and comprehensive manner. And 5.30 p.m. is just not going to cut the mustard with the people in Geelong.

Local governments in general across Victoria will be looking at this, and whether they agree or disagree, they will remember the haste and the way this process is being delivered. It raises issues such as what structure will replace the council for the people of Geelong. If it is administrators, will there be tenure? I am sure all this is going to be revealed within the legislation, but it does need time to be debated and debated thoroughly. This is not about delaying an important bill; this is about giving due consideration to a very important bill. As I said earlier, we are imposing our will on another level of democracy. I think the people of Geelong want to know that we have done that for all the right reasons, and the right reasons will take, I think, more than 2½ hours to be teased out in debate.

I certainly take on board what the Minister for Environment, Climate Change and Water said, that Geelong wants this matter resolved. But it certainly would not want it rushed. If you act in haste, then you can repent in leisure. That is something that we all would have learnt as part of our lessons in life. Let us allow enough time for this bill to be debated thoroughly. I am sure there are a lot of people who want time to talk about this because, as I have said throughout this debate, this is a very serious matter that we are embarking upon. I urge that this debate be allowed the time it needs and that it be given the importance that it deserves.

Ms ALLAN (Minister for Public Transport) — Well, there is one benefit of this debate: it means the National Party gets to have its party room meeting and consider its position on the bill — just in case the National Party might come out with a different position to the Liberal Party. I look forward to that; I look forward to a position being put forward for the National Party that is different to that of the Liberal Party.

In terms of the issue that is before us around the question of time, the government understands very well the significance of the actions it is taking here and the actions that the Minister for Local Government has taken both in dismissing the Geelong council and in introducing this bill in the Parliament. These are very serious matters, and for the opposition to suggest they have not been duly and appropriately considered and the consequences considered is just nonsense. Of course we have done that. We are not the first government to be in this situation in dismissing a council. We are by far not the first government to be in this situation.

These are very serious matters. That is why we have thought very carefully about going down the path of declaring this bill an urgent bill. It is about striking the balance between needing to move — as the member for Bellarine said — with some speed to provide the Geelong community with certainty about the issues that are swirling around its council in Geelong and the need for appropriate consideration. It is why the minister last night started briefing people — yesterday afternoon and into the evening and overnight. There was — —

Honourable members interjecting.

The SPEAKER — Order! The opposition has had its opportunity and will continue to have an opportunity. The Leader of the House to continue in silence.

Ms ALLAN — I would have thought that this was a fairly straightforward report. As the Minister for Local Government said, there are 112 pages of good reasons for the need to move with some speed through this chamber. Of course the bill has still got to be considered by the upper house, so there will be further opportunity for scrutiny and consideration there. So there is every good reason why we need to provide for the over 2 hours of debate that will be allowed for on this bill and to pass the bill through this chamber tonight for its consideration by the upper house.

For those who say they are interested in good democracy, interested in these processes around the community for Geelong, I say that if those opposite

really had the interests of the Geelong community at heart, they would be supporting these actions, because this is a damning report. This is a very challenging report, and we need to move quickly and appropriately to address these very serious and significant issues. That is exactly why the government is taking this serious and significant step to address these matters.

Mr MORRIS (Mornington) — This process is a complete farce. In moving this motion the minister had ample opportunity to outline to the house why she believes it only requires 2½ hours debate. She had opportunity, but there was not one word about that. There was simply the straight motion: this is what I want. There was no reason given as to why the house should positively consider the motion, absolutely no justification whatsoever.

This is a report the government has had for 11 days. It has had 11 days and the opportunity to deal with it. If it wanted to push it through today, it would have been easy enough surely to talk to the other parties last week, to brief us, to provide us with copies of the report and the draft legislation so that we could deal with it with dispatch. That would have been a reasonable course to undertake. But no, what happened? We got a phone call last night advising, ‘There will be something in today, and we will brief you in the morning’. We went up at the appointed time, and then we sat there, and we sat there, and we sat there more until eventually — 20 minutes after the appointed time — the departmental officers arrived and the briefing commenced. To try in 2½ hours to get across those issues and to deal with the complexity of the issues raised is completely unreasonable.

Contrast the approach that is being proposed by this government to deal with this bill with the last time a council was sacked, the last time this issue was debated in this house — and the legislation is very similar. The process that was followed on that occasion — —

Ms Allan interjected.

Mr MORRIS — I have not said what our view of the bill may or may not be. The process that was followed at that point was as follows: ample notice was given, according to *Hansard*, to the then shadow Minister for Local Government; there was consultation with the Minister for Local Government of the day; and there was some discussion about whether the proposition should be advanced that day or whether it should be allowed to roll over for two weeks. The government at the time was happy to either deal with the matter forthwith or — —

Ms Allan interjected.

Mr MORRIS — We were happy to deal with it forthwith, as in fact we did.

Ms Allan interjected.

The SPEAKER — Order! The member for Mornington will continue his contribution through the Chair.

Mr MORRIS — I thought the Leader of the House had a rudimentary understanding of the way this house operates.

The opposition chose not to adjourn that particular bill. Had it chosen to adjourn it, we would have happily gone along with it. The opposition chose to proceed, and it was happy at that point to debate the bill and in fact pass the bill. We had the second-reading debate, the bill proceeded to the third-reading stage, the bill was passed and it went to the Council the same day. That was because there was reasonable agreement between both sides on how the process should operate. And that was the view the government of the day took — that that was fair, that we should proceed on the footing that the then opposition was comfortable with. Instead what we are getting here is an entirely different scenario. We are getting told that we have probably, now, 2 hours and 14 minutes to debate the bill, to debate the future of the largest city outside of metropolitan Melbourne. We have two and a bit hours to do that. I contrast the approach taken by this government in jamming this process through without debate — a denial of justice — with the approach taken by the opposition.

Honourable members interjecting.

The SPEAKER — Order! The members for Gembrook and Ivanhoe!

Mr MORRIS — Speaker, this is an absolute farce.

The SPEAKER — Order! The time and the number of speakers complies with standing order 135, so the member for Shepparton can now only speak by leave. Is leave granted?

Leave granted.

Ms SHEED (Shepparton) — In the place that I have spent the last 35 years of my practising life there is a saying: ‘Justice should not only be done but it should also be seen to be done’. I support this bill, and I support the government’s actions in bringing this bill before the Parliament. It is very important. Local

government is a very important part of the fabric of regional communities. I am sure that for the people of Geelong it is also very important. I know of other regional communities where these things have occurred at other times. During the Kennett years administrators were appointed for a number of reasons. More recently Wangaratta had administrators appointed.

These are very serious issues, and in my view the community expects that there be proper debate about these issues and that communities be represented. We in this Parliament are the ones who have the opportunity to pass the laws that will determine the fate of the City of Greater Geelong. It is a very important issue all round. If people choose to filibuster and try to score political points in the course of the debate on this, they will be judged for that, because the people of Geelong regard this as serious.

I plead with the government to allow proper debate on this bill and to allow each speaker who wants to have their say on it to be allowed to do so. As I said, people will judge any speaker who does not behave in a fashion that allows for serious consideration of an issue such as this. For that reason, I oppose the motion.

House divided on motion:

Ayes, 44

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

Noes, 39

Angus, Mr	O’Brien, Mr M.
Asher, Ms	Paynter, Mr
Battin, Mr	Pesutto, Mr
Blackwood, Mr	Riordan, Mr
Britnell, Ms	Ryall, Ms
Bull, Mr T.	Ryan, Ms
Burgess, Mr	Sandell, Ms
Clark, Mr	Sheed, Ms
Crisp, Mr	Smith, Mr R.

Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McLeish, Ms
Morris, Mr
Northe, Mr
O'Brien, Mr D.

Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Tilley, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

vote and be elected at state and municipal elections, and to have access to the Victorian public service and public office.

Parts 2 and 3 of the bill clearly engage and purport to restrict the right under section 18 of the charter.

The limitation appears to be reasonable and demonstrably justified in a free and democratic society under section 7(2) of the charter act.

The right to participate in public affairs is a broad concept, which embraces the exercise of governmental power by all arms of government at all levels. The right to be elected ensures that eligible voters have a free choice of candidates in an election, and as with the right to vote, the right to occupy public office is not conferred on all Victorians; it is limited to eligible persons where the criteria and processes for appointment, promotion, suspension and dismissal are objective, reasonable and non-discriminatory.

The purpose of the limitation is to enable the restoration of good government to the council.

On 16 October 2015 the council released two reports as part of an ongoing workplace culture review it was asked to undertake by the Minister for Local Government following a range of complaints by employees and members of the public. The review and subsequent reports highlighted a range of issues regarding the workplace culture including allegations of bullying of council staff by councillors and senior staff.

Following publication of the reports and following further representations from the Geelong community the Minister for Local Government appointed a commission of inquiry under section 209 of the Local Government Act 1989 (Local Government Act). The terms of reference of the commission required it to conduct an inquiry into the adequacy of the current governance structures at the council in providing good government, the efficiency and effectiveness of governance arrangements in delivering services to the community, and the relationship between the matters identified in the workplace culture review and governance arrangements.

The commission of inquiry has provided a report to the Minister for Local Government on Thursday, 31 March 2016. The report describes a number of failures of governance structures at the council. In particular a lack of clarity in roles and responsibilities, prevalence of narrow sectional interests prevailing over collective decision-making and serious behavioural and conduct issues by councillors and senior staff, that all impact on delivery of good government in the municipality.

In its report, the commission of inquiry has recommended the dismissal of elected councillors for a significant period of time to enable the restoration of proper governance structures and the development of a positive and productive workplace culture.

The serious nature of the commission's findings and the failure of councillors to act in accordance with their statutory obligations clearly warrant removal of the council as soon as possible. This action ensures and recognises the right of electors to be represented with probity, integrity and accountability, and in the interests of the community rather than competing sectional or personal interests.

Removal of an elected council is a last resort, and undertaken only in exceptional circumstances. While this is regrettable,

Motion agreed to.

Statement of compatibility

Ms HUTCHINS (Minister for Local Government) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the 'charter act'), I make this statement of compatibility with respect to the Local Government (Greater Geelong City Council) Bill 2016.

In my opinion, the Local Government (Greater Geelong City Council) Bill 2016, as introduced to the Legislative Assembly, is compatible with human rights as set out in the charter act. I base my opinion on the reasons outlined in this statement.

Overview

The proposed Local Government (Greater Geelong City Council) Bill 2016 (bill) implements recommendations of the commission of inquiry into the Greater Geelong City Council (council), to dismiss the council and provide for the appointment of administrators for the council.

The commission of inquiry provided the Minister for Local Government with a report on Thursday, 31 March 2016. The report describes a number of failures of governance structures at the council. In its report, the commission of inquiry has recommended the dismissal of elected councillors for a significant period of time to enable the restoration of proper governance structures and the development of a positive and productive workplace culture.

The proposed bill dismisses the council until the first council meeting following an election to be held on the fourth Saturday in 2020. It also continues the direct election of the mayor, and introduces the direct election of the deputy mayor, consistent with the commission's recommendations.

Human rights issues

Human rights protected by the charter act that are relevant to the bill

The proposed bill engages human rights provided for in the charter act, as follows:

Taking part in public life

Section 18 establishes a right for an individual to, without discrimination, participate in the conduct of public affairs, to

the government has a responsibility to protect communities from governance failings by their local representatives.

The Local Government Act provides a less restrictive and more immediate measure, namely, suspension pursuant to section 219(1). However, section 219 is not appropriate in this case because it provides for suspension for a maximum period of 12 months, and for the appointment of only a single administrator, indicating the provision is intended for circumstances in which a short interruption to elected representation will be sufficient to overcome the failures identified; and in which a single person will be able to govern in the council's stead for the limited period of the suspension.

However, as the commission's report clearly demonstrates, the council is fundamentally dysfunctional, and characterised by the continuation of entrenched failures. It is considered that the serious deficiencies at the council will require a significantly longer period than 12 months so that good government can be restored. Further, the appointment of a panel of administrators rather than one individual would provide a structure suited to undertake the extensive necessary reforms.

Privacy and reputation

Section 13 of the charter provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with, and not to have his or her reputation unlawfully attacked.

Clause 5 of the bill provides for the dismissal of the elected councillors, and therefore purports to restrict the right under section 13 of the charter.

An interference with a person's privacy and reputation is lawful and not arbitrary in this case. A decision to remove the councillors from office follows an extensive review and inquiry into the council by the commission. The commission, in its report, identified significant instances of misconduct, including bullying and harassment by councillors, failure of councillors to comply with their statutory obligations, and to implement and adhere to effective governance practices. The serious nature of the commission's findings clearly warrant the immediate removal of the councillors.

Right to a fair hearing

Section 24 of the charter provides that a person charged with a criminal offence or a party to a civil proceedings has the right to have the charge or proceedings decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

Clause 5 of the bill engages the right under section 24 of the charter.

The commission, as part of its inquiry, gave public assurance that the evidence given by interviewees would be treated in strictest confidence. This was important to ensure they gave frank evidence that would guide the commission in its investigation. Further, all interviews were conducted either under oath or affirmation, and evidence of egregious conduct was put to the relevant witness for response. This ensured the witness was given reasonable opportunity to put their case forward in a fair and open manner.

Conclusion

I consider that the bill is compatible with the charter act because, although it does limit rights under the charter act, the limitations are reasonable and proportionate. The limitations strike the correct balance by providing persons the right to take part in public life and ensuring councillors perform to appropriate standards of probity, integrity and in the public interest.

Natalie Hutchins, MP
Minister for Local Government

Second reading

Ms HUTCHINS (Minister for Local Government) — I move:

That this bill be now read a second time.

This bill will dismiss the Greater Geelong City Council and provide for the appointment of an administrator or a panel of administrators in response to the recommendations of the report from the independent commission of inquiry into Greater Geelong City Council. It will also enable the necessary legislative changes required to provide for the reconstitution of the council from 2020.

At my request, a workplace culture review was conducted at the council in 2015 by the former federal sex discrimination commissioner, Ms Susan Halliday. It revealed serious problems at the council relating to both councillor conduct and governance, including allegations of serious bullying by councillors.

In response to this report, which was made public by the council in October 2015, I appointed an independent commission of inquiry under section 209 of the Local Government Act 1989 to conduct an inquiry into the adequacy of the current governance structures at the Greater Geelong City Council in providing good government, commencing 4 January 2016.

The commission was required to report back to me by 31 March 2016 and did so. I have tabled the commission's report to ensure the community of Geelong is fully informed of the findings of the inquiry.

The commission's report concludes that the council has failed to provide good government to the city.

Specifically, it identifies:

- a. The council is unable to provide the long-term vision and leadership required to face the major economic challenges for the City of Greater Geelong.

- b. The leadership of the council is dysfunctional, riven by conflict and characterised by a significant number of councillors contravening their code of conduct.
- c. There is a deep-seated culture of bullying within the council and its administration.
- d. A range of organisational failures have contributed to the breakdown of good governance at the council, including a failure by council to provide a safe workplace for its employees.

This bill will implement three of four recommendations made to government by the commission:

- 1) to dismiss the council and appoint administrators to perform the powers, functions and duties of the council until a new council is elected;
- 2) to provide for the direct election of the position of deputy mayor to strengthen support to the directly elected mayor and enable a greater sharing of the workloads of office; and
- 3) to provide for a representation review to be held prior to the next council election with a view to replacing the individual councillor ward electoral system with multicouncillor wards to share representative responsibilities.

A fourth recommendation to amend the Local Government Act 1989 to provide for greater liaison between mayors and CEOs will be implemented in the current review underway regarding that act.

The commission also makes a number of recommendations regarding council governance and organisational arrangements that will need to be implemented by administrators appointed after dismissal of the council.

Providing for the next general election for the Greater Geelong City Council to be held in 2020 ensures there is sufficient time to implement these key reforms while balancing the strong community interest in having democratically elected representatives.

Besides the dismissal of the council, the bill proposes a number of amendments to the City of Greater Geelong Act 1993. These include to repeal spent provisions, provisions for the reconstitution of council from October 2020 and consequential amendments to support the key changes proposed by the bill.

The key changes made by the bill's amendments to the City of Greater Geelong Act 1993 will provide for the:

- a) creation of a new position of directly elected deputy mayor to represent the City of Greater Geelong as a representative of the municipal district as a whole.
- b) requirement that an electoral representation review be conducted before a new council is elected in 2020. Requiring the Victorian Electoral Commission (VEC) to conduct a review is considered the most appropriate way to address the report's recommendation to replace single member wards with multicouncillor wards.

These changes will strengthen local democracy and the governance of the city.

Dismissing a council by Parliament is the most extreme intervention by the state and is only undertaken in the most serious cases of governance failure.

The evidence identified in the commission's report paints a picture of extremely serious governance failures warranting the dismissal of the council.

Without this bill, there is the risk of a continued deterioration of governance at the council, especially given the dysfunctional leadership identified by the commission in its report.

As indicated in the commission's report, the current council is unable or unwilling to implement the necessary changes to ensure good government for the city and restore good governance at the council.

This is an unacceptable situation for the people of Greater Geelong.

Geelong is the largest economy outside metropolitan Melbourne with a headline gross regional product (GRP) of \$9.8 billion in 2014.

The good governance and performance of the region are important not only for the wellbeing and prosperity of its citizens, but also for the contribution they make to Victoria's, and indeed Australia's, economies and competitiveness.

Geelong must have and deserves first-class local governance.

This bill will make a significant contribution towards restoring good governance in Geelong and set the city on a course to reach its full potential as what is arguably Victoria's regional capital.

I commend the bill to the house.

Mr MORRIS (Mornington) — Normally it is a pleasure to rise to speak on a bill; not so much in this case. I would have to say that I agree with one line out of the second-reading speech, and that line appears on the third page. The words are:

This is an unacceptable situation for the people of Greater Geelong.

That is exactly the case. This is a totally unacceptable situation for the people of Greater Geelong. This is a government that has set out today to gag debate. We have had time limited to — —

Honourable members interjecting.

The SPEAKER — Order! The member for Mornington, in silence.

Mr MORRIS — The minister says, ‘Do you know how long they’ve been waiting?’ — —

The SPEAKER — Order! The member for Mornington, through the Chair. Members will allow the member for Mornington to make a contribution in silence. The member, to continue.

Mr MORRIS — The Minister for Local Government interjects, ‘Do you know how long they’ve been waiting?’. How long has the minister been the minister? By my count, 16 months. If they have been waiting for that long, what the hell has she been doing?

Honourable members interjecting.

Mr MORRIS — Unbelievable!

The SPEAKER — Order! The member for Mornington, through the Chair. The member, to continue.

Mr MORRIS — She has just sat there, has done nothing and then interjects: ‘No, we’ve got to do this in 2 hours because I’ve been sitting on my butt for 16 months, and now we’ve got to act’. This is an absolute disgrace.

I cannot recall any other occasion in this Parliament since the sessional orders have been put in place where a minister has stood up and read their second-reading speech. Yet in this case, when we have extremely limited time to deal with a very serious issue, the minister stands up and reads her speech — not particularly well, I might add.

Honourable members interjecting.

The SPEAKER — Order! The member for Mornington, to continue through the Chair.

Mr MORRIS — We know, of course, that that was done simply to consume time, to reduce opportunities for debate. But even in that second-reading speech that was read, there was absolutely no justification for needing to deal with this in 24 hours.

Ms Neville interjected.

Mr MORRIS — The Minister for Environment, Climate Change and Water interjects, ‘They’ve got meetings scheduled’.

Ms Neville interjected.

Mr MORRIS — I am glad she is on top of it because the Minister for Local Government certainly has not bothered to bring that to the attention of the house.

Ms Neville interjected.

The SPEAKER — Order! The Minister for Environment, Climate Change and Water!

Mr MORRIS — You do really wonder what government members are trying to hide. What are they withholding from this debate? What are they keeping in the cupboard until the bill is passed and then will bring out? You really wonder why a government that claims ad nauseam to be about openness, accountability and transparency wants to push a bill through in a super short time and in the process gag debate. It would be helpful to the processes of the house and certainly to the people of Geelong and people generally affected by bills if they have the opportunity not only to consider the bill but to consider the advice underlying the bill. Clearly in this case there is a substantial amount of advice — not so much in the bill, but lots of advice and lots of reading to be done. As I mentioned a few moments ago, we became aware late yesterday evening — —

Ms Neville interjected.

Mr MORRIS — That may be the way the Minister for Environment, Climate Change and Water wants to operate — just read the executive summary. Personally I actually like to read the detail of the report because not everything important find its way into the executive summary. That may be the Labor way; it is not the way we do business on this side of the house.

Ms Neville interjected.

The SPEAKER — Order! The Minister for Environment, Climate Change and Water will desist.

Mr MORRIS — As I was saying, the minister indicated yesterday evening that this may be occurring today. Then we were told we would have a briefing this morning at 10.30. So we arrived at 10.30, and then we sat and we sat — and at 10 to 11 the officers from the department arrived and said, ‘Here’s the bill hot off the press. Sorry it may have some typos in it’. I am not being at all critical of the officers of the department; they are clearly under the pump because the government has taken a while to get itself organised on this. Then we had a 10-minute briefing which stretched to 15 minutes. Then we had to leave the room because the crossbench had to be briefed. So it was a very truncated briefing, professionally delivered but necessarily, in the view of the minister’s adviser, truncated.

To try to fill 10 minutes of the time that we were sitting there twiddling our thumbs waiting for the briefing, the minister’s office provided the commission of inquiry report in order to allow us to have a look at it. But of course the officers of the department came in, and then we started going through the bill. We probably had about 10 minutes to look at the report then, but when we left the briefing, we had to give the report back; we could not take it with us.

We then were expected to engage constructively with the chair of the committee. He was constructive, and he briefed us to the best of his ability, but again it is a complex subject and it was very difficult to cover all the necessary information in the time available. By the way, the briefing started I think 20 minutes before the house sat, so again there was not exactly a great deal of time. At the conclusion of that briefing, the minister’s office then did finally make an embargoed copy of the report available — as the house was sitting, that became available. This is not the way to organise a chook raffle, let alone something as important as terminating a council. It is a farce, and it is an absolute disgrace that the government is behaving this way. Not only is the house being treated with contempt and not only is the Parliament being treated with contempt —

Mr T. Bull interjected.

Mr MORRIS — but particularly, as the member for Gippsland East says, the people of Geelong are being treated with contempt. It is interesting, having read the report — as I am sure most of the people of Geelong have not had the opportunity to do — —

Ms Neville interjected.

Mr MORRIS — The Minister for Environment, Climate Change and Water interjects, ‘They’re being let down by their council’. Yes, they are, in the corporate sense. As the report makes clear, it is not just the councillors. As the report makes clear, there is a problem. This extreme urgency is all about getting rid of the councillors, no-one else. There is no-one else in there to make sure the staff are doing their jobs.

Ms Neville interjected.

Mr MORRIS — You could have had a monitor in there straightaway, but you have not.

Mr Eren — Have you read the recommendations or not?

The SPEAKER — Order! The ministers at the table will allow the member for Mornington to continue in silence.

Mr MORRIS — I have read the whole report, unlike you. It is ironic, though, that the government is seeking to deal with this matter so urgently, that everything has to be done in a couple of hours, when you consider the issues have an eerily familiar sound: bullying, harassment, leaking and maladministration. They sound awfully like the Andrews government to me.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Tourism and Major Events!

Mr MORRIS — These things are things that are endemic to this government — not just the cabinet, the whole mob.

Mr Nardella — Read the report!

Mr MORRIS — I have read the report.

Mr Nardella — Good!

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

Mr MORRIS — It is a shame the government does not apply the same standards to itself as it does to the Geelong council. It does not apply the same standards to itself. The commissioners, Mr Moran, Ms Munro and Ms O’Brien — AC, AO and QC respectively — clearly have made their mark.

Ms Neville interjected.

Mr MORRIS — Under different governments, absolutely. They have fine reputations, and it is a very interesting document they have produced. I do not intend to take issue with any of the conclusions, but clearly this report is their view and their view only.

Honourable members interjecting.

The SPEAKER — Order! Government members will allow the member for Mornington to continue.

Mr MORRIS — What is absent in this kangaroo court that the house is being turned into this afternoon is the opportunity for the accused to make any response. We have no independent opportunity to assess the evidence, we have no opportunity — —

Mr Eren interjected.

Mr MORRIS — The Minister for Tourism and Major Events interjects, ‘How do you do that?’. How you do that is you actually adjourn debate on the bill for a couple of weeks and you go out and consult — you go out and talk to the people involved.

Mr Eren interjected.

Mr MORRIS — Yes, terrific.

The SPEAKER — Order! The member for Mornington to continue through the Chair.

Mr MORRIS — The government has had this report for the best part of two weeks. The people of Geelong have had access to this report via the internet for just on 2 hours, and now we are in here debating the future of their city. We are not just debating sacking the council, and I will come back to this, but we are also debating a new structure which is proposed to be legislated through this Parliament this week, to be used in 2020, with no consultation — not a sausage, absolutely none at all.

Ms Neville interjected.

Mr MORRIS — I will come back to that too. The Victorian Local Governance Association is not happy, the Municipal Association of Victoria is not happy and I am sure the people of Geelong will be most unhappy, because this is a profound denial of natural justice. Far from conversation or discussion, the City of Greater Geelong has not been consulted on this matter, this bill, at all — nothing, no consultation whatsoever on this bill.

I said I will come back to the bill, but I should make the point too that, when the earlier conversation was going on about whether the matter had been appropriately

dealt with in terms of the briefing and so on, we were not actually presented with a copy of the bill as it stood. We were presented with a document that was probably going to be the bill, but it was not a copy of the bill. It was a typed document that may or may not have had typos in it.

Mr Eren interjected.

Mr MORRIS — I take the minister in good faith on that — that the document that was provided to the opposition is in fact the document that we are debating today — but clearly when the bill is tabled and then immediately debated, the opportunity to make sure that no changes have occurred is extremely limited and effectively non-existent.

There are clearly two distinct phases to this bill: firstly, what one might call the standard clauses, very similar to the Wangaratta bill, which effectively dismissed the council and provided for the appointment of an administrator or a panel of administrators. I understand that initially there will be an administrator appointed and that later on a panel — the identities of those persons is currently unknown — will be appointed to take the place of the sole administrator. Essentially clauses 1 to 4 deal with the preliminaries. Part 2 of the bill relates to the dismissal of the council and provides for the appointment of administrators by order in council with the usual provisions and the usual conditions. The effect of the order in council and the necessary clauses in there is that any position occupied by the mayor, deputy mayor, councillors and others will be able to be occupied by those administrators. Part 3 provides for an election date in October 2020, four and a half years from now, and the other associated provisions.

We then get to some changes in terms of spent provisions from the City of Greater Geelong Act 1993 which are no longer required, and then essentially we get to the changes that relate to the creation of a new position of deputy mayor, who is going to be elected city wide. The commissioners made a recommendation to the effect that the deputy mayor should be elected city wide, and the bill is the government’s attempt to implement that. It was interesting talking to the chair of the commissioners earlier today because he was talking in the context of the City of Melbourne — and the City of Melbourne is a situation that he is well familiar with. The report identifies that there has been or may have been some difficulty between the mayor and the deputy mayor, the two mayors that have held office under the current arrangements, and the view was that perhaps a move towards more of a team situation might be helpful.

Mr Wynne — We warned you about this.

Mr MORRIS — The Minister for Planning said, ‘We warned you about this’.

Mr Wynne — We did.

Mr MORRIS — It is interesting, though, that the bill before the house, despite the minister’s claims, in fact endorses the approach taken by the former government in implementing a directly elected mayor, because what the bill — —

Mr Wynne interjected.

Mr MORRIS — No, it does not implement the Melbourne model. I thought the Minister for Planning, as a former reasonably long-serving Minister for Local Government, would have been across the detail of those acts, but of course section 15 of the City of Melbourne Act requires joint nominations for the positions of Lord Mayor and deputy lord mayor.

Under section 15 it is clear that you can only nominate for one office, and that is a thing it has in common with the Geelong bill, and the returning officer must reject any candidature that is not effectively a team. What is proposed by the bill that the government has brought before the house is simply an acceptance of the structure that was put in place by the coalition, with the variation that there will also be an elected deputy mayor.

There is a fair amount of rewriting of history here, but one important thing that the Minister for Local Government failed to implement following the change of government was the review that was intended to be undertaken into the governance arrangements at the City of Greater Geelong. That was expected to commence immediately after the election, probably in January or February 2015, as the other former Minister for Local Government at the table notes, but of course it did not occur, so 16 months later we are here discussing the sacking of the council, yet we are also, without any consultation and without any review of the governance arrangements put in place, proposing changes to be implemented in 2020 with the introduction of an elected deputy mayor.

I can say with a 100 per cent degree of certainty that the issue of who the deputy mayor was, how they were elected, whether they were directly elected or whether they were elected by the council was of zero interest to the community of Geelong when the consultation was done. That may have changed; I do not know. Frankly I had an open mind on the subject, and it could have gone either way. In the end, given that no-one said,

‘Yes, we want a directly elected deputy mayor’, we made the decision to not have that position directly elected, but it could easily have gone either way.

But the problem with the proposal in this bill is that it does nothing to address the issues raised by the commissioners. The commissioners propose more of a Melbourne model, and Mr Moran this morning was very clear on that — that he saw that as the Melbourne model. But that is not what is in this bill. Will that assist the friction in the council? I do not think it will actually, because under this bill there is the distinct possibility, to make it simple, that you could have a member of the Australian Labor Party elected as mayor and a member of the Liberal Party of Australia elected as deputy mayor.

Ms Neville interjected.

Mr MORRIS — The minister says, ‘Let’s have the Local Government Act debate’. What we are actually debating today are changes to the Geelong act which will take effect in 2020. So if the government is proposing changing it again, what the hell is it doing wasting the time of the Parliament by bringing in these changes today?

Ms Neville interjected.

Mr MORRIS — You are clearly not following the recommendations. You have not gone down the path of the Melbourne model. You have gone down a path of a potentially adversarial model.

The other point is the haste with which this process is being conducted. If the problems with the council are as they have been reported — and I am not in this context suggesting that the commissioners are anything other than accurate in their assessment of the condition of the council — then there are much easier ways to resolve the problem than by putting in commissioners for four and a half years. There is adequate opportunity to put the council out of office, to consult before introducing the position of deputy — —

Ms Neville interjected.

Mr MORRIS — The Minister for Environment, Climate Change and Water may think that democracy is done on the basis of appointed commissioners. The way I practise politics is that I actually talk to the community, I actually consult with them and I actually see what they think. I do not bring a fait accompli to the Parliament and say, ‘Here it is, like it or lump it’.

Ms Neville interjected.

Mr MORRIS — Here we go again, the rewriting of history. There was plenty of opportunity in the case of Wangaratta to lay it over, consider it for a couple of weeks and talk to the people of Wangaratta, but the opposition chose not to go down that path. There was none of this forcing the debate that the government is trying to accuse us of — none at all. It was an open and democratic process, and the government chose to rush it through. That is clearly the way it does business. We believe that we need to talk to the community.

There is a serious problem in the context of this bill with the proposal to deal with it today without any opportunity to talk to the community. There is an absolute denial of natural justice. The people of Geelong need to have an opportunity to have input into this.

Ms Neville interjected.

Mr MORRIS — Yes, they were interviewed to discuss the issue. No-one has asked them about what is proposed by this bill. No-one has asked them what they think about the solution that is proposed and is before the house. As the Minister for Environment, Climate Change and Water has admitted by way of interjection, it is not just an issue with the councillors; it is an issue with the council executive as well. It is an issue with some parts of the council workforce as well. None of those things are addressed in this bill, but apparently it is so urgent that we need to deal with 20 per cent of the problem, and the other 80 per cent will just sit there and we will see how it goes. So whether it has been done in 12 months or 2 years or 3 years, who knows?

There is a problem with forcing this through today. There is certainly a problem with trying to legislate for a process that is not required for another four and a half years, yet the government wants to ram it through the Parliament today, a process which should have been reviewed back in January or February 2015, and the minister sat there and did nothing. We knew that, because it was a new system and there were potentially some wrinkles in it and there was potentially some conflict in it, it needed to be adjusted.

Without being critical of the commissioners, they are recommending a number of multimember wards, and of course the Victorian Electoral Commission last month, on 16 March, made a recommendation as well about multimember wards. But the commissioners, perhaps naively — naive is too strong a term, but perhaps given their relative lack of experience as elected members; I know there is some other experience there — may not be aware that by simply having multimember wards you produce a degree of

inherent conflict, because those councillors are campaigning against one another. They are all fighting for the same seats, so while you may go from a situation that is apparently not particularly workable at the moment in terms of conflict and having too tight a view of their responsibilities relative to their wards, the proposed remedy will be a problem for — —

Ms Neville interjected.

Mr MORRIS — You will find out in a minute. The proposed remedy I think may succeed, but it may not. As the late Alan Hunt said to me on many occasions, there is absolutely no issue of public policy that has not been improved and informed by discussion with your community. The proposition before us has not been seen by the public, and they have not been given the opportunity to have input. Given the opposition's concerns with process and given its concerns with some of the other provisions within the bill, at this point the opposition will not be supporting the bill.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I find it an extraordinary statement to say, as I heard before, that this is a bit of a wrinkle. I do not know if the opposition is reading a different report than the report I read. Perhaps it is, because I lived the experience as a long-term resident of the region. But this is not a time issue, and it is not a process issue. This is about fundamental issues that go to respect, torment, fear, intimidation and lack of governance. These are fundamental issues about whether the community and the business community of Geelong can have confidence in the council.

I think there is one quote that sums it up, and it is in the conclusion:

... that council is substantially dysfunctional, that governance and performance is well below standard and that there has been, overall, a failure to provide good government to the city. A fresh start is needed.

That position speaks for itself: 'A fresh start is needed'. When you look at the report, you see that this goes from the top right through this organisation, from the councillors right through to the administration and senior management. Anyone who lives there and deals with the council knows that — absolutely. This is fundamentally a massive issue for our community; it is an inability to deliver for the good of the local community.

I cannot see that any reasonable person who read this would come to any conclusion other than the conclusion that has been reached by three eminent people. This report is not made up. This report has been

built on bullying allegations. We acted immediately; we put in one of the leaders in terms of understanding bullying and discrimination in Susan Halliday. When she got there, there were 135 cases of bullying that had not been addressed — 135 cases against the council — and these were from residents and staff.

That was the starting point of all of this. It led to us then taking immediate steps after the release of that report and after the community, who were the ones who raised these issues and were brave enough to come forward, asked us to take this further. It was unacceptable that people had experienced such behaviour from their councillors. The report documents case after case where residents — let us put aside staff — were being bullied by councillors and the mayor. They were being abused and sworn at. That is unacceptable. I am an elected representative, and if I were doing that to the people who voted or did not vote for me, I would want to be held to account by the people I represented in this house.

I am rising to support this bill, but it does not give me any great pleasure to do so. I think that this is an incredibly sad day for the community of Geelong. I have been a resident of Geelong for nearly 21 years. Prior to that I worked and studied in the town for at least another 7 years, so I have had a long association with the area. My son has been raised there. This is a sad day. It is sad to see a situation where we have to dismiss an elected council, but it is something we need to do.

If those opposite were honest with themselves or spent some time in the local community talking to businesses and residents, they would hear story after story about the inability to get anything done and to get the investments that are needed for a community of that size. There are comments along the lines of, if you have got a good idea, the chances are that it is going to get chucked out. So unless you are good friends with one of the senior managers, the chances are that you are not going to get your idea supported.

I heard the mayor today on radio talk about all he has brought to Geelong. Look, this is not about one person; this is about a whole council. There are a few people I feel very sad for — a couple of the councillors who I know have tried their best — and I feel very sad that they are caught up in this. But there is a culture in this organisation and a culture across the administration that requires substantive change for two reasons, and it is very clear.

Firstly, there is systematic bullying right through the organisation from the top, the mayor, to councillors, to

staff, to residents, to senior staff and to their staff. People are being threatened, people are being intimidated. As a result of the level of fear that people face, staff cannot give advice back to councillors; they are too fearful to do that. To be sworn at by the mayor or to be ridiculed in public by the mayor or by councillors is an unacceptable situation. Any of our staff who work in the Parliament would expect better. Any of our staff who work in government departments should expect better, and they would take action if that were not the situation. In this case that is where this all started. Some brave staff and some brave residents came forward and said this was what was happening, and it was all through the organisation. The lack of respect given to people and the lack of safety that people feel in their workplace have to be unacceptable for all of us. We should not accept this. We cannot accept this, and as a Parliament we cannot allow this to continue.

As has been said, this is all through the organisation. I can tell the house that if we had the power to step in and remove particular staff — and can I say that most of the staff I deal with in the council are fantastic, but it is undoubtedly in senior management roles and a number of management roles — we would have a look at doing that, but we do not have the power. The way we do this is dismiss the council and put in administrators who then follow the recommendations outlined to transform this organisation.

The other side of all this, and what is so sad, is the cost of the economy and therefore to jobs and the wellbeing of our community. We are now sitting well below a number of other regional communities — Bendigo, Ballarat and Wodonga. We are right down the bottom in terms of our economic growth and development. That is unacceptable. We are the second-biggest city in Victoria. We are a driving force for the economy of Victoria. It is unacceptable that we are in this position.

Of course you can never lay all of this blame at the council's feet. There are lots of reasons for economic challenges, but what the report makes clear is that there is an inability because of a lack of leadership, a lack of good decision-making, a lack of transparency, a lack of good policies and a lack of a clear vision that is contributing to making it very difficult to turn the tide in terms of the economic position of our region and therefore in creating jobs for Geelong. I was going to say that is almost more concerning, but I think they are equally of concern — that is, the treatment of staff and residents by councillors and officers and the economic impact that the dysfunctional council is having, which is of serious concern.

Any business that has been attempting to get a foothold into Geelong and spent a bit of time with council is out the door before you know it, and they are not coming back to Geelong to invest. We had to set up the Geelong CBD planning authority because of the inaction and the inability of the council. That is what the community demanded, and it was a commitment which we took to the election. It is not true to say the community are not aware of this. The community has been consulted by Susan Halliday throughout this process. Their voices are heard in this document, and their voices are clearly saying, 'We deserve and we need something better. We need better governance in our town'. The fish is rotted from the head, and that is what the report says. It is rotted right from the top down, and we need to transform this organisation.

This is not politics. If you read this report, Deputy Speaker, you will see there is no politics in this report. This is about the fact that there are Labor, Liberal and Independent members on this council which right across the spectrum is failing the community of Geelong. I think the decision to make it until 2020 is a difficult one, but if you look at the issues in this report, you will see that the substantive nature of this report suggests that we are not going to turn it around before the next election in October this year or the one in two years time. In fact in every incident where a council has been dismissed for two or three years it has always had to be extended, and the community has wanted that because the issues are so systemic and the lack of leadership is so great that there is so much work to do to turn the organisation around. Unfortunately I do not believe it can possibly be resolved before at least three years or even four years, given that that is when the next election after 2016 is.

I am really disappointed in those opposite, because this is critical. Geelong is not a plaything. This is a place where I live, work and raise my son. This is about making a difference. This council has set us back. This council is embarrassing and needs to be dismissed for the interests of the economy and the wellbeing of the residents of Geelong. I urge those opposite to support this bill.

Mr T. BULL (Gippsland East) — I rise to make a contribution to the debate on the Local Government (Greater Geelong City Council) Bill 2016. The content of the report on which this bill is based does raise some extremely serious matters that are of great concern not only to the staff at the council but also certainly to the wider Geelong community. In relation to recognising that, there is absolutely no argument whatsoever. These are very serious allegations that need to be addressed.

The issue is around having the report tabled today and the bill introduced today, which leaves an extremely short time frame to discuss other elements and matters relating to this bill, and I will go into those in a bit more detail. It was only a matter of hours ago that the report was tabled. It has probably not even been a matter of hours since the bill was introduced, and the briefing that was provided to us in particular certainly only took place around an hour and a half ago.

This is a lengthy report. It is 120 pages and contains a lot of information that needs to be very, very carefully considered. As has been touched on by previous speakers, the dismissal of a council is not a small thing. It is certainly a major decision, and the Minister for Local Government herself acknowledged that in her second-reading speech. However, it also creates a range of other issues when a council is dismissed, if that in fact goes ahead, that are required to be considered not only by the people in this place but also, I would have thought, by the wider Geelong community. Some of that pertains to the structure that will be put in place to replace the council and the length of tenure it has to administer the business of the council. Those are two important points just to start with.

We certainly strongly oppose the limited time frame and the amount of time that members have had to consume the details of the report and, I guess, compare them to the changes that are proposed in this bill. The government speakers that have addressed the house have said that this bill needs to be acted on quickly, and there is no doubt about that. This bill does need to be acted on quickly. It needs to be acted on quickly due to the ramifications of the context outlined in the report and the serious concerns that are raised. Whilst it needs to be acted on quickly, it also needs to be given due, careful and appropriate consideration, because it is about more than dismissing the council. There are accusations in this report, as I touched on earlier, that would be very concerning to the people of Geelong and that do need to be appropriately addressed. I think speakers on both sides of the chamber would certainly agree on that aspect.

In relation to the structure that is put in place to replace the council going forward, if indeed that is what occurs, that is something that I think requires a greater level of community input. The member for Bellarine quite rightly pointed out that a number of interviews were done over the course of the process of compiling this report. I have absolutely no argument there. That certainly did take place. What has happened is that we now have a way forward being laid out by this bill, but there has not been any consultation on it. That is the

area that I think needs to be given greater consideration and greater input.

I can remember at the time when the campaign for the direct election of the mayor for Geelong was going on that there was a very wide, passionate and strongly supported community campaign calling for the direct election of a mayor along similar lines to what we have in Melbourne; but this bill proposes the direct election of a deputy mayor as well. A previous speaker, the member for Mornington, spoke about some of the ramifications that could arise if that election fell a particular way. The people of Geelong have not been calling for the direct election of the deputy mayor. They have not been consulted on what they think about the proposal for the direct election of the deputy mayor, and that is something that I think would need to take place.

We are proposing a structure for the community's leadership, but we have not spoken to the community yet. Members of the government have said that this can be covered in a review of the Local Government Act 1989. That is quite right; it can be covered in a review of the Local Government Act, but if that is going to take place — which it will as a matter of course — you would question why it is being included in this legislation.

Recommendations from inquiries that are presented to government regularly result in more than one piece of legislation. If we are going to have a viewpoint that action needs to be taken against the council, that could certainly have been covered off in this legislation, without any doubt whatsoever, without wading into an area in relation to the future structure of the Geelong council. It is going to be covered in the review of the Local Government Act, and as yet the community has not had any input on this. That is the element of this bill that makes absolutely no sense to me.

The minister in her second-reading speech described the dismissal of a council as an 'extreme action'. If it is an extreme action — and I think we would all agree that it is — then why are we not giving this extreme action due and appropriate consideration, and why are we not being given a due and proper amount of time to read the 120-page report? Not everyone in this chamber, I am sure, has had the opportunity to sit down and read the report. I have no doubt that the people who compiled the report did a great job — I would not question that they did a great job — but there is an expectation that we vote on the bill on the same day it is introduced while the report was only tabled in Parliament a couple of hours ago. People have not had the opportunity to read the 120-page report.

The community deserves the right to have input and to be consulted on the structure of the council going forward. Clause 10 relates to the time frame for a general election in 2020, so there will be administrators until 2020. There will not be a new council until then. I wonder what the community thinks about the time frame that has been put in place. Is the community happy with that? Does the community want democratically elected local government representatives before then — for example, by 2018? I know that this is a recommendation that has come forth, but it goes to the very heart of the point that the member for Mornington raised in his contribution in relation to us sitting here making decisions on something that was tabled today. This is a bill that was introduced today. It affects the future structure of the council and covers the next four years, and yet the community has had absolutely no say in it.

Clause 12 relates to the direct election of a deputy mayor. It is in response to recommendation 8 of the report. But as I said earlier, whilst the community campaigned extremely strongly and there was a lot of media generated around the community's wish to have a directly elected mayor, I have certainly not seen any news clippings that have called for legislation to introduce a directly elected deputy mayor. Early in 2015 we were meant to have a review of the structure of Greater Geelong City Council. That did not take place, and now here we are with the proposal to throw the council out.

Before I finish, the key point I want to make is that if the direct election of a deputy mayor and other matters are going to be covered off in the review of the Local Government Act, we could have had this legislation separated into two parts. One could deal with the grave and serious concerns outlined in the recommendations — that part could have been introduced in this bill — and we could have left the future structure of the council to be considered later, as it will be considered in the review of the Local Government Act.

Mr EREN (Minister for Tourism and Major Events) — It is actually a sad moment in history when we have to speak about these issues in this place. Of course Geelong is extremely important in the growth of this state. Economically speaking it is one of those powerhouse cities that needs to be nurtured by governments of all persuasions. We are very cognisant of the importance of Geelong and how it contributes to our economy. To that end you really need, as much as you can, three tiers of government working collectively. We are at a crisis point in relation to all of the manufacturing sector industries leaving Geelong. Ford

has been in Geelong for many years putting food on the table of working people. Alcoa is gone. And so there are a number of challenges that sit before us as a government. We are trying our best as a government to cocoon ourselves from the onslaught that is coming our way. There is not one second that we can waste in relation to all of these matters that sit before the house.

The recommendations that have been made — all 12 of them — have been taken on board by the government, so there cannot be any question about the politics of this. If we were not to take on those recommendations, I would call that playing politics. That is exactly what is happening in the opposition. I noticed the member for Mornington squirming when he was trying to justify why the opposition is not supporting the bill before the house. We have not got one second to spare. I fear that there are politics being played here. I fear it is about their relationship to the mayor, who we know shredded his membership; we know that he tore up his Liberal Party membership card. He was a staunch Liberal member. We know that. That is fine. If you are elected the mayor of Geelong, you have to be impartial and you have to work in favour of the population of Geelong to the best of your ability.

Now, there are some close relationships of course — as with the member for South Barwon, the member for Corangamite and other prominent Liberals in the area, and I can understand why they are trying to defend him — but we have a report before the house made by some very reputable commissioners that were appointed. Terry Moran, AC, brought considerable public and administrative experience to the inquiry; along with Ms Jude Munro, AO, a former council CEO; and Ms Frances O'Brien, SC, a barrister experienced in interviewing witnesses and forensic examination of evidence. The no. 1 recommendation they have made is that:

Greater Geelong City Council be dismissed and administrators appointed to perform the powers, functions and duties of the council until a new council is elected.

It is pure and simple; do not try to dilute it. This is a scathing report on what has been going on systematically in council by councillors and the mayor — led by the mayor, it appears from some of the comments that have been made. I would like to point out some of the comments that have been made. It is a bit rude, and I am afraid to put it in *Hansard*. It is extremely rude, condescending and bullying, and the way in which people were spoken to was outrageous. I will note one matter. It is right down the bottom in the last paragraph on page 23:

On one notable occasion, witnessed by a number of people including council staff, evidence was given that the mayor abused and swore not only at the employees on a business premises, but also at administration staff who happened to be present. The mayor also threatened the proprietor that he would close the place down.

That is outrageous. It continues:

The business owner was approached the next day at officer level to offer an apology. Evidence was given that the proprietor said in response he 'was not worried about his business, he was worried about Geelong'. The mayor advised the commission that he had no memory of these events. The mayor, whilst acknowledging to the commission that he sometimes swore in his dealings with others, disputed the extent of reported swearing in the examples from sworn evidence put to him by the commission.

There are countless numbers of other instances throughout this report about how people were behaving in an appalling manner. What about the poor staff that worked in those councils? It must have been a constant burden on them to turn up to work and cop that level of abuse from the top down.

These are not allegations that are made lightly; a lot of people have come forward. An article in today's paper says that Dr Russell Walker, a very prominent member of the Geelong community and the whistleblower at Geelong council, had repeatedly raised bullying issues. I note that this morning he publicly came forward to comment on the Victorian government's course of action. In today's *Geelong Advertiser* he stated he was disgusted by the bullying he saw and heard about at city hall. He stated:

My attempts to address it with senior management were ignored so in the end I felt I had no other option but to blow the whistle by making sure it was taken up by the newspaper.

The bullying allegations that were reported in the *Geelong Advertiser* include:

Dr Walker having to console a female member of his team for almost an hour when she was reduced to tears after being allegedly (in her words) 'harangued' on the phone for an extended period of time by a staff member in the mayor's office.

And further:

A former female member of the mayor's staff ringing Dr Walker 'on a number of occasions in tears because she felt she had been abused and allegedly been the recipient of vile language ...

And it goes on and on. I would like to point out that this is where the communications and the relationships fail. I wish I had more time. There is so much to say about this, and I am so frustrated that the opposition is playing politics with these very important issues. We have not

one second to waste; we have to move on this issue so that we can get Geelong back on track. It is outrageous what has been happening, and it has been exposed through the highly reputable commissioners.

Page 11 of the inquiry report contains three specific findings, which are quite concerning:

1. The mayor and a significant number of councillors have regularly intimidated, abused and sworn at staff, often in the presence of others, in the pursuit of their own interests. This has created a climate of fear and anxiety for many staff and a consequent reluctance to give frank and candid advice.
2. The mayor's bullying and abusive behaviours towards his staff have had significant adverse consequences for their health and wellbeing.
3. A written threat of legal action by the mayor against the CEO and the council, should allegations of bullying by him be published, demonstrated a lack of commitment and leadership in responding to the Halliday culture review and undermined the relationship between the mayor and CEO, which is critical to the good governance of the City —

of Greater Geelong.

All of these are extremely concerning. I wish I had more time to get into the detail of this report about how economically we are going backwards in that city.

When you are on the freeway heading into Geelong, there is a massive billboard owned by council and on it a photo of the mayor. Why is it not a photo of the waterfront? Why is it not a photo of some business in Geelong? Why is it not a photo of something that is going to be of economic advantage to the area? There are so many different things.

I can point to this. On Saturday, 2 April, there was a one-page advertisement in the paper — I know for a fact that an ad in Saturday's paper costs thousands of dollars — trying to justify why Geelong is increasing rates to more than what the government has put in as a cap. So here we have a council spending thousands of dollars trying to justify to residents why it has to increase the cap. This is a shambles. I cannot believe that this is going on.

Opposition members have to be very clear on this. They are playing politics because the member for South Barwon is the mayor's mate, as are other prominent Liberal members in the area, and they do not want to somehow be tarnished by supporting something before Parliament — that is, the recommendations of three highly qualified commissioners who are totally independent. If anything, if you were to take on board all of these recommendations, you would be playing

politics, and that is what those opposite are doing. They do not want to take on these recommendations, because they are playing politics with them. As a government we take this very seriously. We will at no stage go backwards in making sure that Geelong gets the best representation going forward. If it means making tough decisions, as we are making today, then so be it. We will make those tough decisions.

I think that members of the opposition should be hanging their heads in shame for trying to muddy the waters on these recommendations made by three prominent independent commissioners. Government members did not pick and choose which recommendations to take on board. They know our policy on a popularly elected mayor — they know that — but we thought it was the right thing to do to take on all of those recommendations, and I urge the opposition to stop playing politics on this and do the same.

Mr KATOS (South Barwon) — I rise to make a contribution on the Local Government (Greater Geelong City Council) Bill 2016. I will say at the outset that I certainly do not disagree with the council being dismissed. These are very serious matters that are raised in the commission's report. They are very serious matters not only from the councillors' perspective but also from the organisational perspective. I certainly do not disagree with all of the councillors being dismissed, which I will touch on later on in my contribution a bit more fulsomely, but the Geelong community does need to have input into the model for the election of the directly elected mayor, the deputy mayor and the ward structures. The community does need to have that input, as it does on the issue of whether the council becomes subdivided and whether it has multicouncillor wards. Also I am sure that after the dismissal of the present council the Geelong community would be keen to return as quickly as practicable to having a democratically elected council.

With that, I seek to move a reasoned amendment. I move:

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until the government has consulted the community on the best model of elected local government in the City of Greater Geelong and for the return of elected local government in 2017'.

With that, as I have said, we need to unpack these two issues. There is a very serious issue around the behaviour of council, councillors and council officers, but we need to get it right with the community, and the community needs to have input. The community needs

to get back to local government elections and to have democratically elected councillors as soon as possible.

If you look at the 2017 time line, for example, that would give from this point forward up to a year and a half, depending on when in 2017 was chosen, for commissioners to come in and sort out the organisation. Obviously the councillors are being dealt with. I do feel sorry for some of the councillors who have not really done anything wrong. Unfortunately the problem I see with the report is that the only person who is named is the mayor. There are references to councillors doing this and councillors doing that, but no-one who has partaken in these bullying activities is actually named.

The process that brought this bill into the house today certainly was terrible. These are serious matters, and they deserve a fulsome debate in this house. The legislation was actually first read before the report was tabled in the house. The government had said that the report was going to be tabled, that it would be seriously considered and that legislation would follow. The legislation actually came in before the report was tabled — before anyone in this house had the opportunity to even read it. That it is an appalling process. This is a very serious report; very serious matters are being raised here. Those on the opposition benches — the Greens, the member for Shepparton and the crossbenchers in the other place — certainly deserve the opportunity to read this report and formulate a position on it and on this legislation, which just has not been done.

Is it not amazing? On 2 April we saw on the front page of the *Geelong Advertiser* details of what was going to come in this report — and this very report was leaked to the *Geelong Advertiser* 11 days ago, on the Friday evening. The government was quite happy to leak it. From the briefing we had this morning, the only people who had this report were ministers in cabinet and the commissioners themselves, so unless the poor old printer leaked the report, then the only people who could have done it were the commissioners — and why would the commissioners leak their own report and look like complete fools? — or perhaps a cabinet minister who certainly has an axe to grind with some of the local councillors there. That is clearly what has been done; this report has been leaked by a cabinet minister, and it is quite disgraceful that this has occurred. I firmly believe that it should be investigated. That is not proper process. These are very, very serious matters, and if it is found that anyone has done that, then they should be dealt with quite severely.

As I said earlier, the report does not mention any particular councillor other than the mayor. There are a

lot of references to the mayor, and there are a lot of references to ‘councillors’ and ‘some councillors’, but no other councillor is actually named in this report;. The reality is that when the directly elected mayor came in in 2012, Keith Fagg was elected. Keith Fagg is one of the most outstanding gentleman you could ever meet. He is a lovely man. I do not think anyone from any side of politics would think anything bad of Keith. Keith has been a very prominent businessman in Geelong for many years with his family at Faggs Mitre 10.

Mr Wynne — He couldn’t cope with it.

Mr KATOS — Unfortunately he could not cope with the bullying. Keith has never actually said who the bully was, but I will. I will say who the bully was, and it was my opponent at the last election, Cr Andy Richards. I have been told that he has, in the mayor’s office, engaged in screaming matches. He actually screamed at the mayor — verbally him in his office. It could be heard from the councillors lounge. That is why I am saying this now, because that is how loud the noise was.

Mr Eren — On a point of order, Deputy Speaker, I think we have got to be very cautious when we are actually naming people. These people cannot defend themselves. They are not in the chamber. They are not aware of being named. I think the member should withdraw some of those comments he has made. They are accusations. They are not substantiated. He should actually withdraw those comments until he can actually substantiate some of those allegations that he is making.

The DEPUTY SPEAKER — Order! There is no point of order. There are procedures within the standing orders if people outside the chamber feel aggrieved, and I know that the honourable member for South Barwon is aware of those requirements of the house as well. There is no point of order.

Mr KATOS — Thank you for your ruling, Deputy Speaker. There is one thing that Cr Richards was certainly given the task of doing. Keith is a businessperson, and he is probably seen by most as being sympathetic to the Liberal Party as a prominent businessperson, so obviously the Labor Party did see him as a Liberal mayor. Basically Cr Richards was given the job of destroying council. His job was to make council dysfunctional. It was to destroy. It was to thwart all motions in the chamber, vote against things — you name it. He was given that job by the Labor Party to make council dysfunctional, and the next obvious target was Darryn Lyons. It was a matter of

saying, 'We have to blow him up and make him look bad'.

As Darryn himself has said, he is no saint, but what really worries me about this report is that it only names the mayor. Why do the commissioners not name those other councillors? They did many other interviews. This is for the sake of the other councillors who have done nothing wrong — who have not bullied a person, who have not done anything. To deny them natural justice like that, I think, is appalling. You have, for example, a poor chap like Peter Murrhy, who replaced Stretch Kontelj in the Kildare ward by-election. His name is now tarnished. He has no opportunity to defend himself. I would be extraordinarily surprised if he were one of the people who were the bullies. In fact you could knock me over with a feather if that were the case.

You have guys like Peter Murrhy — what has he done? His name is now in with all this because the report says 'councillors'. The councillors have not been named. I feel for these councillors — councillors like Bruce Harwood. Bruce has been a fine, outstanding councillor since 2003. He actually took over in a by-election in 2003. He has been a fine councillor and he is a good man, but we do not know if he is one of these people. His name will forever have that question mark around it, and that is just wrong.

As I said, I support the sacking of the council. This evidence is overwhelming — it needs to be done — but the reasoned amendment I have moved I think should be supported. It allows for community input into the model, and it also allows for the return of democratic government in 2017.

Ms COUZENS (Geelong) — I am pleased and surprised to be speaking on the Local Government (Greater Geelong City Council) Bill 2016. I mean I am not surprised to be speaking on it today because of what I, as a resident of Geelong and the member for Geelong, have experienced for a number of years — the behaviour of council and council officers, all outlined in the report, as we have heard today. I want to commend the minister and her staff for the work they have put in. I think it has been a very difficult and challenging report to deal with. I think the process has been very thorough. I suppose I am hopeful that today can at least provide some closure for some of the victims of bullying in the City of Greater Geelong.

I have had the opportunity to meet with quite a few people who have experienced that bullying, who have been victims of bullying by councillors, the mayor or council officers and who have told me shocking stories

about the bullying and intimidation they have had to endure and the impact it has had on their lives and the lives of their families. They have suffered depression, they have been unwell, they have not wanted to go to work of a morning — all sorts of issues have arisen for them because of what they have had to endure. They are the ones who survived. I have also met with people who were sacked.

In one case in particular I provided as much support as I could to a young chap who had raised issues around safety in his workplace within the City of Greater Geelong. There was an incident resulting from those safety issues not being dealt with, and as a consequence he was sacked. This had dragged on for about 12 months, I think. I went, as a representative supporting him, to the CEO at the time to try to support him because he knew what the end result was going to be. As soon as we walked out that door the decision was made to sack him, and there was no further correspondence entered into.

For him it was absolutely devastating. He had worked there from a young age — straight from school, around 15 or 16 — and had been there for many years. He was in his late 30s. His mental health state had deteriorated considerably. His family had spoken to me about his mental health and about the fact that something needed to happen for him to be able to get closure. He was getting counselling. However, the decision was still made to dismiss him. I cannot remember what the grounds were. This was only last year I am talking about; it is not going back in time. That chap is still not working. His mental health is not great. For him to go back into the workforce is going to be extremely difficult. For people like him and Russell Walker, whom the member for Lara mentioned earlier — another person who was not technically sacked but was driven out of the organisation — and for many others, hopefully they will get some closure with this bill today.

One of the issues I also wanted to raise is the council's failed leadership in the region. That has been highlighted in the report, and I think we all know the issues that have occurred — over as long as I can remember, probably since amalgamation — about Geelong moving forward. The council has failed. We are talking about long-term issues here as well as the more immediate issues. The people of Geelong deserve better than that. We have spent hundreds, if not millions, of dollars on projects in Geelong that have failed, and they have failed because of the council's inability to make them work and to do the right thing.

We have heard, as the member for Lara outlined, about the issues around the council's ability to make decisions. It concerns me that some councillors have made claims that this is a witch-hunt and is politically motivated. Well, let me tell you that over the last week or so all the constituents and business industry members who have contacted me have said: 'Just sack them'. They are over it. I had one person contact my office to say, 'Don't sack all the council', but among the hundreds of people I have spoken to over the last week or so, there has been a very clear message: 'You must get rid of the council, and if it's going to take four years, well and good; we will wait the four years'.

As we have heard, it is not only the councillors and the mayor; it is also at that higher end of management. Something needs to change to clean it out and to stop the City of Greater Geelong having that culture. I have no doubt that the residents of Geelong will fully support our actions here today, because they have told me that. They do not want this council to continue. They are embarrassed. I have often met with businesspeople who have told me some pretty outrageous stories about their experiences with council, their experiences with the mayor or their experiences with a number of other councillors.

It really is quite frightening that all this has been going on and nobody has done anything about it up until now. I think we have a responsibility as a government to protect the workers who are still there, the workers who are still being bullied, who we have read about in the report today. We know that it is still going on. We have a responsibility to protect them. The other day a couple of workers said to me, 'We need you to protect us from what's going on in this institution', which is just appalling. You do not expect those sorts of comments to come from workers in local government. It is just appalling.

The comments about it being a witch-hunt are absolutely ridiculous. We had Susan Halliday, a very credible person, do the initial review, and we then had the three commissioners who completed this report highlight just how unbelievably shocking the situation is in the City of Greater Geelong. For some councillors to be running around saying it is a witch-hunt is just absurd.

Members of the Geelong community are not buying that either; they are not buying that it is a witch-hunt or that it is politically motivated, because they have seen on a daily basis what has been going on. All of us in Geelong know about it. To those councillors saying, 'I am innocent. I didn't know what was going on', I ask: really? I think everybody in Geelong knew what was

going on in that council. To those councillors who said following the outcome of this report in the past week that they knew nothing about it, who were also quoted in council minutes talking about how appalling it was when Susan Halliday released her report, I ask: which one is it? They are scrambling now.

I think they are all responsible. I do have some friends who are councillors in the City of Greater Geelong, and I know it is a very difficult time. However, to those councillors who are saying, 'This is a witch-hunt', or, 'We didn't know it was going on', I say: that is absolute rubbish. They are there to provide governance, which they have not done. They did not respond to the Halliday report, and they did not respond prior to that when all the allegations were initially being made. They have not responded in any effective way to this report or to the accusations in it. They are all responsible — all 12 councillors and the mayor — for not having taken action when their staff, constituents and businesses really needed them to start being leaders, start taking a stand and start raising these issues. They did not do those things; they sat back, they stuck their heads in the sand or they denied that it ever happened.

I am really pleased to speak on this bill today. I am happy to go back and face my constituents and tell them that I have supported this bill for their protection. I commend the bill to the house.

Mr HIBBINS (Pahran) — I rise to speak on the Local Government (Greater Geelong City Council) Bill 2016, a bill that will essentially sack the Greater Geelong City Council. Before I get into the details of the bill, I will say at the outset that I do think this process has been poorly handled. To recap the time line here, the first anyone other than the government was aware of this process was essentially through a leak to the local newspaper. We then had a round of phone calls to parties late last night. A briefing was provided earlier this morning, which essentially enabled the government to meet the requirements in the standing orders in order to bring on the second-reading debate immediately. Obviously it is a very serious matter to sack a council — I do not think anyone disagrees with that — and the time allocated to members to consider the report in full, to consider the bill and then to debate the bill simply has not been enough.

On the morning of a sitting of Parliament, MPs have a number of matters to deal with, but the report was tabled at the same time as the Victorian Greens spokesperson on local government was in question time in the upper house. It is simply not the case that there has in any way been enough time to fully consider the report or the bill — to consider the allegations or the

recommendations. Having read through what I have been able to of the report, I note that there are a number of serious findings, particularly in regard to bullying and the individual behaviour of councillors, but also in regard to the overall performance of the Greater Geelong City Council.

The Greens are passionate about local government, we are passionate about local democracy and we are certainly passionate about the right of local communities to have accountable representation. Broadly speaking, we believe that the approach of sacking a council, as has occurred in previous instances, most recently in Wangaratta and Brimbank councils, should be, I guess, an act of last resort. Certainly all alternatives should be considered before sacking a council.

I note that the Minister for Local Government recently passed legislation that gives her further powers. The minister now has the power to stand down a councillor. I am just looking at the practice notes from that particular act, which state:

The minister has another key tool to prevent poor councillor behaviour seriously impacting on a council as a whole. The minister is empowered to recommend an order in council to stand down a councillor against whom a complaint of serious or gross misconduct is made ...

Further to that, the minister also has the power to suspend a council. Another guidance note states:

The minister can recommend that an order in council be made to suspend all councillors of a council and appoint administrators.

That guidance note further goes on to say that:

The power to suspend a council has in the past only been used as a temporary measure while a bill to dismiss the council is brought to Parliament.

This was the case of the Brimbank City Council.

The direction we have been given by the government is that essentially we need to consider this report and consider this bill, and we are to have that work done within less than 24 hours. I have been advised that we are doing this because we need to give the Geelong community certainty. I put it to the government that the Geelong community would have a lot more certainty if the minister had actually taken some of these other steps, whether it be standing down the council or whether it be suspending the council altogether, as occurred in Brimbank. The suggestion that simply passing this bill through the lower house, and not through the upper house, will provide any sort of

certainty, particularly given the numbers in the upper house, I think is certainly misplaced.

In our view, we do question why these other alternatives to sacking the council have not been put in place or have not been enacted. They certainly have not been enacted concurrently with this legislation to give the Parliament more time to consider the legislation and the report before it.

I will go into the details of this bill. According to the second-reading speech, the bill will implement the following recommendations of the commission:

- 1) to dismiss the council and appoint administrators to perform the powers, functions and duties of the council until a new council is elected;
- 2) to provide for the direct election of the position of deputy mayor to strengthen support to the directly elected mayor and enable a greater sharing of the workloads of office; and
- 3) to provide for a representation review to be held prior to the next council election with a view to replacing the individual councillor ward electoral system with multicouncillor wards to share representative responsibilities.

I do note that the bill does not provide for another election until 2020, which would be in another four and half years. As has been mentioned by previous speakers, we have the issue being addressed of the sacking of the councillors, but there are also the questions: what is the best electoral arrangement for the City of Great Geelong, and when should the next election be held? I point out that the report's recommendations do not mention a time frame or the year 2020. The report does mention in regard to multicouncillor wards that they would strengthen council leadership, corporate behaviour and decision-making.

It is certainly the Greens view that some of the issues that need to be addressed by council are not purely in the domain that could only be addressed by administrators. Certainly if the step were taken to dismiss — to sack — the council, it could be possible for a democratically elected council further down the track but at some point earlier than 2020 to be put in place and actually implement some of the changes required. The Greens do feel that the 2020 time frame is too long.

I note the reasoned amendment put forward by the opposition. It is my feeling that the moving of this reasoned amendment, while it does address the issues of an election by 2017 and the consulting of the best model of elected government, defers the issue of

actually sacking the council. It would be my view that these changes about the model of representation and the day of the next election are actually best addressed through a regular amendment in either this house or the upper house.

I also note that part of this legislation has brought in a directly elected deputy mayor. I think if we are going to look at the structure of the council, we certainly need to look at this model of directly electing the mayor. I note, from what I have read of the report, there are a number of difficulties in how the direct election of the mayor in the city of Geelong was treated and supported internally within council and how other councils responded to a directly elected mayor. I certainly feel that the model used for a directly elected mayor has not served the Geelong community well. I question whether that needs to be continued. It is certainly something that the Greens opposed in the past, and I certainly think that it has contributed somewhat to the difficulties that Geelong council has faced.

In conclusion, we will not be opposing this bill. Obviously there are a number of serious allegations being made about specific councillor behaviour with regard to bullying. There are some serious allegations regarding the overall performance of the Greater Geelong City Council, but the manner in which this has been dealt with by the government — which obviously formed its decision some time ago to not allow proper consideration of the bill and proper consideration of the report — is a great disappointment. I reiterate in broad terms the Greens position that sacking a council is obviously an extraordinary step and that all alternatives should be considered. Certainly through legislation that was passed by this Parliament, the Minister for Local Government has a number of extraordinary powers to take direct action against councillors and councils that are not performing their duties or are experiencing serious misconduct.

Mr WYNNE (Minister for Planning) — I rise to make a contribution to the debate on the Local Government (Greater Geelong City Council) Bill 2016, and in doing so I do reflect, of course, that it is a serious step for a government to take to dismiss a democratically elected council. There is no doubt about that. I was in the unfortunate position of having to sack the Brimbank City Council, and the previous government found itself in a position where it also had to move against the Rural City of Wangaratta. We now find ourselves in this circumstance with the City of Greater Geelong. But by any measure, if you look across the evidence in relation to all three — although I do not want to compare the three of them — this report speaks of a toxic culture in the City of Greater Geelong

and activities that have been undertaken at the City of Greater Geelong which, frankly, breach any standard of community expectation and which I would argue are in breach of the Occupational Health and Safety Act 2004.

To find ourselves in a circumstance where there is fear in and intimidation of council staff and infighting of an extraordinary nature through the activities of publicly elected officials is utterly unacceptable — and, frankly, the treatment of members of the community who have been caught up in this toxic culture at the City of Greater Geelong is reprehensible by any measure. That is why the government has brought this piece of legislation into the Parliament.

We have had a little bit of toing and froing across the Parliament as to the efficacy of bringing this bill on as an urgent bill. The member for Mornington and I have crossed swords on this matter when I was leading the debate on behalf of the then opposition to support the government of the day to bring on the debate in relation to Wangaratta Rural City Council and its dismissal. Indeed, as the member for Mornington will recall, the documentation that underpinned the decision by the then minister, Minister Powell, was in fact tabled on the day. It was a report of a very eminent Victorian and Australian, Mr Bill Scales. That report was compelling and provided, I think, all of the evidence that would be required for a fair-minded person to say, 'Enough is enough'. The decision that was made about Wangaratta was facilitated, I say to the member for Mornington, who has led the debate on behalf of the opposition, with the support of the then opposition and indeed brought about a very reasonable result.

The opposition has come in here today and suggested, 'Well, we haven't had enough time, and we really need to consider this matter in far greater detail'. I simply point to the 12 recommendations in the report which canvass in full what an extraordinary, toxic and dangerous environment exists at the City of Greater Geelong. We as a Parliament owe it to the people of Geelong to speak unambiguously to say, 'This is not acceptable. It is not acceptable in terms of workplace culture, it is certainly not acceptable in terms of good local government governance and it is certainly not acceptable for the good people of Geelong. They deserve better than this'.

Can I point to a couple of comments by way of some further background. Obviously the report of Ms Susan Halliday, the former sex discrimination commissioner and acting disability discrimination commissioner, following allegations of serious bullying, had a significant impact. The minister acted immediately and put in place that inquiry. In part Ms Halliday's report on

the inquiry spoke to some of the culture that was afoot at Greater Geelong. I quote from the report of the commission of inquiry:

There were ... examples of inequitable treatment of some of the more vulnerable, elderly, less articulate and less well-educated members of the community. Misuse of social media was also reported, with some appearing to engage in bullying via social media.

Just that one snapshot speaks to a culture that is just utterly unacceptable and one that, frankly, ought to not ever be seen in local government.

We have 12 recommendations that the government has committed to in full. I note that there has been some conversation and debate across the chamber about the proposed structure that is recommended in recommendation 8, which is:

The positions of mayor and deputy mayor both be directly elected to strengthen support to the mayor and enable a greater sharing of the workloads of office.

Well, blow me down. In the debate that we had on 7 December 2011 on the City of Greater Geelong Amendment Bill 2011, I had the honour of leading on behalf of the then opposition. In part I said, and I quote from *Hansard*:

The interesting aspect of the bill is that the model the government has come up with is quite different from that of the City of Melbourne in two obvious respects. The first is that in the City of Greater Geelong it is only the mayor who will be elected, not the deputy mayor. As members of the house would be aware, in Melbourne we elect the mayor and the deputy mayor. Given the structure of the City of Melbourne — that councillors are elected at large — in essence the mayor and the deputy mayor pretty much run on a ticket basis. History tells us that in Melbourne the mayor and the deputy mayor and at least two other councillors will generally be elected to the council on the same ticket. The mayor of the day —

this is, in Melbourne —

comes into the council with at least four of the nine spots — that is, recognising that councillors are elected at large, which invites a ticket arrangement.

I went on:

... but in the day-to-day nitty-gritty of ensuring that there is stability within the council there is a serious question that frankly neither the parliamentary secretary —

then the good member for Mornington —

a person experienced in local government, nor the senior administration of Local Government Victoria can answer. None of us can answer that question because frankly we do not know. We do not know what that outcome will look like.

Well, we sure know what the outcome looks like now, because of the fundamental instability that attached to the structure that was put in place by the then government.

An honourable member interjected.

Mr WYNNE — Those opposite were warned. We told them then that they could not establish a structure by which just the mayor at large is elected and expect that he or she will have the support of the floor of the council chamber. That was manifestly not the case. The system that those opposite put in place was fundamentally flawed, and it has led in part to the instability that we find today. That is no excuse, and one of the recommendations goes specifically to addressing this question, and we as a government are pleased to accept this recommendation in its entirety and in full because we want to see a level of stability brought to this council.

Geelong is an incredibly important city. It is the second city of this state. That is why the government put in place the Geelong Authority, under which I am responsible for the approval of all planning applications above about 5000 square metres. This is important because we want to say to the business community and to investors, ‘Geelong is a place where we want you to invest’. It is going through a rapid transition at the moment, but I am pleased to say that the Geelong Authority has put in place an excellent work program.

We will see investment flowing into Geelong in a very sustained way to ensure that the economics of the City of Greater Geelong are right, that the climate for investment is right and that indeed we have the opportunity for a streamlined approach in relation to approval of major investments that are likely to come into Geelong that I am aware of and that we will be considering in the near future — but more importantly that the opportunity is available to us as a state and as a Parliament to pause and say, ‘Enough’. We must ensure that our second city, the great city of Geelong, is well served. At the moment it is not well served. The community of Geelong is not well served. This toxic environment that has been discovered at Greater Geelong is unsustainable, it is utterly unacceptable and we repudiate it. That is why the government is moving so quickly to ensure that we have a clear direction and we can support the great people of Geelong.

Ms SHEED (Shepparton) — Deputy Speaker, you might wonder why as the Independent member for Shepparton district I stand to speak on this bill. I have to be across all bills before this house because I am not a member of a party but am the only Independent

member. I have had the benefit of having been provided with a copy of the bill this morning and of being briefed on the bill. I have had the opportunity as the hours have passed to look through the recommendations of the report of the commission of inquiry but also to look at some of the concerns in relation to the Greater Geelong City Council that have been raised.

I think it is worthwhile reading just a few of the comments made in the executive summary of the report that led to the recommendations. The first comment is:

The City of Greater Geelong ... faces major economic challenges that demand long-term vision and leadership if they are to be met successfully. The city has a number of strengths, including a large and diversified economy, quality health and education services, good innovation and research capabilities and transport accessibility. However, the city has been hard hit by closures in its manufacturing sector, has significant structural transition issues, pockets of socio-economic disadvantage and high levels of youth disengagement.

The executive summary states also:

Greater Geelong City Council ... is unable to provide the longer term vision, leadership and good government required to meet these challenges.

It says good governance has 'broken down' and that:

The mayor, although committed to the betterment of the city, has been unable to build good working relationships with either councillors or council staff.

It also says:

There is a deep-seated culture of bullying not only within the council ... but also within council administration.

And:

Bullying is one ugly facet of a wider suite of cultural issues ...

And it goes on. Many issues have been raised in this report. I can only accept the fact that this report has been prepared by three very reputable people at the behest of the government and that it should be relied on. I do not doubt that that is why the government has brought this bill before the house. I do regret the fact that it is being rushed through in what seems to me is an unseemly way. I do not think that another 24 hours would have mattered and that more opportunity to debate the bill would have in any way impinged on good governance in this house.

Local government is a really important part of the structure of our overall government. In regional areas in particular it is regarded as very important. People in our community are close to local government. They look at what happens, they know the people involved, and local

government elections are very direct in a way that perhaps state and federal elections are not. It is really important that the governance of those organisations is at a high level and that there is a quality of behaviour demanded from people in those positions.

Bringing this bill before the Parliament and the dismissal of the Greater Geelong City Council is something that will be looked at across the whole of Victoria. Local governments will look at this and take stock of their own situations. They will see the sorts of things that have gone wrong in the Geelong city council, and they should take note and be very careful about how they conduct themselves in their own local government organisations. This piece of legislation is not just about the City of Greater Geelong; this is setting an example, and it will hopefully set a standard for the future in terms of what should be good governance.

When I stood for election I spoke long and loud about how unfair I thought it was that Bendigo, Ballarat, Geelong and the Latrobe Valley were so heavily invested in because they are largely marginal seats. I know that Geelong does get a lot of investment. I recall that during the election campaign there were ministers going around announcing at great length handouts for Geelong. It really did not sit very well with the people of Shepparton, I can tell members, because nobody was making any promises much in our area.

When a city such as Geelong is getting that level of investment and often those funds are being administered through local government, it is essential that they are being administered properly. People want to know that government is administering funds properly, that its services are being rolled out in the manner they should be, that people who work in these organisations are treated respectfully and that they treat members of the community respectfully, and that does not seem to have been happening in this case. The report would suggest that anything but that has happened. To me this is an issue of public importance across the state, and it will set a standard, I believe, for what should happen.

I do not support the reasoned amendment. I think there are times when you identify serious cultural problems within an organisation but they are not going to be fixed up within 6 months or 18 months. It will take time for that sort of cultural change to take place, so it will need administrators who will be able to effect that change to enable the administration to do what it needs to do to put regular practices, good practices, in place in the organisation before it then goes to election in 2020. While I do not support the way this bill has been

brought before the house, I do support the bill and I do not support the reasoned amendment.

Mr CARBINES (Ivanhoe) — I am pleased to make a contribution on the Local Government (Greater Geelong City Council) Bill 2016. I say, at the outset, that while today is a challenging day for the people of Geelong, I do think it is really important to acknowledge that it is a good day for Geelong. I really do believe that. As someone who worked at the *Geelong Advertiser* from 1995 to 2000 and as someone who lived in the city from 1995 to 2002 — my family live there; I was there yesterday catching up with them — I understand that optimism to be on the front foot in Geelong, to not get driven into the ground, to not have that self-doubt that has at times plagued Geelong over a long period of time, to not to let that take hold.

I understand our Geelong colleagues, the members of Parliament from Geelong particularly on the government side — the members for Lara, Geelong and Bellarine — and I feel their hurt and their disappointment at the fact that we have had to take this step today and at what has been uncovered at Geelong over these past few years. But I also know that, like them, what I always understood working at the *Geelong Advertiser*, which is the voice of Geelong, is that it is about putting Geelong on the front foot and moving Geelong forward for everyone's benefit.

After four years of drift, after four years of scandal, after four years of bullying, after four years of self-serving attitudes and after four years of lost opportunities for the people of Geelong — a city that is having to deal with the closure of Alcoa and the closure of Ford and what this means for the prosperity and the future of families in Geelong — absolutely and utterly there is no doubt that what Geelong needs above all else, what has always been proven in Geelong, is that it needs its council. It needs its council members to be at the forefront — the innovators, the drivers, the advocates and the advancers, the people who take Geelong forward and speak for Geelong as one.

As someone who has reported on Geelong councils many times, on changes in CEOs and on different scandals and stuff-ups, as well as on all the great work that Geelong has done over different governments, over very many years going way back to the mid-1990s, I can tell members that what has been important in Geelong is that, whether it was Mayor Jarvis, Mayor Gerry Smith, Mayor Coppe or any other, the mayor has always had the capacity and has always been able, regardless of their legacy and your views on them, to deliver for the people of Geelong. They have always

been able, across those dozen councillors of which they were one, to bring enough people on board with them to deliver outcomes for the City of Greater Geelong.

What have we seen under the model that was the Liberal Party's election policy in 2006 and 2010? What did we see delivered in Geelong? We saw a failed model. Yet today we see the Liberal Party, the opposition, determining that it cannot make a decision to support the sacking and the moving on of this Geelong council so the people of Geelong can get the advocacy and the representation that they deserve. That is happening because the people on the Liberal side are quite happy to let Geelong remain in the malaise that it has been in for the past four years.

Despite the crisis in the direction of the people of Geelong and the economic leadership that they need — with the closure of Ford, the closure of Alcoa, the uncertainty and the threats to the prosperity of the people and families of Geelong — and despite the generations and decades under threat, which requires leadership from the local council, members of the Liberal Party are saying today that they are not sure whether they are prepared to back the decision to remove the council and the decision to change the Local Government Act 1989. They think they should leave the people of Geelong not only in the limbo of the past four years but that they should extend that for another couple of weeks, another couple of months, another couple of years. Well, that is not on.

What we have seen from the representation model provided by the Liberal Party — and the Labor Party respected its mandate and allowed that legislation to pass after the 2010 election — is people who think that, under a model of the direct election of mayor, if you can run a business, then that means you can run a democracy. If you can run a business successfully, somehow that means you can run a democracy successfully. What you learn very quickly in being part of a democracy and running a business is that if people want to disagree with you in a democracy — people who have been elected by the people to represent them as citizens — you cannot just sack them like you do in your business.

What we have seen in Geelong is that in the past mayors in Geelong have been able to lead a council, lead a dozen people. I have seen it over my decades in the city. They have been able to elect a mayor amongst 12 people, and they have been able to find at least enough people with the courage, determination and leadership not only to direct, drive and lead but to actually bring people with them and at least to have

enough respect to deliver results and bring people with them.

But if you choose to run a democracy, like opposition members choose to run some of their businesses and think, 'If it is not going my way, then it's the highway and I will sack people', that is not how democracies are run. The Liberal Party does not understand that. Its members think that direct election models are about finding successful businessmen who can sack people when things are not going their way. A democracy is not a business. A democracy is about people being able to work together for the common good. A democracy is about working in the best interests of the citizens. I have seen that happen with Liberal councillors, including Ken Jarvis. I have seen it from Labor councillors and tugboat drivers like Gerry Smith. I have seen it in Geelong where people across the political divide can deliver for the people of Geelong.

But we have seen meddling and modelling in political discourse from those opposite and the inflicting on the people of Geelong of a model of governance that has failed them for four years. All we have seen from those opposite today is a determination to bring down Geelong, to leave Geelong in abeyance, to leave it in this muddle with a failed council that has done nothing but bully the people of Geelong — it has bullied the workers and delivered nothing for the people of Geelong. It is an embarrassment for the people of Geelong. The Liberal Party is not clear on its position today on whether to put the broom through these people, on whether to move this council on and give Geelong the opportunity to strike out, on whether to support those people and families whose prosperity is threatened, who do not have a council backing them on Alcoa and Ford, and on making sure they can make the commitment and have some confidence that their council is fighting on their behalf.

It is a competitive world out there. We see the City of Greater Bendigo, the City of Ballarat and other regional centres across Victoria advocating and fighting. When all is said and done Geelong not going well may suit other regional cities competitively. But it is the largest regional centre in Victoria, and it is the second-largest town in our state, so if Geelong is not performing well as an economic driver in Victoria, then Victoria will not succeed. We need Geelong to do well for Victoria's prosperity. For Australia's prosperity we need that to happen. All we have seen from those opposite, after inflicting a failed model on Victorians and a failed model on the people of Geelong, is that today they stand in the way of making changes to that model.

Let us go to what we have seen in the *Geelong Advertiser*, the voice of Geelong, the voice of reason. Let us see what it has had to say. Headlines on various dates stated: on 9 April, 'I am no bully'; on 11 April, 'Fisher: City Hall probe "flawed"'; on 12 April, "'Failures" cited as Geelong council goes'. Also on 12 April, 'Whistleblower comes forward'. On 6 April, 'Not a lot of love for Lyons', 'The actions of some lead to a witch-hunt', 'Lack of vision is crippling our great city' and 'Claims of innocence mask suffering of real victims'. On 2 April, 'Sack them all' and 'Timing all wrong in push for rate rise. In the *Age* of 2 April, 'Geelong council at risk of sack over damning report into culture' and bullying. On 1 April in the *Geelong Advertiser*, 'City CEO de-robes the mayor', 'Council in limbo' and 'Lame ducks'. On 10 February, 'Clarity key to bully probe' and 'Bully bomb squad'. On 9 February, 'Bullied into a coma' and 'Tragic chapter for City Hall'. On 3 February, 'Wheels in motion and it's time to take out the trash'. On 1 February, 'Results matter in council inquiry' and 'Councillors face grilling'. A 5 December 2015 headline states, 'Probe we had to have'. On 2 December 2015, 'Minister puts heat on council to fix culture' and on 1 December 2015, 'Andrews steps in'.

What the people of Geelong need to know today is that the Andrews Labor government will stand up for them. We will be their voice in Geelong when the council has failed them, when the mayor has failed them and when the Liberal Party has failed them and stands in the way of Geelong making progress for its economic prosperity — and not only for Victoria but for the generations of Geelong families who need a voice in Geelong. They will get that from the Andrews government and not from the Liberal Party.

The DEPUTY SPEAKER — Order! The member for Sandringham has 10 seconds.

Mr THOMPSON (Sandringham) — The questions I pose to the house tonight are: where is the *Alert Digest*? Where is the report from the Scrutiny of Acts and Regulations Committee that guides this house, and where is the community consultation in Geelong regarding the election method?

The DEPUTY SPEAKER — Order! The time set down for consideration of all remaining stages of the Local Government (Greater Geelong City Council) Bill 2016 has expired under the resolution of the house under standing order 133, and I am required to interrupt business. The minister has moved that the bill be now read a second time. The member for South Barwon has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' with the

view of inserting in their place the words which were circulated in the chamber earlier today. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment moved by the member for South Barwon should vote no.

House divided on omission (members in favour vote no):

Ayes, 48

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

Noes, 35

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

Amendment defeated.

House divided on motion:

Ayes, 48

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms

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

Noes, 35

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

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

**BUILDING LEGISLATION AMENDMENT
(CONSUMER PROTECTION) BILL 2015**

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 30, page 107, lines 9 to 16, omit paragraph (e) and insert—

- “(e) the applicant has not been issued with a building permit for the carrying out of domestic building work by the applicant as a builder on land owned by the applicant or a related body in the previous 5 years other than in relation to—
- (i) the dwelling on the land to which the application relates; or
 - (ii) a Class 10 building that is ancillary to the dwelling on the land to which the application relates; and”.
2. Clause 30, page 107, lines 17 to 25, omit paragraph (f) and insert—
- “(f) if the applicant co-owns the land to which the application relates with another person, a building permit has not been issued to that person for the carrying out of domestic building work by that person as a builder on land owned by that person in the previous 5 years other than in relation to—
- (i) the dwelling on the land to which the application relates; or
 - (ii) a Class 10 building that is ancillary to the dwelling on the land to which the application relates; and”.

Mr WYNNE (Minister for Planning) — I move:

That the amendments be agreed to.

I am so pleased to be able to speak on this amendment to clause 30, which has come from the Legislative Council. It is an amendment that was drafted by the Greens political party, and it picks up a potential unintended consequence of the legislation.

In the broad this is very important legislation, and I am delighted that the Minister for Consumer Affairs, Gaming and Liquor Regulation is with me today because in effect this has been a joint body of work that has been undertaken obviously by the Department of Environment, Land, Water and Planning in concert with the Minister for Consumer Affairs, Gaming and Liquor Regulation and her staff. It really, I think, highlights a reform package that fundamentally is going to make it easier for consumers to navigate what is often a very, very difficult process where they find themselves in a dispute with their builders.

It also equally provides protections to builders where they find a circumstance where there is an unwarranted complaint from a consumer in relation to the quality of work being undertaken. The one-stop shop that is the building dispute resolution process that is being established by the Minister for Consumer Affairs, Gaming and Liquor Regulation is a really important step, because what it will require is mandated conciliation between builder and consumer.

Ms Garrett interjected.

Mr WYNNE — And as the minister rightly says, it will require binding outcomes as well.

The amendment is a relatively simple amendment, because currently Victoria has the largest number of owner-builders in Australia at around 12 per cent of building approvals, as opposed to 1 per cent in New South Wales. I mean, there is clearly an imbalance at play here. It has been easier to become an owner-builder in Victoria and move from build to build, with the data suggesting that people are claiming to be owner-builders to avoid the tight regulations that apply to registered building practitioners. We would argue that this is simply unfair.

We are tightening the regulations because we want to make sure that owner-builders are genuine and not really in the business of building as their profession. We are lengthening the time between builds from three to five years. However, the bill, as originally drafted, could have been interpreted to allow an owner-builder to only have one certificate of consent every five years, even for building works on the same building, such as where a builder has built the house and now wants to come back and build a garage, a pergola, a carport or a shed. In effect the Greens picked this up as a potential conflict with what we were proposing in the bill, and of course this was clearly not our intention. What we have sought is to really go to the essence of what we were seeking to do, which was to ensure that an owner-builder is in fact an owner-builder and builds a house for themselves and does not seek to bypass the regulatory framework that is in place for registered builders.

The amendments made by the other chamber to the section make it clear that owner-builders can stage their building works within the five-year period if the work relates to the same building or a building, as I indicated earlier, such as a garage, a shed or something that is attached to the property. It is important to recognise that other existing protections will continue to apply, including limiting the issue of certificates of consent to single dwellings, thereby preventing owner-builders from being involved in building multiple dwellings, and requiring an applicant for a certificate of consent to either live in or intend to live in the dwelling — and obviously we think this is an important consideration — and of course requiring that an applicant is not in the business of building as their profession.

A further amendment will increase protections by requiring that an owner-builder has the prescribed

knowledge to build, rather than merely requiring the owner-builder to sign a statutory declaration stating that they have read an information sheet. This will become important particularly with our industry associations which already do an enormous amount of in-service work in holding builders seminars and so forth and also in maintaining very active website access to keep builders and building practitioners abreast of the continuing and emerging changes that occur within the industry more generally within the broader ambit of the national building code.

The government is happy to accept this amendment. We think it is a sensible amendment. As I indicated, the Greens political party picked this up in the debate in the upper house. This is, I think, an instance where both houses have actually worked very well to ensure that we have a better piece of legislation that is better articulated, and we are happy to support the amendment.

Mr CLARK (Box Hill) — The coalition parties also support the amendments to the Building Legislation Amendment (Consumer Protection) Bill 2015, which, as the Minister for Planning referred to, were originally moved by the Greens party in the Legislative Council. As the minister described, the amendments in fact pick up on a specific potential anomaly in the bill as introduced by the government, namely where a person who is a bona fide owner-builder needs to apply for a second building permit on the same piece of land within a five-year period in relation to the same dwelling as before. The amendments insert reference to that to make sure that a person who is a genuine owner-builder cannot be inadvertently blocked from obtaining a further building permit to make modifications to the dwelling they have previously built or modified within the previous five years. That is a sensible correction that we are happy to support.

I do not intend to canvass the merits of the bill at large. I noticed that the minister had a pretty good go at canvassing most of the merits of the bill in his remarks just concluded. I will simply say that, to abridge what I said in the former second-reading debate, we on this side of the house welcome that many of the reforms that we put a huge amount of effort into when we were in government have been picked up by the bill that the government has now brought in. There are a number of changes, and I will resist the temptation to relitigate the differences between our 2014 bill and the bill currently before us. Many of the measures in this bill seek to achieve the same objectives as the 2014 bill. As I did refer to in the second-reading debate in this house previously, there is a lot more that needs to be done.

To be fair to the government, the government has indicated this is just the first stage. Those further stages do need to come, because while most builders in this state do their best to do a good job for their clients and building work is generally performed to a high standard by a vibrant small business sector, when it comes to domestic dwellings there are unfortunately times, whether due to poor business practice or unethical attitudes, when a minority of builders do the wrong thing, and that has traditionally caused huge costs.

Mr Wynne interjected.

Mr CLARK — A minority of builders do do the wrong thing, and that has caused huge costs to consumers who have had the misfortune of being their clients. I think there is universal agreement that the system needs to operate to prevent that occurring in the first place as much as possible and, where it does unfortunately occur, to ensure that there are speedy channels of rectification and redress for consumers and that hopefully the problems can be sorted out quickly, and so, likewise, if there are consumers who are making unreasonable demands of builders, that those can also be resolved expeditiously and at low cost to all parties so that the job can be done in accordance with its terms.

We are all agreed on the objective. The key thing is to make sure that it happens, and we do very much look forward to the government continuing on this. We very much look to the government to do so, because there is a lot more to be done before we can be satisfied that we have achieved that objective.

Ms SANDELL (Melbourne) — I rise to pay tribute to Samantha Dunn in the Legislative Council and the rest of the Greens who worked on these amendments with the Minister for Planning and the Minister for Consumer Affairs, Gaming and Liquor Regulation and their departments. I think it is a great example of both houses working together, as the Minister for Planning mentioned. We are so fortunate to have an upper house here which is a check and balance on legislation and that can pick up mistakes which perhaps were not intended in the initial legislation. It can do something and put through amendments that make people's lives better. In this case it does not adversely penalise owner-builders, which was not the intention of the bill but could have been the consequence of the bill if the Greens had not picked this up. I think it is a great example of all parties working together to achieve an outcome. I hope to see a lot more of it.

Motion agreed to.

ACCESS TO MEDICINAL CANNABIS BILL 2015

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 1, page 2, lines 5 to 7, omit all words and expressions on these lines.
2. Clause 3, line 20, omit "10" and insert "11".
3. Clause 3, line 23, omit "70" and insert "40".
4. Clause 3, line 26, omit "71" and insert "41".
5. Clause 3, lines 31 and 32, omit all words and expressions on these lines and insert—

"cannabis material means—

 - (a) cannabis within the meaning of the Narcotic Drugs Act 1967 of the Commonwealth; and
 - (b) cannabis resin within the meaning of that Act;

Notes

 - 1 In the Narcotic Drugs Act 1967 of the Commonwealth, *cannabis* means the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted, by whatever name they may be designated.
 - 2 In the Narcotic Drugs Act 1967 of the Commonwealth, *cannabis resin* means the separated resin, whether crude or purified, obtained from the cannabis plant."
 6. Clause 3, page 3, line 2, before "licence" insert "manufacture".
 7. Clause 3, page 3, line 2, omit "under" and insert "within the meaning of".
 8. Clause 3, page 3, line 3, omit "to manufacture" and insert "that authorises the manufacture of a drug that includes, or is from,".
 9. Clause 3, page 3, lines 5 to 19, omit all words and expressions on these lines.
 10. Clause 3, page 3, line 20, omit "means—" and insert "means a cannabis licence within the meaning of the Narcotic Drugs Act 1967 of the Commonwealth and includes an approval under section 25A of that Act made in respect of an agency of the State of Victoria;".
 11. Clause 3, page 3, lines 21 to 24, omit all words and expressions on these lines.
 12. Clause 3, page 4, line 10, omit "by—" and insert "by a licensed manufacturer;".
 13. Clause 3, page 4, lines 11 to 16, omit all words and expressions on these lines.

14. Clause 3, page 4, line 18, omit "45" and insert "21".
15. Clause 3, page 4, after line 20 insert—

"intermediate cannabis product means a substance, compound, preparation or mixture that is manufactured from cannabis but that must be further manufactured before being suitable for human use or consumption;".
16. Clause 3, page 5, line 3, omit "means—" and insert "means the premises specified in a manufacturing licence;".
17. Clause 3, page 5, lines 4 to 9, omit all words and expressions on these lines.
18. Clause 3, page 5, line 12, omit "1981;" and insert "1981 but does not include production;".
19. Clause 3, page 5, line 13, omit "means the" and insert "means—".
20. Clause 3, page 5, line 14, omit all words and expressions on this line and insert—

"() in relation to the Health Secretary, the authorisation under section 17; or

() in relation to the Resources Secretary, the authorisation under section 14;".
21. Clause 3, page 5, line 17, omit "114" and insert "80".
22. Clause 3, page 5, line 25, omit "44" and insert "20".
23. Clause 3, page 5, line 26, omit "means cannabis cultivated or" and insert "means—".
24. Clause 3, page 5, lines 27 to 32, omit all words and expressions on these lines and insert—

"() cannabis cultivated in accordance with a cultivation licence or obtained in accordance with this Act; or

() cannabis material produced in accordance with a cultivation licence or obtained in accordance with this Act; or

() an intermediate cannabis product manufactured or obtained in accordance with this Act; or

() a medicinal cannabis product manufactured or obtained in accordance with this Act;".
25. Clause 3, page 6, lines 1 to 3, omit all words and expressions on these lines.
26. Clause 3, page 6, line 6, omit "cannabis" insert "cannabis, cannabis material or an intermediate cannabis product".
27. Clause 3, page 6, line 11, omit "11" and insert "12".
28. Clause 3, page 6, line 13, omit "86" and insert "56".
29. Clause 3, page 6, line 20, omit "9" and insert "7".

30. Clause 3, page 6, line 30, omit “78” and insert “48”. activity by a cultivation licence, the person is taken to be authorised to undertake that activity by this Act.”.
31. Clause 3, page 6, line 33, omit “80” and insert “50”.
32. Clause 3, page 7, line 3, omit “79” and insert “49”.
33. Clause 3, page 7, line 6, omit “83” and insert “53”.
34. Clause 3, page 7, after line 6 insert—
“production has the same meaning as it has in the Narcotic Drugs Act 1967 of the Commonwealth;
Note
 In the Narcotic Drugs Act 1967 of the Commonwealth, *production* relevantly means the separation of cannabis and cannabis resin from a cannabis plant.”
35. Clause 3, page 7, lines 15 and 16, omit “cultivation licence or”.
36. Clause 3, page 8, lines 4 and 5, omit all words and expressions on these lines.
37. Clause 3, page 8, line 9, omit “extract” and insert “material, an intermediate cannabis product”.
38. Clause 3, page 8, line 11, omit “medicinal cannabis” and insert “manufacturing”.
39. Clause 3, page 8, line 12, omit “119” and insert “85”.
40. Clause 4, line 8, omit “medical cannabis licensee” and insert “licensed manufacturer”.
41. Clause 4, line 14, omit “licensee” and insert “manufacturer”.
42. Clause 4, line 26, omit “licensee’s” and insert “manufacturer’s”.
43. Clause 4, page 10, line 19, omit “or” (where second occurring).
44. Clause 5, line 5, omit “cultivation licence or”.
45. Clause 5, line 14, omit “Act,” and insert “Act or”.
46. Clause 5, lines 14 and 15, omit “or a cultivation licence”.
47. Heading to clause 6, omit “**medicinal cannabis licensee**” and insert “**licensed manufacturer**”.
48. Clause 6, line 29, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
49. Clause 6, line 33, omit “cultivation licence or”.
50. Clause 6, line 34, omit “(as the case requires)”.
51. Insert the following New Clause to follow clause 7—
“AA Activities authorised by cultivation licence
 For the purposes of this Act, the **Drugs, Poisons and Controlled Substances Act 1981** and any other Act, if a person is authorised to undertake an
52. Clause 9, line 14, omit “cultivation,”.
53. Part heading preceding clause 13, omit “**Cultivation and manufacture**” and insert “**Manufacture**”.
54. Division heading preceding clause 13, omit “**Cultivation**” and insert “**Manufacturing**”.
55. Heading to clause 13, omit “**cultivate cannabis**” and insert “**manufacture intermediate cannabis product**”.
56. Clause 13, line 12, omit “cannabis; and” and insert “or purchase cannabis and cannabis material from—”.
57. Clause 13, after line 12 insert—
 “(i) a licensed cultivator; or
 (ii) any other prescribed person or body; and”.
58. Clause 13, lines 13 and 14, omit “cultivate cannabis and produce cannabis extract” and insert “use the cannabis or cannabis material (or cannabis or cannabis material that the Resources Secretary possesses by reason of being a licensed cultivator) to manufacture intermediate cannabis products”.
59. Clause 13, line 16, omit “a” and insert “the Health Secretary’s”.
60. Clause 13, line 22, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
61. Clause 13, lines 24 and 25, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
62. Clause 13, lines 25 and 26, omit “in accordance with a registered contract”.
63. Clause 13, line 28, omit “to—” and insert “to the manufacture of intermediate cannabis products; and”.
64. Clause 13, lines 29 and 30, omit all words and expressions on these lines.
65. Clause 13, page 17, lines 1 and 2, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
66. Clause 13, page 17, line 4, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
67. Clause 13, page 17, lines 8 and 9, omit “cultivation of cannabis and the production of cannabis extract” and insert “the manufacture of intermediate cannabis products”.
68. Heading to clause 14, omit “**cultivation**” and insert “**manufacturing**”.
69. Clause 14, line 14, omit “13” and insert “14”.

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ASSEMBLY

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70. Heading to clause 15, omit “14” and insert “15”.
71. Clause 15, line 21, omit “14” and insert “15”.
72. Clauses 16 and 17, omit these clauses.
73. Clause 18, line 15, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
74. Clause 18, line 17, after “cannabis” insert “and cannabis material”.
75. Clause 18, lines 18 and 19, omit “in accordance with a registered contract”.
76. Clause 18, after line 21 insert—
“(c) to obtain or purchase intermediate cannabis products from—
(i) a licensed manufacturer; or
(ii) any other prescribed person or body; and”.
77. Clause 18, line 22, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
78. Clause 18, line 25, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
79. Clause 18, lines 31 and 32, omit all words and expressions on these lines.
80. Clause 18, page 19, lines 1 and 2, omit all words and expressions on these lines.
81. Clause 18, page 19, lines 3 and 4, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material and intermediate cannabis products”.
82. Clause 18, page 19, line 6, omit “extract” and insert “material, intermediate cannabis products”.
83. Clause 18, page 19, line 10, after “manufacture” insert “of”.
84. Clause 19, line 15, omit “18” and insert “17”.
85. Heading to clause 20, omit “19” and insert “18”.
86. Clause 20, line 22, omit “19” and insert “18”.
87. Clauses 21 and 22, omit these clauses.
88. Part heading preceding clause 23, omit this heading.
89. Clauses 23 to 43, omit these clauses.
90. Part heading preceding clause 44, omit “6” and insert “5”.
91. Clause 44, lines 8 and 9, omit “cannabis (other than cannabis seed) and cannabis extract” and insert “intermediate cannabis products”.
92. Clause 44, lines 10 and 11, omit “in accordance with a registered contract”.
93. Clause 44, lines 13 and 14, omit “from a licensed cultivator in accordance with a registered contract;” and insert “or cannabis material from—”.
94. Clause 44, after line 14 insert—
“(i) a licensed cultivator; or
(ii) any other prescribed person or body;”.
95. Clause 44, line 15, omit “cannabis and cannabis extract” and insert “cannabis, cannabis material or intermediate cannabis products (or cannabis or cannabis material that the licensed manufacturer possesses by reason of also being a licensed cultivator)”.
96. Clause 44, line 16, after “manufacture” insert “intermediate cannabis products and”.
97. Clause 44, line 22, omit “extract” and insert “material, intermediate cannabis products”.
98. Clause 45, lines 30 and 31, omit “cannabis (other than cannabis seed) and cannabis extract” and insert “intermediate cannabis products”.
99. Clause 45, lines 32 and 33, omit “in accordance with a registered contract”.
100. Clause 45, page 40, lines 2 and 3, omit “from a licensed cultivator in accordance with a registered contract;” and insert “and cannabis material from—”.
101. Clause 45, page 40, after line 3 insert—
“(i) a licensed cultivator; or
(ii) any other prescribed person or body;”.
102. Clause 45, page 40, line 4, omit “cannabis and cannabis extract” and insert “the cannabis, cannabis material and intermediate cannabis products (or cannabis and cannabis material that the manufacturer possesses by reason of also being a licensed cultivator)”.
103. Clause 45, page 40, line 5, after “manufacture” insert “intermediate cannabis products and”.
104. Clause 45, page 40, line 6, after “supply” insert “intermediate cannabis products and”.
105. Clause 45, page 40, line 9, omit “extract” and insert “material, intermediate cannabis products”.
106. Clause 46, line 18, omit “extract” and insert “material, intermediate cannabis products”.
107. Clause 48, lines 2 to 4, omit “licence under the Narcotic Drugs Act 1967 of the Commonwealth to manufacture cannabis” and insert “Commonwealth licence to manufacture”.
108. Clause 48, lines 20 to 22, omit “licence under the Narcotic Drugs Act 1967 of the Commonwealth to

- manufacture cannabis” and insert “Commonwealth licence to manufacture”.
109. Clause 49, page 42, line 10, omit “48” and insert “24”.
110. Heading to clause 50, omit “**and Resources Secretary**”.
111. Clause 50, line 17, omit “to—” and insert “to the Chief Commissioner of Police.”.
112. Clause 50, lines 18 and 19, omit all words and expressions on these lines.
113. Clause 50, line 21, omit “49” and insert “25”.
114. Clause 50, line 23, omit “to—” and insert “to the Chief Commissioner of Police.”.
115. Clause 50, lines 24 and 25, omit all words and expressions on these lines.
116. Clause 50, line 29, omit “Resources” and insert “Health”.
117. Clause 51, line 9, omit “49” and insert “25”.
118. Clause 51, line 12, omit “52” and insert “28”.
119. Clause 51, line 28, omit “50” and insert “26”.
120. Clause 52, line 18, omit “50” and insert “26”.
121. Clause 52, line 21, omit “manufacturing licence” and insert “licence to manufacture”.
122. Clause 52, line 23, omit “48” and insert “24”.
123. Clause 53, line 33, omit “54(1)(d) and (e)” and insert “30(1)(d)”.
124. Clause 53, page 47, line 6, omit “(e)” and insert “(d)”.
125. Clause 54, line 18, omit “48” and insert “24”.
126. Clause 54, lines 20 and 21, omit all words and expressions on these lines.
127. Clause 55, omit this clause.
128. Clause 56, line 26, omit “53” and insert “29”.
129. Heading to clause 59, omit “**and Resources Secretary**”.
130. Clause 59, line 32, omit “to—” and insert “to the Chief Commissioner of Police.”.
131. Clause 59, page 50, lines 1 and 2, omit all words and expressions on these lines.
132. Clause 59, page 50, line 4, omit “58” and insert “33”.
133. Clause 59, page 50, line 6, omit “to—” and insert “to the Chief Commissioner of Police.”.
134. Clause 59, page 50, lines 7 and 8, omit all words and expressions on these lines.
135. Clause 60, line 23, omit “58” and insert “33”.
136. Clause 60, line 26, omit “61” and insert “36”.
137. Clause 60, page 52, line 8, omit “59” and insert “34”.
138. Clause 61, line 31, omit “59” and insert “34”.
139. Clause 62, page 54, line 4, omit “54(1)(e)” and insert “30(1)(d)”.
140. Clause 62, page 54, line 6, omit “54” and insert “30”.
141. Clause 62, page 54, line 8, omit “provision); or” and insert “provision).”.
142. Clause 62, page 54, lines 9 to 14, omit all words and expressions on these lines.
143. Clause 63, page 56, lines 1 to 4, omit all words and expressions on these lines.
144. Clause 63, page 56, line 14, omit “following persons” and insert “Chief Commissioner of Police”.
145. Clause 63, page 56, line 15, omit “cancellation—” and insert “cancellation.”.
146. Clause 63, page 56, lines 16 to 20, omit all words and expressions on these lines.
147. Part heading preceding clause 64, omit this heading.
148. Clauses 64 to 68, omit these clauses.
149. Part heading preceding clause 69, omit “8” and insert “6”.
150. Clause 69, lines 9 and 10, omit “from a person who holds a general manufacturing licence; and” and insert “from—”.
151. Clause 69, after line 10, insert—
- “(i) a person who holds a general manufacturing licence; or
 - (ii) any other prescribed person or body; and”.
152. Clause 69, lines 14 and 15, omit “from a person who holds a general manufacturing licence” and insert “in accordance with paragraph (a)”.
153. Clause 70, line 18, before “The” insert “(1)”.
154. Clause 70, after line 21 insert—
- “() The Health Secretary must not approve under subsection (1) a medicinal cannabis product that is designed to be administered by smoking.
 - () For the purposes of subsection (2), *smoking* does not include vaporising.”.
155. Clause 72, lines 11 to 13, omit “from a person who holds a general manufacturing licence” and insert “in accordance with section 39(a)”.
156. Clause 72, line 16, after “to” insert “package and”.

157. Clause 72, line 30, after “to” insert “package and”.
158. Clause 75, lines 27 to 29, omit “from a person who holds a general manufacturing licence” and insert “in accordance with section 39(a)”.
159. Clause 75, line 32, after “to” insert “package and”.
160. Clause 75, page 63, line 15, omit “77” and insert “47”.
161. Part heading preceding clause 76, omit “9” and insert “7”.
162. Clause 77, page 65, line 5, after “to” insert “package and”.
163. Clause 81, line 5, omit “78, 79” and insert “48, 49”.
164. Clause 81, line 5, omit “80” and insert “50”.
165. Part heading preceding clause 86, omit “10” and insert “8”.
166. Clause 88, line 10, after “to” insert “package and”.
167. Clause 89, line 29, after “to” insert “package and”.
168. Part heading preceding clause 91, omit “11” and insert “9”.
169. Clause 91, lines 5 and 6, omit “the following decisions” and insert “a decision of the Health Secretary”.
170. Clause 91, lines 7 to 16, omit all words and expressions on these lines.
171. Clause 91, line 24, omit “person;” and insert “person.”.
172. Clause 91, lines 25 and 26, omit all words and expressions on these lines.
173. Clause 92, line 13, omit “cultivation licence or”.
174. Clause 92, lines 15 and 16, omit “cultivation licence or”.
175. Clause 92, lines 17 and 18, omit “Secretary who made the decision” and insert “Health Secretary”.
176. Clause 92, line 23, omit “Resources Secretary or”.
177. Clause 92, lines 23 and 24, omit “(as the case requires)”.
178. Clause 93, lines 28 and 29, omit “Resources Secretary or”.
179. Clause 93, page 78, line 16, omit “95” and insert “65”.
180. Clause 94, line 2, omit “92” and insert “62”.
181. Clause 94, lines 2 and 3, omit “the Resources Secretary or”.
182. Clause 94, lines 29 and 30, omit “a cultivation licence or”.
183. Clause 94, line 32, omit “cultivation licence or”.
184. Clause 95, line 16, omit “94” and insert “64”.
185. Clause 95, line 27, omit “cultivation licence or”.
186. Clause 95, line 31, omit “94” and insert “64”.
187. Clause 95, page 81, lines 13 and 14, omit “Resources Secretary or”.
188. Clause 95, page 81, line 16, omit “cultivation licence or”.
189. Clause 96, line 27, omit “94” and insert “64”.
190. Clause 96, line 28, omit “95” and insert “65”.
191. Clause 96, line 31, omit “94” and insert “64”.
192. Clause 96, page 82, line 1, omit “Resources Secretary or”.
193. Clause 96, page 82, lines 3 and 4, omit “cultivation licence or”.
194. Clause 96, page 82, lines 4 and 5, omit “(as the case requires)”.
195. Clause 96, page 82, line 10, omit “94” and insert “64”.
196. Clause 96, page 82, line 10, omit “95” and insert “65”.
197. Part heading preceding clause 97, omit “12” and insert “10”.
198. Clause 97, omit this clause.
199. Clause 98, line 27, omit “manufacturing licence” and insert “licence to manufacture”.
200. Heading to clause 99, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
201. Clause 99, lines 3 to 6, omit all words and expressions on these lines.
202. Clause 99, line 8, omit “(3)” and insert “(2)”.
203. Clause 99, line 11, omit “subsections (1) and (2)” and insert “subsection (1)”.
204. Clause 99, lines 17 and 18, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
205. Clause 99, line 22, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
206. Clause 99, line 23, omit “licensee” and insert “manufacturer”.
207. Clause 99, line 27, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
208. Heading to clause 100, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
209. Clause 100, lines 7 to 9, omit all words and expressions on these lines.
210. Heading to clause 101, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.

211. Clause 101, lines 15 to 21, omit all words and expressions on these lines.
212. Clause 101, line 25, omit “cultivation” and insert “manufacturing”.
213. Clause 101, line 27, omit “62” and insert “37”.
214. Heading to clause 102, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
215. Clause 102, line 3, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
216. Clause 102, line 7, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
217. Heading to clause 103, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
218. Clause 103, line 14, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
219. Clause 103, lines 23 to 28, omit all words and expressions on these lines.
220. Clause 103, line 29, omit “if the licensee is a licensed manufacturer.”.
221. Clause 103, page 87, line 2, omit “(a), (b), (c), (d) or (e)” and insert “(a) or (b)”.
222. Clause 104, lines 6 and 7, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
223. Clause 104, lines 12 and 13, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
224. Clause 104, lines 15 and 16, omit “medicinal cannabis” and insert “manufacturing”.
225. Heading to clause 105, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
226. Clause 105, line 20, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
227. Heading to clause 106, omit “**medicinal cannabis licensee**” and insert “**licensed manufacturer**”.
228. Clause 106, lines 10 and 11, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
229. Heading to clause 107, omit “**Medicinal cannabis licensee**” and insert “**Licensed manufacturer**”.
230. Clause 107, line 3, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
231. Clause 107, line 5, omit “licensee” and insert “manufacturer”.
232. Clause 107, line 15, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
233. Clause 107, line 17, omit “licensee” and insert “manufacturer”.
234. Clause 107, line 23, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
235. Clause 107, line 24, omit “licensee” and insert “manufacturer”.
236. Clause 107, line 25, omit “licensee” and insert “manufacturer”.
237. Clause 107, line 26, omit “licensee” and insert “manufacturer”.
238. Heading to clause 108, omit “**medicinal cannabis licensee**” and insert “**licensed manufacturer**”.
239. Clause 108, line 3, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
240. Clause 108, line 4, omit “licensee” and insert “manufacturer”.
241. Clause 108, line 6, omit “licensee” and insert “manufacturer”.
242. Clause 108, line 8, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
243. Clause 108, lines 12 and 13, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
244. Clause 108, line 23, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
245. Clause 108, line 23, omit “licensee” (where second occurring) and insert “manufacturer”.
246. Clause 108, line 26, omit “licensee” and insert “manufacturer”.
247. Clause 108, line 28, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
248. Clause 108, line 31, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
249. Clause 108, line 33, omit “licensee” and insert “manufacturer”.
250. Heading to clause 109, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
251. Clause 109, line 4, omit “medicinal cannabis” and insert “manufacturing”.
252. Clause 109, line 9, omit “medicinal cannabis” and insert “manufacturing”.
253. Clause 110, lines 14 and 15, omit “medicinal cannabis.”.
254. Clause 110, lines 20 and 21, omit “medicinal cannabis.”.
255. Clause 110, lines 26 and 27, omit “medicinal cannabis.”.
256. Clause 110, page 92, line 6, omit “medicinal cannabis.”.
257. Part heading preceding clause 111, omit “**13— Medicinal cannabis**” and insert “**11— Manufacturing**”.

258. Division heading preceding clause 111, omit this heading.
259. Clauses 111 to 113, omit these clauses.
260. Division heading preceding clause 114, omit “2” and insert “1”.
261. Clause 116, line 14, omit “44” and insert “20”.
262. Clause 116, line 14, omit “45” and insert “21”.
263. Clause 116, lines 28 and 29, omit “cannabis or cannabis extract” and insert “cannabis, cannabis material, intermediate cannabis products or medicinal cannabis products”.
264. Clause 116, page 98, line 13, omit “extract” and insert “material”.
265. Clause 116, page 98, line 15, omit “extract” and insert “material”.
266. Clause 116, page 98, line 17, after “of” insert “intermediate cannabis products and”.
267. Clause 116, page 98, line 18, omit “medicinal cannabis”.
268. Division heading preceding clause 117, omit “3—**Medicinal cannabis inspectors**” and insert “2—**Further**”.
269. Division heading preceding clause 117, after “procedures” insert “for manufacturing inspectors”.
270. Heading to clause 117, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
271. Clause 117, line 18, omit “medicinal cannabis” and insert “manufacturing”.
272. Clause 117, line 21, omit “113(2)(e)(iv) or 116” and insert “82”.
273. Clause 117, lines 22 and 23, omit “113(2)(f) or 116” and insert “82”.
274. Clause 117, lines 24 and 25, omit all words and expressions on these lines.
275. Clause 117, line 27, omit “119” and insert “85”.
276. Clause 117, line 28, omit “medicinal cannabis” and insert “manufacturing”.
277. Clause 117, page 100, line 1, omit “medicinal cannabis” and insert “manufacturing”.
278. Clause 117, page 100, line 7, omit “medicinal cannabis” and insert “manufacturing”.
279. Heading to clause 118, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
280. Clause 118, line 25, omit “113(2)(a) or 116” and insert “82”.
281. Clause 118, lines 25 and 26, omit “medicinal cannabis” and insert “manufacturing”.
282. Clause 118, page 101, line 2, omit “cultivation licence or”.
283. Clause 118, page 101, line 5, omit “medicinal cannabis” and insert “manufacturing”.
284. Clause 118, page 101, line 9, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
285. Clause 118, page 101, line 10, omit “licensee’s” and insert “manufacturer’s”.
286. Clause 118, page 101, line 12, omit “medicinal cannabis” and insert “manufacturing”.
287. Clause 118, page 101, line 18, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
288. Clause 118, page 101, line 19, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
289. Clause 118, page 101, line 22, omit “medicinal cannabis” and insert “manufacturing”.
290. Heading to clause 119, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
291. Clause 119, line 29, omit “medicinal cannabis” and insert “manufacturing”.
292. Clause 119, line 30, omit “extract” and insert “material, an intermediate cannabis product”.
293. Clause 119, lines 32 to 34, omit “person who cultivated the cannabis, produced the cannabis extract, or manufactured the medicinal cannabis product” and insert “thing to be seized”.
294. Clause 119, page 102, line 1, omit “has contravened” and insert “is possessed or was manufactured in contravention of”.
295. Clause 119, page 102, after line 3 insert—
- “() the **Drugs, Poisons and Controlled Substances Act 1981**; or
- () the regulations under the **Drugs, Poisons and Controlled Substances Act 1981**; or”.
296. Clause 119, page 102, line 4, omit “cultivation licence or”.
297. Clause 119, page 102, line 5, omit “(as the case requires)”.
298. Clause 119, page 102, line 6, omit “cultivation licence or”.
299. Clause 119, page 102, line 6, after “(b)” insert “is possessed or manufactured by a person who”.
300. Clause 119, page 102, line 9, omit “medicinal cannabis” and insert “manufacturing”.

301. Clause 119, page 102, line 10, omit “117” and insert “83”.
302. Clause 119, page 102, line 11, omit “to— ” and insert “to the Health Secretary.”.
303. Clause 119, page 102, lines 12 to 15, omit all words and expressions on these lines.
304. Clause 119, page 102, line 16, omit “medicinal cannabis” and insert “manufacturing”.
305. Clause 119, page 102, line 20, omit “medicinal cannabis” and insert “manufacturing”.
306. Clause 119, page 102, line 22, omit “the— ” and insert “the Health Secretary.”.
307. Clause 119, page 102, lines 23 to 26, omit all words and expressions on these lines.
308. Heading to clause 120, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
309. Clause 120, line 4, omit “medicinal cannabis” and insert “manufacturing”.
310. Clause 120, line 11, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
311. Clause 120, line 12, omit “cultivation licence or”.
312. Clause 120, line 18, omit “medicinal cannabis licensee” and insert “licensed manufacturer”.
313. Clause 120, line 19, omit “cultivation licence or”.
314. Clause 120, line 21, omit “medicinal cannabis” and insert “manufacturing”.
315. Clause 120, line 24, omit “medicinal cannabis” and insert “manufacturing”.
316. Heading to clause 121, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
317. Clause 121, line 29, omit “medicinal cannabis” and insert “manufacturing”.
318. Heading to clause 122, omit “**Medicinal cannabis**” and insert “**Manufacturing**”.
319. Clause 122, line 10, omit “medicinal cannabis” and insert “manufacturing”.
320. Clause 122, line 12, omit “extract” and insert “material, intermediate cannabis products”.
321. Division heading preceding clause 123, omit “4” and insert “3”.
322. Division heading preceding clause 123, omit “**Secretaries**” and insert “**Health Secretary**”.
323. Clause 123, omit this clause.
324. Clause 124, line 10, omit “extract” and insert “material, an intermediate cannabis product”.
325. Clause 124, line 18, omit “regulations” and insert “regulations, the **Drugs, Poisons and Controlled Substances Act 1981**, the regulations made under that Act”.
326. Clause 124, line 28, omit “125” and insert “90”.
327. Clause 124, page 107, line 18, omit “129” and insert “94”.
328. Clause 124, page 107, line 21, omit “129” and insert “94”.
329. Clause 125, line 25, omit “if— ” and insert “if the Health Secretary is retaining seized cannabis for evidence in a proceeding under section 89(1)(b).”.
330. Clause 125, lines 26 to 31, omit all words and expressions on these lines.
331. Clause 125, page 108, line 4, omit “126” and insert “91”.
332. Clause 125, page 108, line 12, omit “123(2) or 124” and insert “89”.
333. Clause 125, page 108, lines 12 and 13, omit “(as the case requires)”.
334. Clause 125, page 108, line 15, omit “the Resources Secretary or”.
335. Clause 125, page 108, line 16, omit “(as the case requires)”.
336. Clause 126, line 18, omit “if— ” and insert “if the Health Secretary is retaining seized cannabis for evidence in a proceeding under section 89(1)(b).”.
337. Clause 126, lines 19 to 24, omit all words and expressions on these lines.
338. Clause 126, line 25, omit “Resources Secretary or”.
339. Clause 126, line 26, omit “(as the case requires)”.
340. Clause 127, line 22, omit “if— ” and insert “the Health Secretary is retaining seized cannabis for evidence in a proceeding under section 89(1)(b).”.
341. Clause 127, lines 23 to 28, omit all words and expressions on these lines.
342. Clause 127, line 29, omit “Resources Secretary or”.
343. Clause 127, line 30, omit “(as the case requires)”.
344. Clause 127, page 110, line 4, omit “a cultivation licence,” and insert “the **Drugs, Poisons and Controlled Substances Act 1981**, the regulations made under that Act”.
345. Clause 127, page 110, line 7, omit “cultivation licence or”.
346. Clause 127, page 110, line 8, omit “(as the case requires)”.

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- 347. Clause 127, page 110, lines 24 and 25, omit “Resources Secretary or”.
- 348. Clause 127, page 110, lines 25 and 26, omit “(as the case requires)”.
- 349. Clause 127, page 110, line 28, omit “Resources Secretary or”.
- 350. Clause 127, page 110, line 29, omit “(as the case requires)”.
- 351. Clause 128, line 2, omit “the Resources Secretary or”.
- 352. Clause 128, line 4, omit “127” and insert “92”.
- 353. Part heading preceding clause 129, omit “14” and insert “12”.
- 354. Clause 129, lines 4 and 5, omit “and the Resources Secretary are each authorised” and insert “is authorised”.
- 355. Clause 129, line 7, omit “extract” and insert “material, an intermediate cannabis product”.
- 356. Clause 129, line 10, omit “extract” and insert “material, an intermediate cannabis product”.
- 357. Clause 129, line 17, omit “extract” and insert “material, an intermediate cannabis product”.
- 358. Clause 129, line 20, omit “extract” and insert “material, intermediate cannabis product”.
- 359. Clause 129, line 23, omit “extract” and insert “material, intermediate cannabis product”.
- 360. Clause 129, line 27, omit “extract” and insert “material, an intermediate cannabis product”.
- 361. Clause 130, line 3, omit “extract” and insert “material, an intermediate cannabis product”.
- 362. Clause 130, line 8, omit “extract” and insert “material, intermediate cannabis product”.
- 363. Clause 130, line 12, omit “extract” and insert “material, intermediate cannabis product”.
- 364. Clause 130, line 15, omit “cannabis” and insert “cannabis, cannabis material, intermediate cannabis product or medicinal cannabis product”.
- 365. Clause 131, omit this clause.
- 366. Clause 133, line 17, omit all words and expressions on this line.
- 367. Clause 133, line 19, omit “an” and insert “a manufacturing”.
- 368. Clause 134, line 26, omit “cultivation licence or”.
- 369. Clause 134, line 29, omit “cultivation licence or”.
- 370. Clause 134, lines 31 to 33, omit all words and expressions on these lines.
- 371. Clause 134, page 115, line 5, omit “to— ” and insert “to a Health Secretary agreement.”.
- 372. Clause 134, page 115, lines 6 and 7, omit all words and expressions on these lines.
- 373. Clause 134, page 115, line 18, omit “cannabis or cannabis extract” and insert “cannabis, cannabis material or intermediate cannabis products”.
- 374. Clause 134, page 115, line 19, omit “18” and insert “17”.
- 375. Clause 134, page 115, line 20, after “cannabis” insert “or cannabis material”.
- 376. Clause 134, page 115, line 21, omit “18(ab)” and insert “17(b)”.
- 377. Clause 134, page 115, line 24, omit “69” and insert “39”.
- 378. Clause 134, page 115, line 27, omit “72” and insert “42”.
- 379. Clause 134, page 115, line 30, omit “75(1)(a);” and insert “45(1)(a).”.
- 380. Clause 134, page 115, lines 31 to 33, omit all words and expressions on these lines.
- 381. Clause 134, page 116, lines 1 to 6, omit all words and expressions on these lines.
- 382. Clause 136, line 16, omit all words and expressions on this line.
- 383. Clause 136, line 17, after “manufacture of” insert “intermediate cannabis products and”.
- 384. Clause 136, lines 20 and 21, omit “cultivation licences or”.
- 385. Clause 136, lines 30 and 31, omit “a cultivation licence or”.
- 386. Clause 136, page 117, line 4, omit “cultivation,”.
- 387. Clause 136, page 117, line 5, omit “cannabis, medicinal cannabis and”.
- 388. Clause 136, page 117, line 8, omit “cannabis, medicinal cannabis and”.
- 389. Clause 136, page 117, lines 12 and 13, omit “cannabis, medicinal cannabis and”.
- 390. Clause 136, page 117, lines 15 to 18, omit all words and expressions on these lines.
- 391. Clause 136, page 117, lines 21 and 22, omit “medicinal cannabis and”.
- 392. Clause 136, page 117, line 25, omit “cannabis, medicinal cannabis and”.
- 393. Clause 136, page 117, line 31, omit “with— ” and insert “with the manufacture of medicinal cannabis products;”.

394. Clause 136, page 117, lines 32 to 35, omit all words and expressions on these lines.
395. Clause 136, page 118, line 4, omit “to—” and insert “to medicinal cannabis products;”.
396. Clause 136, page 118, lines 5 to 8, omit all words and expressions on these lines.
397. Clause 136, page 118, line 10, omit “medicinal cannabis and”.
398. Clause 136, page 118, lines 26 and 27, omit “medicinal cannabis and”.
399. Clause 136, page 118, lines 28 and 29, omit “medicinal cannabis and”.
400. Clause 136, page 119, line 6, omit “cultivation,”.
401. Clause 136, page 119, line 9, omit “medicinal cannabis and”.
402. Clause 136, page 119, line 14, omit “medicinal cannabis and”.
403. Clause 136, page 119, lines 19 and 20, omit “medicinal cannabis and”.
404. Clause 136, page 119, line 29, omit “medicinal cannabis and”.
405. Clause 136, page 119, line 32, omit “medicinal cannabis and”.
406. Clause 136, page 120, line 4, omit “containing any medicinal cannabis”.
407. Clause 136, page 120, line 8, omit “medicinal cannabis” and insert “cannabinoids”.
408. Clause 136, page 120, line 34, omit “medicinal cannabis and”.
409. Clause 136, page 121, line 24, omit “the Resources Secretary,”.
410. Clause 136, page 121, line 25, omit “medicinal cannabis” and insert “manufacturing”.
411. Clause 136, page 122, lines 2 and 3, omit “the Resources Secretary or”.
412. Part heading preceding clause 137, omit “**15**” and insert “**13**”.
413. Clause 137, page 124, after line 3 insert—
- ‘() in the definition of *Schedule 8 poison*, after “Standard” insert “other than medicinal cannabis”;
414. Clause 151, lines 23 and 24, omit “a medicinal cannabis cultivation licence or”.
415. Clause 152, line 6, omit “13” and insert “11”.
416. Clause 176, lines 20 and 21, omit “medicinal cannabis cultivation licences,”.
417. Clause 178, line 13, omit “medicinal cannabis” and insert “intermediate cannabis products”.
418. Clause 178, line 16, omit “medicinal cannabis” and insert “intermediate cannabis products”.
419. Clause 178, line 34, omit “medicinal cannabis” and insert “intermediate cannabis products”.
420. Clause 178, page 135, line 10, omit “medicinal cannabis” and insert “intermediate cannabis products”.
421. Clause 178, page 135, line 16, omit “medicinal cannabis” and insert “intermediate cannabis products”.
422. Clause 178, page 135, line 24, omit “medicinal cannabis” and insert “intermediate cannabis products”.
423. Clause 178, page 135, line 31, omit “medicinal cannabis” and insert “intermediate cannabis products”.
424. Part heading preceding clause 179, omit “**16**” and insert “**14**”.
425. Clause 188, line 10, omit “15” and insert “13”.
426. Long title, omit “the lawful cultivation of cannabis for those products,”.

Ms HENNESSY (Minister for Health) — I move:

That the amendments be agreed to.

It has been a very long hard journey when it comes to the Access to Medicinal Cannabis Bill 2015. This was of course a pre-election commitment of the government. Very soon after becoming elected this was a matter that was referred to the Victorian Law Reform Commission, which did a spectacular job, it must be said, in developing a clinically safe and regulatory sensible pathway in terms of being able to provide access to medicinal cannabis for certain cohorts of patients for whom it may make a difference. After accepting those recommendations, the government was very, very clear about the need for it to move with a degree of urgency.

Ever since then this matter has really found itself in the mainstream political and health debates. I and certainly my colleagues in other states and at a commonwealth level have been overwhelmed by those patients who are very desperate for safe clinical access to medicinal cannabis for a range of conditions. I have seen firsthand the impact that access to medicinal cannabis has had on some very sick children, particularly those with severe epilepsy and Dravet syndrome and on those who are suffering wasting because of the consequences of certain cancer treatments and HIV. In my view each day that goes by that we have not been able to progress

access to medicinal cannabis has been a day that we have been letting those patients down. Having said that, there are quite enormous challenges on the regulatory front, on the cultivation front and on ensuring that there is clinical safety at all times in doing something that no other state has done before.

At the time we introduced the medicinal cannabis bill the commonwealth government had also indicated that it was intending to introduce some changes in the national regime. Some of those changes are important and mean that we will not have to request one-off approvals from the commonwealth government. I have been a fierce critic of some of the decisions of the commonwealth government, but I have to express my gratitude on this matter. The commonwealth government has been extremely accommodating, working with the Victorian government at all times. I want to commend it for the leadership that it has shown on this particular issue.

While this bill laid over and the Parliament resumed at the start of this year, the commonwealth introduced the Narcotic Drugs Amendment Act 2016. That passed the federal Parliament with an unexpected speed on 23 and 24 February. That legislation meant that we were required to move a series of amendments in the upper house. Those amendments were accepted unanimously by the upper house.

Again I want to pay tribute to the Parliament which has in the course of this debate asked important and probing questions but at all times has been persuaded by some of the clinical aspirations of patients and by the compelling compassionate issues. Members have engaged in some of the deep regulatory dilemmas. I and my colleague in the other place, the Minister for Agriculture, are on a very focused journey in terms of getting a cultivation trial up. We also have a clinical trial that we have announced recently to take place at the Austin.

Fundamentally what drives us is the very strong need of many people, particularly children with epilepsy who often do not live to a full age. Medicinal cannabis is something that has been demonstrated to provide a quality of life for them. They are the first cohort of patients who will get access to medicinal cannabis. Then of course there are the other groups of patients that the Victorian Law Reform Commission spoke of in its report — that is, those who are suffering pretty devastating consequences from things like HIV and cancer.

There is not a day that goes by that my office does not get a phone call from a patient begging for access to a

product that might make a difference. For people who are subjected to unbearable pain, this is an incredibly important reform. I will continue to do all I can to try to make sure that we get clinically appropriate and clinically safe access to medicinal cannabis for those groups of patients, but we still have significant amounts of work to do. We are hopeful that in 2017 we are able to deliver some modicum of improvement to the quality of the lives of those children who suffer the incredibly debilitating effects of things like severe epilepsy and Dravet syndrome.

There are many who deserve thanks and gratitude in this journey, but I would not be doing my job properly if I did not pay tribute to the wonderful Cooper Wallace, known as Super Cooper. I know the member for Yan Yean is a big supporter of Cooper and his family, but in particular I acknowledge Cooper's family who were faced with the unenviable choice of either engaging in an activity that was potentially illegal in getting Cooper access to medicinal cannabis or watching him continue to degenerate. They backed the interest of their child. They did it with some risk and they then set in place, I think, an unstoppable momentum on the issue of bringing medicinal cannabis, its legality and its access into the modern century. So I am deeply honoured to have had the opportunity to meet with them.

It is Cooper's resilience and the resilience of that family that I will certainly keep front of mind as the Minister for Agriculture and I continue to climb the mountains that need to be climbed in order to get this scheme up and running. I wish the bill a speedy passage through the house — it cannot come soon enough — and I once again express my gratitude to the Parliament for bringing an open mind to this incredibly important issue.

Again I would like to pay tribute to the Premier, who was a supporter and a believer in this at a time when it was not so popular. He has done a fabulous job getting this on the mainstream political agenda. I am really delighted to be a member of a government and a member of a Parliament that has backed that vision in.

Mr WAKELING (Ferntree Gully) — I wish to contribute to the debate on these amendments that are being proposed to the Access to Medicinal Cannabis Bill 2015. I have a sense of déjà vu when I talk to these amendments, because it was not that long ago that we stood in this house to debate the original bill. At that point I stood and highlighted to the government that the federal government was already working towards the speedy implementation of its own bill, which, once introduced and passed through the federal Parliament,

would require this Parliament to revisit this bill with a number of amendments. Now, shortly after the passage of the original bill, we are faced with 426 amendments to it.

When they sought to introduce and pass the original bill regarding this issue, government members were fully aware that the federal government was not only talking about the creation of a bill but was actually well advanced in the establishment of and drafting of that bill. The government was well aware of the fact that the bill was going to be passed shortly in the federal Parliament. The government was already made aware of that through the federal government. We made the government aware of that fact during the second-reading debate in this house. I said that shortly we will be facing a series of amendments to deal with this issue, and that is exactly what we have before us today. This is a government that in a need to push through the bill without working with the federal government on its piece of legislation is now having to face 426 amendments on this issue.

The other point I wish to make is that I would like to congratulate the work of Mary Wooldridge, a member for Eastern Metropolitan Region in the other house, for her push on the issue of clarifying and providing certainty on the issue that this product will not be able to be consumed in a form that can be smoked. It was an issue on which the government had not provided certainty or clarity, and opposition members had intimated that this issue needed to be sorted out. The government has now seen fit to agree to that provision, which Ms Wooldridge has seen fit to change. I congratulate her for her work, but again I wish to place on record that when I spoke on this bill not long ago in this place I said we would be back here dealing with this issue.

Government members were ignorant of the fact that they were going to have to face this situation shortly after they saw fit to proceed in the manner in which they did. They said they would not be dealing with these changes in the short term, but that is exactly what happened and that is exactly why we are here today dealing with the amendments before the house.

Mr CRISP (Mildura) — I too rise to speak on the amendments. The Nationals certainly support the amendments, and I want to echo very much the words of the member for Ferntree Gully about the predictability of this process. However, ‘We have what we have’ is a saying I inherited from Peter Ryan, a former Leader of The Nationals and this is very much about getting on with the job. I think some of the warnings that we gave during our speeches have been

well heeded, and particularly on the smoking issue. It was an issue of concern to many people to ensure that we did not leave that loophole. We do need to move on now and get on with clinical trials, but I think it is very important to understand what the federal government has done in this space and how that will impact in some of the longer term ways we go about making this drug available to those in our communities who are in need. Again we are doing what we do best: we fix things up as we go. I certainly commend these amendments to the house.

Motion agreed to.

TRANSPARENCY IN GOVERNMENT BILL 2015

Second reading

Debate resumed from 10 December 2015; motion of Ms ALLAN (Minister for Public Transport).

Mr M. O'BRIEN (Malvern) — I am pleased to rise to speak on the Transparency in Government Bill 2015, an Orwellian piece of legislation if ever I have seen one. It reminds me of the old Orwell novel *Nineteen Eighty-Four*, in which the Ministry of Peace is in charge of war, the Ministry of Truth is in charge of lies and the Ministry of Plenty is in charge of famine. So here we are with the Transparency in Government Bill 2015. Do we expect transparency from this current Labor government? The answer when we look at the track record is a resounding no.

The ABC — a very objective body, as I am sure all members would agree — recently did a fact check. This is relevant, because this bill is about providing a new legislative framework to allegedly ensure the timely and regular release of government information concerning the performance of Victoria’s ambulance and fire services, public health services and denominational hospitals.

Where does the Premier stand when it comes to transparency, and indeed honesty and accuracy, when it comes to health? Well, here is a fact check that was undertaken by the ABC — and this is from its website, which was updated at 10.07 a.m. on Friday, 8 April 2016. The article is headed ‘Fact check: Has the Coalition taken billions of dollars from hospitals and not put it back?’ It states:

Have billions of dollars been taken from hospitals by the current government and not put back? ABC Fact Check takes a closer look.

Of course this is testing the claims of the Premier, and it says:

The verdict

Mr Andrews is exaggerating.

Who would have thought that? Unfortunately it is not just in relation to that particular claim that the Premier is wanting when it comes to transparency on these matters. Labor governments — both the current one and its predecessors, in which a number of ministers, including the Premier and Deputy Premier, were ministers — have got an appalling record when it comes to manipulation of data and inaccuracy which has misled the public.

Who cannot recall before the 2010 election the then Minister for Police, now the Deputy Premier, standing up there with Simon Overland, the then Chief Commissioner of Police, proudly and loudly proclaiming new crime data which apparently showed a huge decrease in crime in Victoria? Nobody believed it, because that was not the experience of Victorians. Victorians knew then, as they know now, that Labor is a government which is soft when it comes to law and order. But that did not stop the then Minister for Police and the then Chief Commissioner of Police standing up with a set of dodgy numbers and dodgy statistics, loudly proclaiming that this had actually demonstrated that crime had fallen in Victoria.

It was only after the election, an election that the Labor Party lost, that the truth came out, and the truth is that those statistics were wrong, were unreliable and therefore should never have been released. It is very much to the discredit of the then Minister for Police, the now Deputy Premier, that those statistics were released on the eve of an election in an absolutely callous attempt to mislead the Victorian public.

Of course it took a coalition government to establish the Crime Statistics Agency, an independent agency, to take the politics out of crime statistics to ensure that Victorians could have confidence that the data that is put out there, be it telling a good news story or a bad news story, is accurate, because Victorians deserve nothing less than to know the real state of our state and to know the performance of publicly funded institutions, be they police, be they hospitals, be they ambulances or be they the fire services.

Of course specifically on the issue of health, unfortunately, there is a very, very concerning track record when it comes to these matters. Back in 2007 the then opposition raised concerns with the Minister for Health at the time, now the Premier, about

under-reporting when it came to hospital waiting lists, about misclassification when it came to hospital waiting lists and about manipulation of data and statistics when it came to hospital waiting lists. This was all denied by the then Minister for Health. It took some time, but ultimately the truth did come out. I refer to an *Age* article of 19 March 2009, written by Nick McKenzie and Richard Baker, a couple of very well regarded journalists who are known for shining a light into dark places in all sorts of places. That article is headed 'Royal Women's called in over lists', and it starts:

The Royal Women's Hospital told the Victorian government last month that it had submitted false data about waiting lists, prompting accusations of a high-level cover-up.

The revelation of the hospital's admission to the Department of Human Services that it had reported incorrect waiting lists comes days after health minister Daniel Andrews said he was not aware of any evidence to suggest hospitals had been manipulating lists.

In a series of dramatic developments last night:

Mr Andrews's office said that executives from the Royal Women's would be called in today and asked for an 'urgent please explain'.

The department said that what the Royal Women's had tried to pass off as 'clerical data errors' last month was in fact 'manipulation of the data'.

So we have a very fine hospital, the Royal Women's Hospital — and I think many of us in the chamber would have had experience with it — but this hospital was manipulating data, and there was the Minister for Health at the time, the now Premier, acting like Pontius Pilate, saying, 'This has nothing to do with me. I'm washing my hands of it. I know nothing about it'. The article goes on:

Departmental sources told the *Age* that senior Royal Women's executives had advised the government on 23 February that the hospital's elective surgery waiting list rating of 100 per cent was false, and that its actual performance was 20 to 30 per cent below that.

So we have a public hospital in this state, while the now Premier was health minister — and he was ultimately responsible for the actions of those hospitals — deliberately lying to Victorians about the state of waiting lists. We had the now Premier, the then Minister for Health, saying that it had nothing to do with him. That led to an article in the *Age* of 20 March 2009 — in fact an editorial — headed 'Health minister's denials are becoming a sick joke'. It quotes the then health minister's spokesman:

We are not aware of these claims, and anyone with information or evidence that this is happening should come forward so it can be investigated ...

Have we not heard those lines before? Any time there is an allegation of illegal activity or impropriety or corruption all we hear from this Premier is, 'If anyone has got information, they should come forward'. So whether it is the dodgy Construction, Forestry, Mining and Energy Union and the Labor Party or whether it is dodgy red shirts funded out of taxpayer-funded parliamentary budgets it is always, 'Well, I'm not going to look into it. I don't think anything is happening, but somebody else should do something about it'. This editorial notes:

Mr Andrews yesterday ordered an audit of the hospital, but not of data manipulation across the system. This is what hospital insiders have been alleging since Mr Andrews took over the health portfolio in August 2007.

The editorial quotes a registrar with Southern Health, Dr Andrew Buck, as saying that the crisis was 'being allowed to escalate unchecked purely so the hospital could receive a funding bonus'. The Australian Medical Association said it looked as if 'patient safety is coming second to the hospital budget'. The editorial goes on. This was an issue which did not go away, and it did not go away because the honesty and the integrity of hospital data are critical to public confidence in the hospital system.

An article dated 31 March 2009 headed 'Hospital lied over wait lists' says:

The Royal Women's Hospital has been systematically lying about its surgery waiting list for almost a decade ...

That was the decade that Labor was in office. This is a 2009 article saying that this hospital had been lying about its surgery waiting lists for a decade, while Labor was in. I do not think you need to be much of a conspiracy theorist to work out that two and two sometimes does make four. This is an article which again sets out the level of distortion which had been going on in public hospitals under the then health minister's — the now Premier's — watch. It went on. On 2 April 2009, again in the *Age*, was an article headed 'Losing patients', which said:

... for the past year, the state government turned a deaf ear to such claims, and denied there was evidence of any problems in official hospital data.

Meanwhile, voices on the ground were telling a different story ... they described how hospitals were adopting various ingenious practices to paint a rosy, untrue picture of the state of the system.

...

Another voice dobbed in a hospital that cheekily got health department funding to put TVs in a corner of the emergency department so they could call it a hospital ward and 'admit' patients for treatment by wheeling them across the room.

Putting up TVs in the corner of a room so you could call it a ward and wheeling patients across so that you could 'admit them' — well, it would be a sick joke if people's lives were not affected by this. It would be a sick joke if it was not for the fact that thousands upon thousands of Victorians were being told the hospitals were working well when the hospitals were a shambles. Victorians who deserved to get treatment were being denied that treatment because of the deliberate manipulation and the deliberate rorting of hospital waiting list data under the nose of Daniel Andrews as health minister, and that is a disgrace. That is an absolute disgrace.

I am happy to go on and refer to *Stateline Victoria*. Remember the days when we had half an hour a week where you could have a current affairs program focusing on Victoria. I would have thought all members in this house — —

Mr Carbines interjected.

Mr M. O'BRIEN — Tamara Oudyn, if you are interested. If you want to have a go at Tamara Oudyn, I welcome you doing that, but I have great respect for Ms Oudyn. I think she is a very good presenter. Backing down, are we, Mr Carbines? Thank you very much.

It is a shame, though, that we do not have half an hour a week on television that can be devoted to examining issues that matter to Victoria. I think that is a loss to this state; it is a loss to public life. I said it at the time, and I think I was joined by my opposite number, the now Treasurer. It is tragic, I think, for the body politic in this state that we do not have just half an hour a week devoted to some sort of in-depth look at issues that matter to this state and public affairs. But I digress.

The transcript of this broadcast from 3 April 2009, with Tamara Oudyn as presenter, reads:

Hospital waiting lists have always been a vexed issue for governments ... But the revelations this week that the numbers themselves can't be relied on and that some hospitals have been submitting false waiting list information has left the government's credibility on the issue in tatters. Health minister Daniel Andrews has struggled to counter claims that he ignored a series of warnings.

The presenter went on:

It started with audit results confirming the Royal Women's Hospital has been fudging its waiting list figures for a decade, and from there, it's been a steady avalanche of damning revelations about the state's public hospital system.

... The health minister's denials at the time that there was no evidence worth investigating have come back to haunt him.

... the Auditor-General's report on the performance of public hospitals confirmed that data capture across Victoria's public system is seriously flawed. The report examined emergency departments and the collection of data around elective surgery waiting lists at the Royal Melbourne, the Royal Children's, Dandenong and Latrobe hospitals. It found ... the hospitals inconsistently interpreted reporting rules, data capture methods were susceptible to error, and the accuracy of some data was impossible to check ... This means incorrect data can go undetected. In one hospital, data manipulation had occurred'.

...

All week, the health minister has maintained he wasn't aware of the extent of the problem and that he's outraged by what's emerged.

Tamara Oudyn continued:

... a constant theme was that the misreporting was an open secret and that overstretched hospitals were telling the government what it wanted to hear in order to avoid fines and maximise their share of a \$40 million bonus pool.

... manipulation of emergency department data was commonplace and prompted by political pressure to meet key performance indicators.

I could go on with that report. It is a damning report on the extent to which hospital waiting list data was manipulated and miscounted and Victorians were lied to. This was not just political spin. This had real consequences, because without a true understanding of the depth of the crisis that the hospital system was in in 2009, how would governments know there was a need to put more money into it? This was something that eventually came out.

I should briefly place on the record some of the comments from the Auditor-General's report of April 2009, *Access to Public Hospitals — Measuring Performance*. The Auditor-General at the time was Des Pearson. Mr Pearson said in his foreword:

Given that access indicators are a core part of the accountability framework under which hospitals operate, it is most concerning that the audit found fundamental flaws both with data accuracy and the rigour of data capture processes ... Nevertheless, the data collected must be reliable. Unfortunately, it is one of the findings of this audit that the reliability of access performance data by public hospitals cannot be assured.

This is unfair, both to those who diligently capture the data, and to the community who are entitled to credible information about this critically important part of their health system.

However, much more worrying were instances of admitted data manipulation to meet indicator targets. This is highly improper and other recent public admissions serve only to confirm and amplify the audit findings.

This was a damning indictment by the Auditor-General on the state of Victoria's public hospitals under the

former Labor government and under Daniel Andrews as health minister in that former Labor government. So, Acting Speaker, you will excuse me if I take a bit of a jaundiced eye to this current bill, because the government has had plenty of opportunities to be up-front and honest about hospitals and waiting list figures and it has been found very much wanting in the past.

When we examine this current bill, what immediately seems apparent is that while this bill purports to increase accountability and increase the transparency of data released so that the media, the public and others can get a better picture of what is happening in our public hospitals, ambulance services, fire services and even some denominational hospitals, the truth seems to be a little bit different.

One of the concerns the opposition has is that emergency response time performance data, which is to be published on a quarterly basis under part 2 of the bill, does seem to be different to the emergency response time performance data that is currently published. For example, for Ambulance Victoria there is a range of performance data relating to average first response performance and percentage first response performance — that is provided on a quarterly basis — but this is not the same measure or the same data which is required to be released by this bill. This bill provides for only 50th percentile and 90th percentile emergency response time performance data to be published. Our concern is that this change of dataset will prevent meaningful comparisons with historical data and will provide a more limited picture of government performance on emergency response measures moving forward.

We are also somewhat concerned about the ability of the relevant minister to delay the release of reports. It comes in a number of different aspects of the bill, but I will just move to clause 9(1), which provides, and I am paraphrasing to an extent, that a minister may delay the preparation and publication of that report if the minister is of the opinion that:

- (a) preparation and publication of the report by the publication date would unreasonably divert the resources of an emergency service from a major emergency ...

When I see that phrase 'unreasonably divert the resources', alarm bells go off in my head because members in this house who have been involved with FOI applications from opposition will know that 'unreasonable diversion of resources' is one of those excuses that governments of all stripes have sometimes used to avoid answering FOI applications that may be

politically embarrassing. The fact that a minister is able to delay the release of any report on the basis that in their opinion — it is not objectively ascertained by anybody else; it is just the minister's opinion — preparation and publication by the publication date would unreasonably divert the resources of an emergency service from a major emergency is something that is a cause for concern.

There is another get-out-of-jail-free card, if you like, in this bill to delay the publication of a report, and that is where prolonged and sustained industrial action has had a material impact on the capacity of an emergency service to provide the minister with response time data. This can go on, because clause 9(2) provides that:

The Minister may delay the publication of multiple reports in respect of multiple rolling information periods ...

So it is conceivable that a minister could put off the day of reckoning pretty much indefinitely while they are of the opinion — and their opinion presumably cannot be challenged; the bill does not say it has to be a reasonably held opinion; the minister just has to be of the opinion — that any of the relevant trigger clauses are met. So that is very much a concern that the opposition has with some of the detail of this bill.

We also note that Ambulance Victoria data is presently published for local government areas and urban centre localities but this bill only provides for local government area data to be published, and therefore that would appear to us to provide a less complete set of quarterly emergency response time performance data than is already published. So the question comes back to what this bill will really achieve. If the bill is mandating the publication of less data than is provided under current practice, it might be seen to be giving hospitals, Ambulance Victoria, the Country Fire Authority and the Metropolitan Fire Brigade a green light to restrict the amount of information they put out, to only have strict compliance with the terms of this bill rather than current practice, which is more comprehensive than what is provided for in this bill.

I think it would be very useful to have members of the government advise in either this place or the other place on what the practice will be. Will this bill change practice to the extent that if the community is currently getting more data from those services, it will actually lead to less information coming out? That would be an important issue that should be addressed by the government at some point during the discussion and debate on this issue.

There are also issues about statements of priorities. Part 3 of the bill provides that Ambulance Victoria and

health services must produce statements of priorities in agreement with their relevant minister to be published by 1 November each year. If a statement of priorities cannot be agreed upon, then its publication may be delayed indefinitely by the minister. Once again one would hope that there would be agreement between those bodies and the relevant minister on what the statement of priorities should be constituted of. Again there is the provision there for the minister to delay indefinitely where agreement has not been reached. That would seem to be odd, and I would invite the government at some point during the course of the debate to perhaps respond on this issue and explain why it can be delayed indefinitely.

There might be an argument to provide for an extension of time where there is ongoing discussion between the relevant body and the minister on what is in the statement of priorities, but to be able to delay indefinitely, which is certainly the opposition's understanding of how the bill operates, does seem to be well in excess of what is needed and does potentially provide the opportunity for a minister to delay putting out into the public domain information that should be put out there.

Without being unfair, I think there are aspects of this bill that could certainly be seen as being a stunt, because the data that the bill will require to be released is generally less than is currently released voluntarily and because the minister will be empowered to delay the release of data indefinitely. Given the track record, which I have mentioned, of this Premier, particularly when it comes to health data, the manipulation of health data and the covering up of health data, perhaps members opposite can understand why the opposition is not at all convinced that this bill is what it is cracked up to be, and it certainly does not appear to be living up to its title of the Transparency in Government Bill 2015.

While it would be preferable to be able to go through this bill clause by clause in this place, we know that that is not the government's practice, notwithstanding everything Labor said before it formed government about the importance of having consideration in detail of matters in the Assembly. We do know that the other place takes a slightly more forensic approach to these bills, and we do look forward to having the opportunity in the other place of testing the government's propositions on some of these clauses, hopefully to get some answers to some of the genuine questions we have put forward in the debate so far. We will consider those answers in determining how we finally approach this bill in the other place.

Mr CARBINES (Ivanhoe) — I am happy to make a contribution on the Transparency in Government Bill 2015. I thought I might start with some headlines that the Baillieu government made interstate — in fact, in the *Sydney Morning Herald* of 17 August 2012. I refer to an article that discusses an Ombudsman's report of 2012. It states:

It is disappointing that, increasingly, FOI is not complied with by departments and agencies in the spirit of the Attorney-General's guidelines.

...

... if not downright abuse, in the way the Baillieu government observes its obligations under FOI laws. Their criticisms —

being the Ombudsman's criticisms —

make a mockery of Mr Baillieu's promises in 2010 that 'accountability and transparency will be the principles that underpin our government'.

That was published under the headline 'FOI failures tarnish promise of transparency'.

On 7 August 2015 the *Age* printed an article headed 'Victoria's Freedom of Information Commissioner, Lynne Bertolini, resigns'. She was appointed of course by the previous government under its legislation. That article speaks of a damning report and refers to 'problems within her office, including questionable expenditure and underperformance'. Ms Bertolini sought hundreds of thousands of dollars worth of external legal advice from the Victorian Commission for Gambling and Liquor Regulation, where she used to work, which was considered to be questionable.

All of this speaks to the previous government's failures. There is also the sacking of its IBAC minister at the time, the former member for Kew. That is the record of the previous government when it comes to transparency in office.

I quote again from the *Sydney Morning Herald* article of 17 August 2012:

Departments and agencies seem increasingly to have forgotten that the Freedom of Information Act was ... not a means to justify delay and non-release of information based on technical, tedious and tenuous interpretations of the act.

The article further states:

That makes two reports this year — one by the Auditor-General and another by the Ombudsman — that have highlighted serious deficiencies —

under the previous Baillieu and Napthine governments when it comes to transparency.

On 16 October 2014 the *Herald Sun* printed an article headed 'Sacked senior government adviser Don Coulson to tell court of MP porn ring run from Treasury Place offices'. If we want to talk about transparency in government, I think it is important that we look at the advice of those experts who advised the former government, including former Premier Baillieu — his experts on FOI and his private office, which was paid for by the taxpayer, mind you. What was their advice on these matters? The former FOI expert from Premier Ted Baillieu's office said there were two memory sticks containing pornography circulated among ministerial advisers and MPs, including one minister. This is the record of advice and employment in relation to FOI experts in the former Baillieu and Napthine governments that led to their track record of administration of transparency in the state of Victoria.

In a media release of Tuesday, 8 December 2015, the Special Minister of State said:

Current and future state governments will never again be able to keep hospital performance data or ambulance and fire service response times secret, with tough new transparency laws introduced into the Parliament today.

I am fortunate enough that one of my constituents is former Premier the Honourable John Cain, a resident of the Ivanhoe electorate, who is absolutely the father of the freedom of information laws in Victoria, going back to 1982. He has seen the evolution and diminution of FOI laws in Victoria over many, many years. Can I say that the proposals put forward in the legislation we are debating this evening go a long way. As the Special Minister of State said:

The former Liberal government refused to release ambulance response times and hospital performance data — this legislation will ensure Victorians will now have access to this critical information.

Some of the work in the Bracks and Brumby governments, particularly in the health portfolio, included statements of priority, which were about holding hospital boards and their staff to account for their performance, for the taxpayer funds they received and for the throughput of patients that they treated. Statements of priority were something that we brought in under the Bracks government under former Minister for Health the Honourable Bronwyn Pike. We brought them in to provide accountability in health services in metropolitan Melbourne and our key regional cities. They had to meet targets and they had to publish those targets, and those health boards were held accountable for whether they delivered on those services.

Over time of course people wanted to get through FOI the details of those statements of priority — those one-on-one conversations between the minister and her hospital-appointed board — about how they would expend and what targets they would meet with taxpayers funds to treat Victorians. It made sense over time that that material was published on websites and made available to people.

Former Deputy Premier, former member for Albert Park and former Minister for Health the Honourable John Thwaites, in hospital services reports produced quarterly, provided absolutely great, detailed information right through the administration of the Bracks and Brumby governments about health services, accountability, patients treated, waiting lists for category 1, category 2 and category 3 patients, outpatient results, services and ambulance response times. That information was always made available. Under legislation there was always conflict about whether information would be made publicly available in a time frame that could otherwise be applied for and sought under freedom of information. Ultimately you end up with these cottage industries of departments having to work their way through and create these bureaucracies to manage FOI requests and detail, but over time governments evolve and you work out that what makes a lot more sense is to just put that information on the website and make it available to people.

These days you can get on the website and have a look at your local school. You can get on the web and see its performance, see how it is going, see how many students it has got, see whether it has student satisfaction and see what the results are. You can see this in hospital services as well. Providing information and making it available to people is something that all Victorian governments should strive to do. It takes a hell of a lot of pressure off the public service and the bureaucracy if you can get on with delivering services instead of the obfuscation, the management and the administration of administrivia, the provision of information and paperwork or the refusal to do that in the public service. We have seen this evolve over 15 or 20 years or even since 1982, when FOI was first introduced. Now it is all about the information and the mechanism we provide to hold ourselves accountable in this place and to make sure that that is also staying ahead of the work we are doing to provide transparency and accountability to people in Victoria.

It was a lot harder in the past, of course. People had to write letters. They had to wait for a response. Things took a long time. That is the legislation that we saw from the previous government and its FOI

commissioner, Lynne Bertolini. People had to go back to snail mail. People had to go back to their quills and ink blotters to chase information. When information is actually available on the web, it should be provided quickly. There is no need to have expansive times for people and bureaucracies to respond to requests for information when information these days can be digitally provided and should be provided on the web. We have seen a great evolution, certainly under Labor governments, in the information provided in hospital services reports, information about ambulance response times, information about patient throughput and information about schools, their performance and how many students there are. People want information. What we need to move away from is setting up these mechanisms and cottage industries to keep information from people. There are great technologies available to provide information and have public discourse. That is what this legislation is about.

What we saw and what we learnt when Labor went into opposition in 2010, where the Victorian people put us, was that to advocate on their behalf in opposition you need to access the information to hold the bureaucracy and the government to account for the way in which they treat taxpayers and the way in which they treat taxpayers funds. All of a sudden hospital services reports were not available, information about waiting lists at individual hospitals was not available and information about waiting times by local government area for an ambulance was not made available. We had to rely on our own FOI. We spent more time in courts at times than we did in the community, chasing information to defend and advocate on behalf of the interests of Victorians.

That is what changed over the four years of the previous government. Ultimately the people of Victoria held that government to account for that — its failed plans around its FOI commissioner and its extended times and increased costs for people to get information that they as taxpayers have every right to have. Ultimately if you want an effective bureaucracy and an effective public service, you need to have them transparent and held accountable publicly for their performance and the way in which they expend taxpayers funds on the services they provide. The previous government refused to do that. In this bill we are making sure that we are all held accountable for the expenditure of taxpayers funds. I commend the bill to the house.

Mr NORTHE (Morwell) — I rise this afternoon to speak on the Transparency in Government Bill 2015. It was interesting to listen to the member for Ivanhoe, who did not speak about the bill too much. As a lot of

his attention was directed at the previous coalition government, which was good to hear, I am not sure how much substance the bill has. It is a bit of an oxymoron, in some sense, to be talking about transparency in government. The member for Malvern raised some points that I will take up.

To commence my contribution to the debate from my perspective, the bill creates a new framework to ensure the timely and regular release of government information concerning the performance of Victoria's ambulance and fire services, public health services and denominational hospitals. It provides also for the quarterly release of response times to emergency incidents attended by Ambulance Victoria, the Country Fire Authority (CFA) and the Metropolitan Fire and Emergency Services Board.

As the member for Malvern said, the bill that we have before us is interesting, given some of the history when we are talking about performance data and statistics. I agree with the member for Ivanhoe that it is incumbent on and imperative for all governments to ensure that the Victorian community has available to it that performance data. Particularly when we are talking about health and emergency services, it is critical that we have that information. That is not just from a patient point of view but also from a government and department perspective. We must make sure that we know where those particular issues might be in terms of response times, waiting lists and emergency department problems. It is critical to ensure that we have not only the information but the correct information.

In his contribution the member for Malvern referred to the early 2000s, when there was a lot of controversy about some of the health data that came through and that was found to be inaccurate. From a local perspective, at the time the Latrobe Regional Hospital was one of those regional hospitals in the firing line, so to speak, because some of the data that was presented to the Victorian public was incorrect or not factual. That caused a lot of controversy and consternation at the time. The member for Malvern also related that just prior to the 2010 election there was significant controversy with respect to crime statistics that were found to be false. One could argue whether they had an impact at that election. It certainly did not help the government of the day, including the now Premier and Deputy Premier, who were respectively health minister and police minister during those controversies. As I said, it is important that we make sure that we have not only the data but the correct data available for the public in Victoria.

The member for Malvern also raised some concerns about how the data will change, including that the way it will be provided will affect the ability to compare data with that of previous years. I think that is a handy tool not only for members of Parliament but for the community to understand where those areas are that need improvement or where improvement has already been made. It will be difficult, with the way that the data is proposed to be constructed, to compare data in the future. That does cause members on this side some concern.

The member for Malvern also raised the issue around the potential delaying of the publication of reports due to an opinion that there might be industrial action. I am not really sure that the Victorian community would consider that a reasonable argument for being able to delay providing important information to the Victorian community. From a practical point of view, it will be interesting to see how that plays out when and if this legislation does pass the Parliament.

Whilst I concede that the local government area data is critically important, one would question why we will not have the urban centre localities included as part of the data going forward. Will we have more or less data or information than there has been before, given that what is proposed is that in the future that data around urban centre localities will be abolished?

From a local perspective we have the opportunity to talk about the response data and performance data of Ambulance Victoria. I certainly want to take the opportunity of acknowledging those who work in the ambulance service in the Latrobe and Gippsland regions. On the whole they do a wonderful job. There is no doubt that it is a difficult vocation and it can be a tough vocation. We have some wonderful people in the ambulance service and paramedics in our region who do a wonderful job. In recent times a couple of locals have been honoured for more than 40 years service, which is an incredible and outstanding contribution to the Victorian community. Most of that service was in the Latrobe and Gippsland communities.

In particular I acknowledge that post the mine fire in 2014 our ambulance service officers were absolutely outstanding. In a short space of time they were able to set up a health clinic and were able to monitor a number of locals who may have experienced health issues at the time or who were concerned about their health. They did an outstanding job at that time.

From a Country Fire Authority (CFA) point of view, again, we have had some challenging and difficult times in the Gippsland region over the past 10 years or

so. The men and women, both career and volunteer firefighters, do an extraordinary job. I know all members of the house absolutely acknowledge that. When we are talking about response times from the CFA point of view, it is important that we have adequate equipment, vehicles and numbers of personnel who work out of those particular operations. I certainly want to take the opportunity to put in a plug particularly for the Morwell CFA. There is money in the budget for a new Morwell fire station. We certainly want to see that developed quite quickly. Unfortunately at this point in time the government has not found a site for that station to be built on. The career and volunteer firefighters at that station are very keen to know when and how and if a new station will be built. That is something that the coalition put in its budget way back when. It is critical that we support our CFA career and volunteer firefighters.

From a hospital perspective, again, as I said, performance data is critical. The Latrobe Regional Hospital is really the regional hospital in the Gippsland region. It is just amazing, the number of presentations that have increased over a period of time. In the last financial year there were in excess of 130 000 patients treated in that hospital, which is significant in anybody's understanding. There were around 32 000 presentations at the emergency department. The growth at the hospital that has been experienced over the past few years is just incredible. Whilst there will be issues from time to time, of course, on the whole everybody associated with the hospital does a wonderful job.

Both state and commonwealth governments made a contribution some time ago to the Gippsland Cancer Care Centre that is on site there. That is a wonderful facility. People in our region who have cancer can be treated locally rather than having to go to Melbourne. That has been a significant advancement.

I must say that one of my proudest moments as a member of Parliament was when in the 2014 budget we were able to announce \$73 million for part of stage 2A of the Latrobe Regional Hospital. The development will include a significant increase in bed capacity, a new emergency department and some services that will allow local patients to be treated in our local hospital rather than having to go to Melbourne. Construction is now underway, which is terrific to see. Once that particular project is complete it will be a significant benefit for patients in our region.

At the same time I again commend the staff at the hospital and all our medical services where, in the most urgent of categories, when you look at the statistics,

people are treated on time and in an urgent manner. It is a credit to all concerned that they are able to do that, particularly when you are dealing with 130 000 patients and 32 000 presentations to the emergency department. It is a big exercise, and I commend our local health workers for the work they do within our community.

Mr McGUIRE (Broadmeadows) —

Political language — and with variations this is true of all political parties, from conservatives to anarchists — is designed to make lies sound truthful and murder respectable, and to give an appearance of solidity to pure wind.

This is what George Orwell wrote in 1946 in his famous essay *Politics and the English Language*, and he went on to say:

One cannot change this all in a moment, but one can at least change one's own habits, and from time to time one can even, if one jeers loudly enough, send some worn out and useless phrase — some 'jackboot', 'Achilles heel', 'hotbed', 'melting pot', 'acid test', 'veritable inferno', or other lump of verbal refuse — into the dustbin where it belongs.

This has been a long-contested argument: language, politics, truth — they are the key issues. We have heard in this debate in the contributions this evening various views about the performances of different governments at different stages, their level of truthfulness, their level of accuracy and the level of spin, and what do we actually come down to in this bill? What it really comes down to is that it acquits the government's election commitment to reintroduce the Transparency in Government Bill 2015, and this is an important step towards promoting regular public reporting of performance data by Victoria's ambulance, fire and major health services. This is the critical point; this is an evolution; this is progress.

The bill establishes a framework to facilitate the release of response times and performance data by requiring quarterly release of ambulance and fire services — Ambulance Victoria, the Country Fire Authority and the Metropolitan Fire and Emergency Services Board — response times in each local government area to prescribed emergency incidents, and this is a major advance; to facilitate the annual release of performance agreements, known as statements of priorities, agreed between the Minister for Health and the boards of Ambulance Victoria, public health services — the 18 metropolitan and major regional health services, and Dental Health Services Victoria — and the three denominational hospitals, such as St Vincent's Hospital; and to facilitate the quarterly release of performance data by the public health services and denominational hospitals, measured against certain performance indicators in their statements of priorities.

The bill delivers on the government's commitment to ensure greater transparency in the delivery of health and emergency services. We have heard in this debate so far that this has been hotly contested over a long period of time. There have been arguments about hospital waiting lists, who is on the lists, what is being measured and how we address that, and also how these lists can be manipulated. We have seen — and it is on the record from the past as well — that there can be different people on different lists, so how do we actually get accuracy?

What this bill attempts to do is address the need to improve the public reporting of emergency services response times, as outlined in the 2015 Victorian Auditor-General's Office (VAGO) *Emergency Service Response Times* report. The Victorian Auditor-General's Office noted that there is limited public reporting of the actual number of minutes it takes to respond to urgent calls to the public and that a focus on only reporting high-level statewide data means that there is little understanding of how performance varies across Victoria. VAGO identified a need to report on response times in a way that government, Parliament and the public can understand, rely on and use.

So what the government is trying to establish with this legislation is that we can actually have a system where you can compare what is happening in different parts of the state and according to different categories. There will be parts of the bill that are administered by the Special Minister of State, the Minister for Ambulance Services, the Minister for Health and the Minister for Emergency Services. This will ultimately be reflected in a general order, to be issued under the Administrative Arrangements Act 1983, which will be prepared by the Department of Premier and Cabinet after the bill commences.

The purpose and the objectives of the bill are relatively simple at heart. However, the bill goes into great detail about the reporting requirements. The detail reflects the need to accommodate the operational realities and policy frameworks in which emergency services organisations operate within a unified framework. It also takes into account extensive stakeholder feedback on how the bill will operate and whether it will deliver what it is attempting to achieve. It comes down to key definitions as you actually analyse the bill.

The next proposition is: what does a response time mean? The response time for an emergency incident is the time taken from the receipt of a call by the Emergency Services Telecommunications Authority until an appliance of the relevant emergency services

agency arrives at the scene of that emergency incident. That drills down into what the measurement is and how we actually analyse that, what the period of time is for whichever data will be published, how that works, where it will be published, what the level of access is and what then become the performance indicators for health services.

This is a major advance and a way of trying to get a more accurate assessment and a more realistic view on what is happening within the emergency services and to provide it to the public. We have had the member for Malvern arguing about how we can trust this. In the course of this debate through this chamber and the upper house we need to respond to some of the questions he has raised. I think that the emergency incidents that response times will be reported against will be specified in regulations to be made after the bill's passage. Examples may include fire services responses to structure fires and ambulance services responses to code 1 incidents such as cardiac arrests and heart attacks. The types of emergency incidents will be specified in the regulations rather than the bill because this provides greater flexibility to adapt to the operational environments of each emergency service and any changes in incident categorisation. The performance indicators against which health services' performance will be reported will be specified after the bill's passage in a notice issued by the minister under clause 17 of the bill.

The performance indicators will be specified in the notice rather than in the bill because this provides greater flexibility to reflect any changes to the performance indicators that are included in statements of priority. I am giving a fair bit of detail just to try to answer some of the issues that have been raised. The bill only applies to the 12 metropolitan health services, six major regional health services, Dental Health Services Victoria and the three denominational hospitals, which have statements of priorities, such as St Vincent's Hospital. Most other health services are small rural health services that are not intended to be covered by the bill. The reasons for that are that many performance indicators that are to be reported on, such as elective surgery or emergency services, apply to services that the smaller health services rarely or never offer. The second reason is that there is a concern that these services are too small to deal with the administrative burden associated with reporting.

There is a lot of detail that the government has provided. There are still debates over how this will play out. This is an issue to be examined and deconstructed over the passage of time once the bill has passed and once the structure is operating. It can then be examined

after it is up and running. As I said in opening, there has been cynicism about these issues for generations. We used to have much better scrutiny, I believe, in the public interest when we actually had a nightly current affairs program that did investigative journalism. There was much better scrutiny and accountability, and we used to have public debates between different MPs on the television when you could see them being put to the test. But those days, even for the national broadcaster, the ABC, have come and gone, and I think that is unfortunate.

Just while I am commenting on the media, I would like to acknowledge the performance of the fourth estate, particularly in relation to child sexual abuse. What they were able to do in uncovering that, getting to the heart of the matter and exposing that over a long period of time was absolutely in the public interest, and I hope that this bill will prove to be in the public interest too.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Jindivick tourism signage

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the Minister for Roads and Road Safety. The action I seek is for the minister to direct VicRoads to place directional signage for Jindivick on the Princes Freeway at Sand Road. The Sand Road intersection is currently being upgraded with the construction of a flyover over the Princes Freeway. This project has been a long time coming. It has been a black spot intersection for many years. The Sand Road overpass project was funded by the state coalition in its 2014–15 budget with \$8 million and supported with federal funding of around \$25 million in the same year. The project is well under way and should be completed later this year.

The Jindivick community has been concerned about the lack of tourism signage directing visitors from the Princes Freeway to Jindivick for many years, and the interchange development at Sand Road provides a great opportunity for this issue to be addressed. Jindivick has a small but very active and vibrant community. The people of Jindivick and surrounds have proven to be amazingly resilient in the way they recovered from the 2009 Black Saturday fires. While the township was not directly impacted by the fires, the local businesses suffered enormous loss of income immediately following them. Jindivick businesses and events depend

on visitors from beyond the immediate vicinity to be viable.

The Jindivick Progress Association has initiated a petition to draw the attention of local and state governments to the need to increase awareness of the attractions it offers and the benefits that appropriately located signage could have on visitor numbers to its town. The progress association has approached VicRoads but to date has been unsuccessful with its requests for signage. The petition contains 242 signatures and gives a clear indication of the concern local residents and business have on this issue. I congratulate Graham Duell and his committee for taking the time and showing the initiative to mount a petition and for providing me with a copy. I believe they have also provided a copy to the Minister for Roads and Road Safety and the CEO of VicRoads.

In summary, I urge the minister to support the Jindivick Progress Association's request for directional signage at the Sand Road interchange that could be installed as the finishing touches are made to this project later this year.

Sandringham Hospital

Mr RICHARDSON (Mordialloc) — My adjournment matter is for the Minister for Health. The action I seek is for the minister to visit Sandringham Hospital, which services my electorate, to discuss and understand the effects of cuts by the federal government to its services to our local community. Sandringham Hospital is a significant hospital in my area, along with Monash hospital and the Frankston and Dandenong hospitals. It is a key service provider. Its emergency department supports more than 30 000 people in our region. With the City of Kingston expected to grow between 15 per cent and 20 per cent in the coming 10 years, it will be even more critical longer term.

Currently we face the avalanche of federal health cuts that continue to crunch our services. The latest has been an attempt by the federal government to claw back \$73 million that has already mainly been spent in the financial year. That will directly affect patients in my electorate. It is a great shame that the federal government's future cuts to funding, which were reported in the *Age* last year, could be equivalent to the closing of two hospitals. That is the gravity of those cuts. The federal government cannot walk away from health like it has tried to walk away from public education. We have seen the Prime Minister, Malcolm Turnbull, reported as being keen to walk away from state services that his government has a big say in funding. Victoria says no, and everyone in this place

and in our community needs to put Victoria first in every element, because these cuts will have devastating effects on our communities.

We have launched a petition to try to challenge those federal cuts, but to get a greater understanding of how this will affect my community it is important that the minister come down to discuss this with Sandringham Hospital. Today I call on Sussan Ley, the federal Minister for Health, and the Prime Minister to reconsider some of those longer term effects.

The Victorian government in its announcement over the weekend is investing in elective surgery, investing more in our hospitals. This is the biggest boost yet to elective surgery funding, with \$335 million. You could not get a greater contrast between what Labor does when it is in government — that is, invest in health, invest in our public health system and invest in our hospitals — and what the federal government does, because it has form in this space in cutting health services. Where have we seen that before? We saw that from the Baillieu and Napthine governments, which devastated our health system and treated it with utter contempt. In conclusion I ask the Minister for Health to come to Sandringham Hospital with my colleagues to speak about some of those impacts and how we can better support our community.

East Gippsland community ice action funding

Mr T. BULL (Gippsland East) — My adjournment matter is for the Minister for Mental Health, who I am very pleased to see in the chamber this evening. The action I seek is for funding to be provided past this financial year for the East Gippsland Primary Care Partnership ice prevention working group which, as the minister would be well aware, was funded under the community ice action group grants. This is one of many groups from around rural and regional Victoria that was successful in obtaining a \$10 000 grant to establish local solutions in the fight against ice. In East Gippsland this has resulted in a range of agencies coming together to form the ice prevention working group. I see the minister is taking notes. The funding runs out at the end of this financial year, and this group, like many others that have been established around the state, is seeking clarity on its future, which of course is dependent on this ongoing funding.

Having attended some of the group's meetings, I can assure all that it is making a difference in the community, and this funding needs to continue. I consider \$10 000 to be quite minimal. In fact the group cannot afford with this amount of money to undertake some of the quite simple administrative work required,

so while we do want the money for the group to continue, the minister might also look at increasing the limit that a group can apply for beyond \$10 000. I certainly hope that this process does not have to go through an annual reapplication by these groups that are delivering a lot to their communities, because this only creates ongoing uncertainty for them.

So I ask the minister to ensure that the community ice action group grants continue past this year for all the groups around the state that are involved and to allow those groups that have already commenced operations and are doing some extraordinarily good work in their communities to be able to reapply and gain some security of tenure.

Moreland early years services funding

Ms BLANDTHORN (Pascoe Vale) — My adjournment matter is for the attention of the Minister for Families and Children. The action I seek is that the minister meet with the Moreland City Council regarding early years funding and services within the Moreland area. According to Moreland there are statistically less maternal and child health key stage visits at three and a half years than the Victorian average — 59.4 per cent compared with 66.5 per cent. Also according to Moreland there is lower kindergarten participation than the Victorian average — 91.7 per cent compared with 98.2 per cent. According to the Australian early development census, children in Moreland's northern suburbs have significantly less developmental vulnerability on one or more and two or more domains.

These are also very culturally diverse communities, and language and cultural barriers contribute to the complexity of the needs of the children in this area. So across my electorate, but particularly in the northern suburbs of Glenroy and Hadfield, there is a significant number of children who experience disadvantage, and I would appreciate if the minister could meet with the Moreland City Council and me to discuss these issues.

Country Fire Authority Healesville brigade

Ms McLEISH (Eildon) — I rise tonight to make a request of the Minister for Emergency Services. The action I seek from the minister is for her to fund a new Country Fire Authority (CFA) station at a new location in Healesville in the coming budget. I think the minister needs to show her support for the 100 or so CFA volunteers at this brigade who give their time freely and willingly to support their local community and keep it safe. The coalition was acutely aware of the need for a new station at Healesville, and prior to the 2014

election it made a commitment to the value of \$1.75 million.

It is very clear that the brigade has outgrown its space. It has what would have been an exceptionally good station, which was built in the 1980s; it is still able to be the communications and coordination hub during big fires. I recall a couple of years ago visiting when it was actually quite a busy time, with people and tankers mixing dangerously with each other. There are no change rooms there, and that is a key requirement these days. The members actually have to put their gear on in the narrow spaces between the tankers or between the tankers and the wall. The situation is really unsatisfactory. The station has also been built to the property boundaries on Crowley Road, there is absolutely no room to expand and it is in a very busy part of town. It is on a bend in the road, and there are double lines, so this is really a disaster waiting to happen. This station does about 100 call-outs per year, and the brigade has an absolutely wonderful history of 120 years of firefighting. It is just staggering to think of some of these small country towns and what they have done for so long. Given Healesville itself is 150 years old, the brigade has been there for the best part of its history. The brigade has fought some of the most significant fires in this state's history, including 1939 and Black Saturday.

The coalition made many improvements to fire services in the Yarra Valley. There are two fire refuges, and the one at Millgrove has incorporated a new station. There are other new stations at Hillcrest, Yellingbo, Warburton and nearby at Toolangi and St Andrews, plus we had a chopper located there. There is so much that was done in the Yarra Valley, and the Healesville station was next on the list.

The Yarra Valley did escape quite well during the last fire season. There were very few fires, but that does not necessarily mean that the future is going to look like that. This new station would better protect Victorians and certainly the people of the Yarra Valley.

I know the brigade captain, Graham Bates. He knows that the station no longer meets requirements, and the people of Yarra Valley deserve better. The minister should not just take it from me. I urge the minister to listen to the captain or better still visit the brigade to see for herself how imperative it is that now the next upgrade in the Yarra Valley is made to the Healesville station. I urge the minister to provide the funding for it in the coming budget.

Family carer award

Mr PEARSON (Essendon) — I raise a matter with the Minister for Housing, Disability and Ageing. The action I seek is for the minister to attend a function at Parliament House for Mulu Mihreteab, who was recently announced as national winner of the family carer award, to recognise her fantastic contribution to our community.

I have known Mulu for approximately 10 years. Mulu is a single mother of six children. Her youngest child, Heaven, is severely disabled and requires around-the-clock care. Heaven lives with a range of medical conditions, including quadriplegic cerebral palsy, ventricular septal defect and congenital CMV infection. Heaven requires constant supervision and is unable to walk, talk or feed herself.

Despite all these challenges, Mulu has been a terrific role model for her other children and is a magnificent contributor in our community. Hosting an afternoon tea for Mulu and her family is a small way in which I can acknowledge my appreciation for the role that Mulu plays in our community, and I would be delighted if the minister could drop in and meet Mulu.

Hazelwood power station

Ms SANDELL (Melbourne) — My adjournment matter is for the Minister for Energy and Resources. I am asking the minister to write to the new CEO of Engie, Isabelle Kocher, to ask her to work with the Victorian government to take all necessary steps to responsibly and quickly close down the Hazelwood coal-fired power station. I ask the minister to invite Engie to instead invest in renewable energy in our state.

Engie, formerly known as GDF Suez, owns a majority stake in Hazelwood, which is Australia's dirtiest coal-fired power station. Ms Kocher will take up the new role as CEO of Engie in May, just next month, and I urge the Victorian government to use this occasion to reach out to Engie to secure the closure of Hazelwood and a fair and well-funded transition plan for workers and for the local community.

Action on coal and climate change is urgent, as we know, and Hazelwood alone produces nearly 3 per cent of Australia's total emissions. If we have any hope of keeping the global temperature rise below 1.5 degrees, as was agreed at the UN summit in Paris last year, we must urgently make massive cuts to our greenhouse gas emissions. I heard at a recent public meeting in the Latrobe Valley that Hazelwood representatives have confirmed plans to keep operating all eight units until

2025 and then four units until 2032 or longer. But for the sake of our future, our children's future, our grandchildren's future and the health of the people in the Latrobe Valley, we simply cannot allow our dirtiest coal power station to keep polluting for another 9 years, let alone another 16 years.

As she prepares to take over at Engie, Isabelle Kocher has made some very promising statements about leading the world in renewable energy. A few months ago she launched Engie's terrawatt initiative, aiming to install 1000 gigawatts of solar energy by 2030. She describes solar as the energy of the future, and that is a future that Victorians really want to be part of. Given its public commitment to renewable energy, owning the dirtiest power plant in Australia must be somewhat of an embarrassment to Engie, especially given the terrible health impacts of the Hazelwood mine fire on the local community.

Therefore this is the perfect opportunity for our government to begin the process of replacing our polluting brown coal generators and to ensure, instead of abandoning the community when Hazelwood becomes too much of a liability, that Ms Kocher and Engie support proper mine rehabilitation and the creation of new jobs in the valley. I look forward to the Andrews government and the minister working with Engie to bring us into the 21st century and make our future renewable.

Valkstone Primary School

Mr STAIKOS (Bentleigh) — My adjournment matter is for the attention of the Minister for Education, and it concerns Valkstone Primary School. The action I seek from the minister is that he ensure that the detailed design for the second stage of Valkstone's redevelopment is funded in the coming budget.

As part of the 2014 budget, my predecessor in Bentleigh announced \$3.5 million for the rebuild of Valkstone Primary School. That was unexpected but also very welcome. It has, however, since emerged that this was at least \$2.5 million short, and the school has been left in a state of limbo. I have had a number of discussions with the principal, the school council and many families about this, and it is clear that what they want is to be able to 'do it once and do it right' rather than rebuild half the school, which would not be a good outcome.

The action I seek is that the minister ensure that Valkstone can go to the detailed design phase for stage II, and I look forward to a fantastic new school being completely rebuilt.

Deakin University Warrnambool campus

Ms BRITNELL (South-West Coast) — My adjournment matter is for the Minister for Education representing the Minister for Training and Skills in the other place. The action I seek is that the minister call on the chancellor of Deakin University and the Deakin University council to meet with the Deakin University Warrnambool campus working group to discuss the claim that a Warrnambool campus is not viable and the economic business case on which Deakin University based its decision.

I have never seen a community more outraged and motivated than I have seen right now in the South-West Coast region. The recent announcement made by Deakin University to exit the Warrnambool campus has seen people stepping up in numbers. The first public meeting was overflowing. I have received delegations of current and former lecturers and professors, students past and present, and businesses that employ graduates, including accounting and solicitor firms and the hospitals from across the region. The mayors from all the local government areas are calling me daily. Further, at the request of the community, I have written to the chancellor and the Deakin council to seek a meeting with community leaders. They want to be given the opportunity to present their case.

My community is concerned that the figures and data presented to the community as the rationale for this closure are not correct. I have seen data that challenges the facts being presented by Deakin. It challenges the reasons behind the campus being considered unsustainable. Further, some believe this data is only the result of a 'decline by design' approach, and the priority to build an internationally recognised research reputation at the expense of the regional students' experiences and student outcomes is believed by the community to be the driver behind the agenda.

The silence from the Minister for Training and Skills has only fuelled the community's outrage. I called on the minister more than two weeks ago, but he has ignored my invitation to engage with me. I ask the minister to come out from under his desk, visit the region and talk to my community. Given that two years ago the state gave Deakin the funds to build new accommodation for students at Warrnambool, if the campus has been such a bad performer, does this not fly in the face of the demand for student accommodation?

The Labor Party claims to care about education, and it made many statements before the election that it would open campuses. Why are those opposite now so silent when country kids are at risk of being denied future

tertiary education opportunities, which Deakin built in our region with state money? I say to Minister Herbert: you have a job to do — get on and do it. I call on the minister to take action and organise this meeting.

Midland Highway–East Street, Daylesford

Ms THOMAS (Macedon) — The adjournment matter I wish to raise is for the attention of the Minister for Roads and Road Safety, and the action I seek is that the minister fund a much-needed long-term traffic management solution for the intersection of the Midland Highway and East Street in Daylesford.

Last week I joined with the Hepburn Shire Council mayor, Neil Newitt, to announce \$35 000 to fund improved signage, including electronic warning signs, better road marking and some tree trimming. While this funding is appreciated, the minister knows, VicRoads knows and I know that much more needs to be done. The feedback on my Facebook page is very clear: a long-term fix is needed and it is needed now, with the community overwhelmingly preferring a roundabout. Tonight I join with my community in calling on the minister to fund a roundabout for the Midland Highway and East Street intersection in Daylesford.

I am in no doubt that drivers need to change their behaviour and slow down on our country roads, and I know the minister is doing all he can to support this change in driver behaviour. But one of our particular challenges is that thousands of tourists, who are unfamiliar with our roads and with this intersection in particular, flock to Daylesford each weekend. Patrons and staff at the Farmers Arms tell me of both the crashes and the near misses that are happening too regularly at this intersection. The minister is a frequent visitor to my electorate, and I thank him for that. I hope that he can take into consideration the points I have made when finalising funding priorities for 2016–17. Again, I call on the minister to fund a roundabout for this intersection.

Responses

Ms HENNESSY (Minister for Health) — I thank the member for Mordialloc for his adjournment request. I know the member for Mordialloc is a terrific advocate for the health and wellbeing of his local community. I would be absolutely delighted to join him at Sandringham Hospital, which I know is much loved by its patients and also by the member of Mordialloc's community. I look forward to spending some time with the member for Mordialloc at Sandringham Hospital. That will also be a fabulous opportunity for us to showcase and highlight the wonderful investments that

the government announced just this very weekend in the member for Mordialloc's community.

Mr FOLEY (Minister for Housing, Disability and Ageing) — I firstly respond to the member for Essendon's adjournment matter, and indicate that I would be more than happy to come along to the meeting he has organised in celebration of the national carer of the year, Mulu Mihreteab, who is a constituent of the member for Essendon. She is by any measure the kind of person that we as a community need to celebrate. I think of the struggles that this woman has gone through as a migrant to this country and as a single mother of six. Indeed the youngest of her children, Heaven, is severely disabled and requires around-the-clock care. It is something that I would be honoured to join the honourable member for Essendon in celebrating. I look forward to coming along and meeting the family as soon as possible. I acknowledge that without the role of carers and without the sort of support that carers provide to people with disabilities, as well as across our wider community, we would be much the poorer.

In terms of the honourable member for Gippsland East's adjournment matter regarding community ice action groups, I can assure the member that that program is certainly continuing. I take the request from the honourable member on notice and undertake to give him a response as soon as possible with regard to the specifics, but a number of community-based consortiums have come together to deliver the grassroots actions and grassroots links that make them most effective as a tool for enabling local communities to have those local real responses to the scourge that is ice. I thank the honourable member for his continued interest in this area.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — A number of other members raised a range of issues for a number of different ministers, and I will pass those requests on.

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

House adjourned 7.24 p.m.