

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Thursday, 11 May 2017**

**(Extract from book 5)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

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(from 10 November 2016)

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The Hon. TELMO LANGUILLER (to 25 February 2017)

**Deputy Speaker**

Ms J. MAREE EDWARDS (from 7 March 2017)

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

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**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

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The Hon. D. J. HODGETT

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The Hon. P. L. WALSH

**Deputy Leader of The Nationals**

Ms S. RYAN

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
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Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn <sup>2</sup>	Polwarth	LP
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McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

<sup>1</sup> Elected 31 October 2015

<sup>2</sup> Resigned 3 September 2015

<sup>3</sup> Resigned 3 September 2015

<sup>4</sup> ALP until 7 March 2017

<sup>5</sup> Elected 14 March 2015

<sup>6</sup> Elected 31 October 2015

<sup>7</sup> Resigned 2 February 2015

**PARTY ABBREVIATIONS**

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

### **Legislative Assembly committees**

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

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

### **Legislative Assembly select committees**

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

### **Joint committees**

**Accountability and Oversight Committee** — (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson. (*Council*): Mr O’Sullivan, 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, Ms Garrett and Ms Ryall. (*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem.

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

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

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

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

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

**Law Reform, Road and Community Safety Committee** — (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley. (*Council*): Mr Eideh and Ms Patten.

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

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

# CONTENTS

## THURSDAY, 11 MAY 2017

DOCUMENTS .....	1259	FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016	
ROYAL ASSENT .....	1259	<i>Council's amendments</i> .....	1280
RULINGS BY THE CHAIR		FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017	
<i>Questions without notice</i> .....	1259	<i>Second reading</i> .....	1283, 1296, 1335
BUSINESS OF THE HOUSE		<i>Third reading</i> .....	1336
<i>Adjournment</i> .....	1259	QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS	
MEMBERS STATEMENTS		<i>Criminal justice system</i> .....	1285, 1286
<i>Budget</i> .....	1263	<i>Ministers statements: federal budget</i> .....	1286, 1291
<i>Estia Health Knoxfield</i> .....	1263	<i>Country Fire Authority Lara brigade</i> .....	1287, 1288
<i>Walker Reserve netball courts</i> .....	1263	<i>Ministers statements: budget</i> .....	1289
<i>Fairpark Football Club</i> .....	1263	<i>Family Safety Victoria</i> .....	1289, 1291
<i>Anzac Day</i> .....	1263, 1267, 1268	<i>Shepparton rail services</i> .....	1292
<i>Spotswood Primary School</i> .....	1263	<i>Ministers statements: tourism</i> .....	1292
<i>Bright Autumn Festival</i> .....	1264	<i>Members for Tarneit and Melton</i> .....	1293
<i>Pink Ribbon Day</i> .....	1264	<i>Ministers statements: education funding</i> .....	1294
<i>Beekeeping industry</i> .....	1264	SUSPENSION OF MEMBERS	
<i>Melbourne Victory Football Club</i> .....	1264	<i>Members for Essendon, Geelong, Bentleigh and     Frankston</i> .....	1287
<i>Ocean Grove Surf Life Saving Club</i> .....	1264	<i>Member for Mordialloc</i> .....	1287
<i>Point Lonsdale Surf Life Saving Club</i> .....	1265	<i>Member for Kew</i> .....	1288
<i>Ambulance services</i> .....	1265	<i>Member for Ripon</i> .....	1291
<i>Cruden Farm</i> .....	1265	CONSTITUENCY QUESTIONS	
<i>Young Street, Frankston</i> .....	1265	<i>Rowville electorate</i> .....	1294
<i>South Morang scout group</i> .....	1265	<i>Wendouree electorate</i> .....	1295
<i>Devondale Murray Goulburn</i> .....	1265	<i>Ovens Valley electorate</i> .....	1295
<i>City of Casey</i> .....	1266	<i>St Albans electorate</i> .....	1295
<i>Sale Scout Group</i> .....	1266	<i>Sandringham electorate</i> .....	1295
<i>Longford gas conditioning plant</i> .....	1266	<i>Yuroke electorate</i> .....	1295
<i>Gippsland rail services</i> .....	1266	<i>Prahran electorate</i> .....	1295
<i>Prahran football club</i> .....	1267	<i>Cranbourne electorate</i> .....	1296
<i>Frankston Dolphins</i> .....	1267	<i>South-West Coast electorate</i> .....	1296
<i>Guarding the Galilee</i> .....	1267	<i>Thomastown electorate</i> .....	1296
<i>Caroline Springs women's football team</i> .....	1268	APPROPRIATION (2017–2018) BILL 2017	
<i>More than a Mural project</i> .....	1268	<i>Second reading</i> .....	1303, 1336
<i>Christmas Hills Readers and Writers Festival</i> .....	1268	<i>Third reading</i> .....	1336
<i>Member for Gembrook</i> .....	1268	MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017	
<i>Mount Waverley electorate railway station car     parking</i> .....	1269	<i>Second reading</i> .....	1330
<i>Long March</i> .....	1269	<i>Consideration in detail</i> .....	1330
<i>Model United Nations Assembly</i> .....	1269	<i>Third reading</i> .....	1335
<i>Art of Kakadu</i> .....	1269	APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017	
<i>Mentone Lifesaving Club</i> .....	1269	<i>Second reading</i> .....	1335
<i>Country Fire Authority volunteers</i> .....	1270	<i>Third reading</i> .....	1335
<i>West Gate tunnel project</i> .....	1270	ADJOURNMENT	
<i>University Park Primary School</i> .....	1270	<i>Calvary Health Care Bethlehem</i> .....	1336
<i>Victoria University Secondary College</i> .....	1270	<i>Narre Warren police</i> .....	1336
<i>Health funding</i> .....	1270	<i>Gelantipy Road, East Gippsland</i> .....	1337
<i>Police numbers</i> .....	1270	<i>Coburg North railway line fencing</i> .....	1337
<i>St Albans level crossings</i> .....	1270	<i>Brighton electorate infrastructure</i> .....	1337
<i>South-West Coast electorate</i> .....	1270	<i>Carrum electorate bus services</i> .....	1338
<i>Ballarat GovHub</i> .....	1270	<i>Sandringham electorate schools zoning</i> .....	1338
SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017		<i>Mordialloc bypass</i> .....	1338
<i>Statement of compatibility</i> .....	1271		
<i>Second reading</i> .....	1278		

# CONTENTS

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<i>Colombo Street, Mitcham, parking .....</i>	1339
<i>Macedon electorate schools.....</i>	1339
<i>Responses .....</i>	1339

**Thursday, 11 May 2017**

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

**DOCUMENTS****Tabled by Clerk:**

Auditor-General:

Board Performance — Ordered to be published

Managing School Infrastructure — Ordered to be published

*Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 16.

**ROYAL ASSENT**

**Message read advising royal assent on 10 May to:**

**Consumer Acts Amendment Bill 2016  
Creative Victoria Bill 2016  
Lord Mayor's Charitable Foundation Bill 2016  
Small Business Commission Bill 2016  
Statute Law Repeals Bill 2014.**

**RULINGS BY THE CHAIR****Questions without notice**

**The SPEAKER** — Order! Yesterday the member for Box Hill raised a point of order in relation to the responsiveness of an answer by the Minister for the Prevention of Family Violence to a supplementary question. I have reviewed the answer given and find that it was responsive and therefore do not uphold the point of order.

**BUSINESS OF THE HOUSE****Adjournment**

**Ms NEVILLE** (Minister for Police) — I move:

That the house, at its rising, adjourns until Wednesday, 24 May 2017.

**Mr CLARK** (Box Hill) — This is yet another example of the government treating this house with contempt. Not only have they only had the house sit on one single day in the week in which the state budget was delivered in order to deny the opportunity to the opposition — a longstanding opportunity of the opposition — to reply in this house to the budget, but now, in complete contempt for the normal processes of this Parliament, they are proposing to sit for only two

days rather than three days in the next sitting week, and there has been absolutely no justification whatsoever offered for that.

There is absolutely no reason why we should not be having a normal, full sitting week, except that they are so penny-pinching about, and so frightened of, any extra days of being in this house, being scrutinised by the opposition, that they are going to cut a standard three-day sitting week down to two days in order to minimise the extent to which they are being exposed to scrutiny in this Parliament. I suppose it is no wonder, because day after day in this place they have been ducking and weaving and avoiding any form of accountability for the roting by the member for Tarneit and the member for Melton. They have been humiliated in being unable to offer any justification as to why they are not prepared to hold those two members to account for what they have done. They offered no speakers yesterday in attempting to justify their peremptory sacking of the privacy and data protection commissioner. They have been struggling every day in this house, so it is no wonder that they want to run away and avoid any scrutiny. But it is not something that this house should be meekly going along with, letting them duck and avoid their accountability.

If they had any confidence in their budget, then first of all, of course, the government would have sat for the entirety of last week rather than for just one sitting day. Instead of that, they only want to come back for two days in our next sitting week. They just want to rush the budget through the house this week and try to move on as though there is nothing there to talk about. In one sense that is probably perfectly valid; there is not much to talk about in the budget. Most of the community has completely forgotten it as something that is doing nothing much to benefit Victorians, so in a sense it is not surprising that the government wants to move on. But there is plenty in terms of the failings of the budget that this side of the house wants to talk about and wants to hold the government to account for in respect of, for example, the cuts to TAFE that are embodied in this budget, the failure to properly provide for regional rail, the fact that so much of the budget is dependent on commonwealth funding, the fact that it is pushing debt levels to the limit and the fact that it is raising taxes and breaking a fundamental pre-election promise. So there is plenty that those on this side of house want to come back to talk about in relation to the budget and in relation to other matters. It is no wonder that the government is trying to crawl away under a rock and avoid any accountability and scrutiny by this house.

It is yet again a sign of the contempt with which this Labor government is holding Parliament, holding the

community, holding transparency and holding democracy that they are not prepared to come back into a full, normal sitting week and proceed to debate, proceed to have themselves held to account and proceed indeed to getting on with the business of government. We have the government at times saying they have got a heavy legislative program and that is why they want to move on with the budget bills and get them through to the upper house, but when they have got an opportunity to have a further day's sitting they are rejecting that opportunity. They brought on, without factoring it into the government business program, the bill this week to sack the privacy and data protection commissioner.

What they ought to be doing is sitting for an additional day next sitting week, not pressing on with that bill and abridging and truncating the time to, for example, talk about family violence and give further consideration to the budget. But they are not doing any of that. They are trying to rush those items through the house this week and then sit one day short in the following sitting week. Whereas if they had been prepared to come back for a full sitting week, there would have been much more time for proper consideration of these matters this week. For all those reasons, we believe that this motion to only sit two days in the next sitting week is an affront to democracy and an affront to the accountability of this government, and it should be vigorously opposed.

**Ms ALLAN** (Minister for Public Transport) — Speaking in support of the motion is an opportunity to clarify a few little mistruths that were just peddled by the manager of opposition business. The manager of opposition business has not accurately represented the nature of the sitting schedule for this budget period. There is no reduction in sitting days. We are sitting the exact same number of sitting days that we sat last year and the year before and, might I say, under the former government as well. It is just a slightly different sitting pattern.

One of the claims made by the manager of opposition business was that we were frightened of talking about our budget. I do not think so. We just love talking about our budget, and do you know what, Speaker? Every minute that the opposition spends on the old chestnut of 'let us have a division on the sitting of the house motion' is a minute less that they get to talk about the budget. We are raring to go and talk about the budget. We are not afraid to have our budget scrutinised and we are not afraid to answer questions in the chamber on the budget.

The manager of opposition business made an observation about the tradition of the budget reply. Well, that tradition was thrown out the window last week when the shadow Treasurer gave his budget reply

to a Liberal Party fundraiser. That was where he gave his budget reply — not in the Parliament, but to a Liberal Party fundraiser.

Those opposite are always after a bit of money. They love the chance to raise a bit of money — it does not matter whether they are trying to raise money off the back of a budget reply or trying to raise money off the Country Fire Authority volunteers for their own Liberal Party coffers. There is no basis to the claims that were made by the manager of opposition business. We are raring to get on and proceed with the business of government and debating the budget.

I was interested to note that the manager of opposition business raised a couple of issues about the budget. He raised TAFE funding. Goodness me! Talk about returning to the scene of the crime. Talk about going straight back to where they were when they cut the funding to TAFEs. Then the manager of opposition business had the audacity to mention commonwealth funding. Goodness me! We are receiving less than 8 per cent of federal infrastructure funding and he mentions that in his contribution. We will talk about that till the cows come home, because we will not stand by and be duded by a Sydney-centric Prime Minister. Let us get on and talk about this great budget. Let us get on and talk about how we are being duded by the Liberal Party's mates in Canberra and let us get on with the proper business of this house.

**Mr WALSH** (Murray Plains) — You can tell how poorly a government is performing when they do not want the house to sit. They are hiding. They just do not want to come in here. They do not want the scrutiny of Parliament. You can tell that as the Labor members walk into this house on a sitting day. Their heads are down, their feet are dragging, they just hate coming in here and being held to scrutiny. You can watch the back bench over there when questions are asked about the member for Melton and the member for Tarneit and their rorting and their stealing from the taxpayers of Victoria. Their heads hang low because they know it is true. They know that what we are saying is true: that the members for Melton and Tarneit should not be in this place. They should pay the money back, they should resign and they should go home in disgrace for what they have done to this house and to the reputation of this house.

The government does not want the house to sit — that is very, very obvious — and this motion is about the fact that they actually want to hide. They want to hide from questions about the Country Fire Authority (CFA). They do not want to be held to scrutiny for what they are doing to the volunteers in Victoria — 60 000 volunteers, who

are being done over by the Andrews government. The Andrews government has absolutely no respect for the volunteers here in Victoria. Those volunteers were the heroes of Black Saturday, they were the heroes of Ash Wednesday, and what is the Andrews government doing to those volunteers? They are just trashing them and throwing them out just to appease Peter Marshall. As has been asked many, many times: what has Peter Marshall got over the Premier that he would sell out those volunteers just to pay back Peter Marshall?

When you think about what is going on in this house at the moment, I am sure the manager of government business will want to gag the debate on the privacy and data protection commissioner. The manager of government business will make sure that debate is gagged, because they do not want to be held to account for actually sacking an independent officer of the system here in Victoria. They do not want scrutiny. Anyone that criticises the government — they are out the door. Out the door, on the road, hit the frog and toad — you are criticising us; you are out. There is something that I think this government is now proving, and particularly this Premier is proving. He gave a commitment to the people of Victoria that he would govern for all Victorians. A lot of people in country Victoria are now saying he is the Premier for Melbourne. He is not the Premier for Victoria; he is actually the Premier for Melbourne.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order. The Leader of The Nationals without assistance.

**Mr WALSH** — That got the ducks off the pond. Just as well there is no duck shooting in here, is it not, because there would be a few feathers flying at the moment. He is the Premier for Melbourne. There is nothing happening in regional Victoria. The Premier is short-sighted. He cannot see past Bendigo, Ballarat and Geelong. That is why people are saying he is the Premier for Melbourne, not the Premier for Victoria.

The Premier said there was going to be an education state. There is \$87 million cut out of the education capital budget by this government. They do not care about regional schools at all. There is \$32 million cut out of the agriculture budget. They do not care about agriculture in this state. So this motion is about whether we have a government here that wants Parliament to sit, that wants the opportunity to actually be held to account for governing this state for all Victorians, or whether they want to shut down debate, close down the Parliament, not have question time, not be accountable

about the rotting members for Melbourne and Tarneit and not be accountable for what they are doing to the CFA volunteers. They want their backbench to stay home and not have to drag their miserable, lousy feet in here to be held to account.

**Mr PEARSON** (Essendon) — I rise to support the motion moved by the Leader of the House. Is it not amazing when you listen to those opposite, suffering from relevance deprivation syndrome writ large. We are the government and we occupy the Treasury benches. We will decide when this house will sit. We will decide the sitting schedule of this house, as is the custom and practice of this house.

I had the privilege of working in this place in the 1990s, and I recall that the government of the day, of which the member for Box Hill, the member for Brighton and the member for Sandringham were all members, decided that the house would not sit — I think it was in September 1998, because the federal election was underway then — during an election campaign because they did not want to be scrutinised.

The reality is that the custom and practice of this place is that the government decides when this house will sit. The member for Box Hill, the manager of opposition business, made some claims about reducing scrutiny. The reality is that we are not having a reduction in sitting days. We will be back for the Wednesday and Thursday in the week after next, and the times will be the same.

*Honourable members interjecting.*

**Mr PEARSON** — We had our Tuesday last week for an outstanding budget. It is a great budget. The unfortunate aspect of this stunt from those opposite is that they are trying to prevent many members on this side of the house from getting up to talk about the wonderful budget. It is a great budget, and I certainly made sure that I took the first opportunity I could to speak about what a great budget it is. So this is just a stunt from those opposite.

You have to smile when you see the Leader of the National Party railing at the dispatch box. He is just an old bull in the paddock trying to go around again. It is only a matter of time before he is replaced by the member for Gippsland South. He is trying to rally the troops and demonstrate that he has some fire left in his belly.

*Honourable members interjecting.*

**Mr PEARSON** — Your days are past. It is only a matter of time before the member for Gippsland South buries the member for Murray Plains. It is only a matter

of time. The reality is that we will not be distracted by those opposite. We are the government, and we are a good government for this state.

We are not going to be distracted by your games. We are here to get on with it. I am proud of the fact that we will be back here on Wednesday week to keep delivering good administration for this state and to repair the damage done by those economic wreckers opposite. You just had to see what they did when they occupied these benches. They ran the economy into the ground year after year after year.

*Honourable members interjecting.*

**Mr PEARSON** — Do not take my word for it; look at the graphs, look at the charts, look at the rise in the unemployment rate. Look at the way in which they treated the economy when they withdrew. They vacated the field, and they were not interested. It is a very good budget, and I look forward to listening to the contributions that many members on this side of the house will make over the course of the day. I support the Leader of the House's motion.

**Ms ASHER** (Brighton) — What an arrogant performance from the member for Essendon. 'We're the government and we will run democracy the way we want to run democracy'. That was his message. But I will take up the comment from the member for Essendon when he indicated that the Leader of the National Party's days were over. I remind him that even though he speaks on every bill, his day still has not yet even come.

I also want to inject a little rational approach into this debate, and I take the Leader of the House's point that there are the same number of sitting days in May that have been traditionally scheduled in the past. However, the fundamental flaw in her rationale is that it is the nature of the scheduling of the sitting days that the member for Box Hill is objecting to and indeed we on this side of the house are objecting to.

We sat last year for one day for the budget, and this is now the second year when we have had this unusual scheduling. The excuse given last year was that the federal budget and the state budget clashed; therefore we had to have a change to the government's original scheduling, which was the traditional scheduling of one week for budget week, two weeks off and then one week. Obviously the Leader of the House realised that this removed scrutiny from the state government of its budget and decided this year to continue with this unusual scheduling. However, a point that has not been made yet, although it was made by my colleague the member for Mornington some time ago, is that this

scheduling has completely impacted on the hearings of the Public Accounts and Estimates Committee (PAEC). It is no wonder that the chair of PAEC, the member for Essendon, who has just spoken in favour of the scheduling, is almightily relieved that he will not be under pressure for two sitting weeks trying to chair the Public Accounts and Estimates Committee.

I had occasion to read the schedule this morning, and I note that the hearings, where the opposition is able to put intense scrutiny on ministers, are going on until 2 June. Budget debate will be almost complete by then if we are to take the scheduling of the Leader of the House last year as any guide for this year.

We now have public accounts and estimates hearings going on until 2 June. I also note that the Special Minister of State is only being grilled for 1 hour. We are told he is one of the most important members of this government, yet full scrutiny of the Special Minister of State is only for 1 hour.

For those on the other side of the house who are in the ministry who do not fully understand what their Premier thinks of them, I would advise them to look at the order of Public Accounts and Estimates Committee hearings for ministers. As you get weaker and weaker, you are further down the scheduling order of hearings. I would invite members — —

**Ms Allan** — On a point of order, Speaker, I have great respect for the member for Brighton; however, she is straying far and wide from the procedural motion that is before — —

*Honourable members interjecting.*

**Ms Allan** — I am saying nice things about her, and you're having a crack at me, goodness me! She is straying far and wide from what is a narrow procedural debate, and we have strayed a little bit far from that procedural debate. Going into the schedule of the PAEC hearings is a little bit outside of the motion that is before the house, and I would ask you to bring her back to the debate.

**Ms ASHER** — On the point of order, Speaker, I will not be falling for this trick of the Leader of the House shutting me down; I will just use this as part of my response to the point of order. I was talking about the scheduling of the Public Accounts and Estimates Committee, which I am well within my rights to do on a motion on the sitting of the house, because I am actually explaining to the house why we are not sitting next Tuesday and how the Leader of the House has completely butchered the scheduling during May. I am well within my rights to do so as part of this debate on the sitting of the house.

**The SPEAKER** — Order! I do not uphold the point of order. Member for Brighton, to continue.

**Ms ASHER** — Thank you very much, Speaker. We are getting on very well today; that is good. I also raised the issue of how the actual scheduling of the debate will occur. Of course we will see how the Leader of the House schedules the budget debate, because last year we were still debating this budget in the run-up to Christmas. So I urge members of Parliament to support the member for Box Hill.

#### House divided on motion:

##### *Ayes, 45*

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

##### *Noes, 39*

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

**Motion agreed to.**

## MEMBERS STATEMENTS

### Budget

**Mr WAKELING** (Ferntree Gully) — I start by saying that the budget handed down last week is an absolute disaster for the Ferntree Gully electorate. There is nothing in this budget for schools, nothing in this budget for roads and nothing in this budget for public transport. Again my community has been sorely let down by this government.

### Estia Health Knoxfield

**Mr WAKELING** — I was very honoured last week to attend Estia Health Knoxfield aged-care facility to open their new sensory garden and relaxation space. I congratulate Estia on all of the work they do in our community, and I thank the residents for the opportunity to attend their facility.

### Walker Reserve netball courts

**Mr WAKELING** — Congratulations to the Wantirna South Netball Club on the opening of their new courts at Walker Reserve. It is a great new facility. I congratulate the work of Alan Tudge and the federal government, Knox City Council plus the Wantirna South Football Club and the Wantirna South Cricket Club, which with the netball club all contributed to getting this great new facility. Congratulations to everyone involved.

### Fairpark Football Club

**Mr WAKELING** — Congratulations to the Fairpark Football Club on their annual Anzac Day night game. It was a great night. It was the first time the Fairpark Football Club have run out in Fairpark colours because for the last 20 years they have operated as the Eastern Lions. Congratulations to all involved on another great night and on their win over Donvale.

### Anzac Day

**Mr WAKELING** — I want to congratulate Boronia RSL on another fantastic dawn service, which was well attended despite the rain. I also had the privilege of attending the Salford Park service in Wantirna. I congratulate the committee on all the hard work it does in running this annual event.

### Spotswood Primary School

**Mr NOONAN** (Minister for Industry and Employment) — Today I rise to congratulate Spotswood Primary School on being allocated

\$1.4 million in the 2017–18 state budget. This funding will allow for the school's facilities, some of which are close to 100 years old, to be upgraded and will ensure the quality of the buildings matches the quality of the teaching.

Having visited the school on multiple occasions, I know how valuable this funding will be for the school. The school has seen significant growth in enrolments in recent years, and it is imperative that the facilities are able to support this growth. This is a fantastic announcement for Spotswood, the school community, the parents, the teachers and the students who will benefit from this. Schools are so often the heart of a community, and Spotswood Primary School is no exception. From the youngest students, who are shaped forever by their experiences, to the teachers, who spend hours with their students and develop each one of them individually, and to the parents, who support the teachers and ensure that learning does not end at the school gates, generations of an entire community will benefit from this funding.

I would particularly like to congratulate the principal, Jackie Green, for her advocacy and the dedication and love that she pours into her school. I also want to recognise all of the teachers and staff who work so tirelessly to support the development of their students. Finally, I do want to congratulate members of the school council, who have worked hard in assisting to achieve what is a terrific result for Spotswood Primary School — for the teachers and staff and of course all the students.

### **Bright Autumn Festival**

**Mr McCURDY** (Ovens Valley) — The 2017 Bright Autumn Festival was another great success this year, with thousands of people enjoying the festivities. Well done to the festival president, Brendan Holland, secretary Phil Keeghan, many other members of the committee and the volunteers who worked tirelessly to run this event. Volunteers are the lifeblood of this festival and of our local communities, and it would not have happened without their support. The Rotary Club of Bright has supported the Bright Autumn Festival for many years and is the major sponsor behind the gala day each year.

### **Pink Ribbon Day**

**Mr McCURDY** — Cobram Harness Racing Club recently held the Community Pink Ribbon Ladies Day at the Trots. I was pleased to attend this charity day and light the candle for cancer sufferers, with all funds raised going to support the McGrath Foundation. It was

a great afternoon for a very worthy cause. Well done to Bob and Margaret Watson from the organisation. It was an outstanding success.

### **Beekeeping industry**

**Mr McCURDY** — It was a pleasure to officially open the North Eastern Apiarists Association's 63rd annual conference in Wangaratta recently. I met with local apiarists and heard firsthand about the issues facing the industry in the local region and throughout the state. Well done to David Briggs and other members of the organisation who ran the conference, providing those in attendance with an interesting and varied program.

There are more than 6000 registered beekeepers in Victoria, and the Victorian honey industry is worth \$90 million a year and contributes to the pollination of up to \$6 billion worth of crops across the farming sector. Safeguarding this multimillion-dollar industry from exotic pests and diseases is crucial.

### **Melbourne Victory Football Club**

**Mr McCURDY** — Congratulations to Melbourne Victory on an outstanding year. Sadly, the final against Sydney FC did not go their way. Kevin Muscat and his team had a brilliant year. Melbourne Victory are an extremely proud and well-organised team, steered by the chair, Anthony Di Pietro.

### **Ocean Grove Surf Life Saving Club**

**Ms NEVILLE** (Minister for Police) — I was very pleased again to attend this year's Ocean Grove Surf Life Saving Club presentation night and to present the Fred Leiper Memorial Best Patrol Person Award, which was this year awarded to Bo Chudosnik for displaying the highest level of commitment to patrol operations throughout the season. He has shown outstanding leadership as a mentor and trainer and is a highly respected club member.

It was also a pleasure on that evening to announce additional funding for the club for its new observation tower to be built on the beach. This of course is on top of funding of \$2.675 million, which we have already provided to rebuild the club's facilities. I want to congratulate the president, David Pavia, the club committee and members along with all the award winners for their commitment and contribution to the Ocean Grove community.

### Point Lonsdale Surf Life Saving Club

**Ms NEVILLE** — On another matter I also had the pleasure last week, as part of the budget, to celebrate with the Point Lonsdale Surf Life Saving Club the announcement of \$1.5 million for redevelopment of their facilities. This has been long awaited, and I have been working with the council and the community about this over the last couple of years to secure the Borough of Queenscliffe land to enable the redevelopment of the club, so this is a real boost for that club.

### Ambulance services

**Ms NEVILLE** — I was also recently pleased, with the Minister for Health, to celebrate the new ambulance station that is being built in Bellarine for the Swan Bay area, plus a new team of seven paramedics who have already started and are operating across the Bellarine region.

### Cruden Farm

**Mr BURGESS** (Hastings) — On 21 April I held a meeting at the Langwarrin community house for interested Langwarrin residents to discuss a proposal by the Cruden Farm trust to subdivide 15.8 hectares of Cruden Farm. I called the meeting so I could pass on to Langwarrin residents all of the information I had regarding the proposal and to hear firsthand what their views were. No-one wants any part of Cruden Farm subdivided, and I certainly do not. However, the trustees have reached a decision that subdivision of part of the property is required to secure the remainder and fulfil their obligations under the trust.

Following discussions with the trustees, I believe there is another way. The trustees confirmed that while they needed to raise a significant amount of money, they would be happy not to subdivide if there was an alternative way to raise the required funds. I call on the Andrews government to use a very small amount of the significant surplus left to it by the previous Liberal-Nationals government to secure this critically important and historic property on behalf of the community and in memory of Dame Elisabeth Murdoch.

### Young Street, Frankston

**Mr BURGESS** — On 3 May the Leader of the Opposition and the shadow minister for police in the other place, Edward O'Donohue, and I met with a number of angry Young Street, Frankston, traders to discuss the damage that had been caused to local traders by the Young Street project debacle. There were

devastating scenes outside the Young Street newsagency last Saturday, when one customer after another called in to buy their regular newspaper, Tattslotto ticket or stationery supplies, only to be told that the 53-year-old business was to be forced to close permanently the next day. This community sadness quickly turned to anger when it was realised that it was just another of the over-budget, bungled Labor projects that has forced their favourite newsagency and the many other Young Street shops out of business.

### South Morang scout group

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) — I had the pleasure of dropping by the Lakes South Morang P-9 School last week to say hello to the South Morang Scout Group. The South Morang scouts are going from strength to strength and now have a great new partnership with the Lakes South Morang P-9 School, which will be their new base.

The South Morang Scout Group provides an adventurous and fun program for young people in my electorate of Mill Park. Joey scouts are learning the value of community engagement and leadership, with an emphasis on learning by doing and teamwork. It was an excellent visit, and I want to thank the South Morang scouts for the presentation to me of the Scouts Victoria ambassador scarf by their youth ambassador, Michael.

A special thanks also to principal Kerrie Heenan for welcoming me to the school assembly on Crazy Hair Day. Kerrie was also presented with her own South Morang Scout Group scarf, making her an honorary member of the group. I want to join the South Morang Scout Group in thanking Kerrie for making all the scouts so welcome at her school and facilitating the full program for local kids. The school recently celebrated their 10th anniversary, and they provide a wonderful, enriching education to our youngest citizens.

I am very proud to represent Melbourne's north and to be part of an Andrews Labor government that is building a better future for all Victorians. This is a great partnership, one that I recommend highly to all schools in terms of providing new programs in their curriculum, integrating fantastic opportunities for young people to get out and about and learn new skills and cooperate. Congratulations to all concerned.

### Devondale Murray Goulburn

**Mr TILLEY** (Benambra) — I rise on behalf of the 150 workers at the Devondale Murray Goulburn plant at Kiewa who are now facing redundancy. This is a

factory that traces its origins back to 1894 and has supported generations of workers. The decision comes after a tumultuous 12 months for the industry, mostly the doing of executives and not the workers or the farmers. I urge Murray Goulburn to make their intentions clear. Do they intend to gut the Kiewa plant, will they mothball it or will they put it on the market, bearing in mind that the plant is not worth a whole lot without milk? The employees and workers cannot wait around for 12 months. Casualising its workforce is not a demonstration of good faith either.

The government should, and the Liberal and National parties do, support and encourage new enterprises — and there are plenty of ideas — in regional Victoria. We need to build on the resilience of the dairy farmers in Benambra and surrounding districts, who in recent years increased their production by 29 per cent and filled the void in winter milk supply by changing farming practices. The constant catch-cry we hear from those on the other side — the untalented collective of hypocrites who arrogantly occupy the government benches in this place — is that regional Victoria is transitioning. I clearly and loudly say that we do not want to transition to welfare; we want investment in jobs and to have careers that support our families, our economy and our wonderful opportunities and lifestyle.

### City of Casey

**Mr DONNELLAN** (Minister for Roads and Road Safety) — Since August 2016 I have not received a response to letters I have sent to the CEO of the City of Casey. These letters relate to concerns of residents, those people who pay the CEO's bill, and issues they want addressed and dealt with. I note that this behaviour has also been extended to the member for Cranbourne since 2016. This is very disappointing for those residents, as they seek our help as members of Parliament to get matters addressed. Let me make it very clear: I could behave in the same way and ignore letters from the City of Casey in relation to roads, but I have not done so. I think roads are a very important issue in the growing outer suburbs, and I understand the importance of dealing with these issues.

To solve the inability of the CEO to do his duty — he gets paid \$370 000, which is a very good wage — I will now start sending all letters directly to the councillors who are responsible for particular wards to ensure that these issues are at least ventilated with them. I want them to understand that they are also obligated to act on these matters and to ensure that their residents are properly represented and their concerns dealt with.

With that I am very disappointed with the behaviour of the CEO. I find it rather juvenile, to put it mildly. I think the best way of dealing with it is to actually put these directly to the councillors and ensure that they undertake their duties as elected councillors.

### Sale Scout Group

**Mr D. O'BRIEN** (Gippsland South) — Today I rise to say happy birthday to the Sale Scout Group, which celebrated 100 years of scouting on the weekend with a series of events and the launch of a book celebrating the history of the group. Formed just a decade after the scouts were established globally, the Sale Scout Group has been an institution in the town, giving children a sense of purpose and community spirit. Congratulations to all the leaders, volunteers and supporters over the years. May the scouts live on for another 100 years.

### Longford gas conditioning plant

**Mr D. O'BRIEN** — On Sunday I was pleased to attend the official opening of a new gas conditioning plant at Longford, the culmination of a \$5.5 billion project involving the plant itself and the new Kipper Tuna Turrum gas fields by joint venture partners ExxonMobil, BHP Billiton and Mitsui. This investment has brought great economic activity and jobs to Gippsland over the past few years. I was pleased to hear ExxonMobil chairman Richard Owen say he was hopeful this was the start of Bass Strait 2.0, with further development down the track. I certainly hope so for the economic prosperity of our region and this state.

### Gippsland rail services

**Mr D. O'BRIEN** — I congratulate my good friend and colleague Darren Chester for delivering \$290 million in Tuesday's federal budget for an upgrade of the Gippsland rail line — the first time ever a commonwealth government has contributed to Gippsland rail. The duplications and upgrades will be important to improve the dire state of Gippsland rail services. For all its bluff and bluster, the Andrews Labor government has not allocated a single cent to this project, and it now needs to get on board.

Anyone can send an invoice to Canberra. Real leadership means putting your shoulder to the wheel and actually funding it. Labor has a history of putting state money into regional rail for Ballarat, Bendigo and Geelong, so why has it shunted all responsibility for the Gippsland upgrade to Canberra? It is time to end the bickering, put some state money on the table and get this project off the ground for the benefit of public transport users in Gippsland.

### Anzac Day

**Mr HOWARD** (Buninyong) — I was pleased recently to attend Anzac services in Ballarat, both in Sebastopol and at the Ballarat Cenotaph. Last year I was not able to attend the local services as I attended a very moving Anzac service at Gallipoli. Perhaps my reflection on that service made this year's even more significant for me.

I note that organisers advised that the local services were bigger than ever, and the next generation is becoming more involved in learning about and commemorating the sacrifices made by so many people in the First World War and subsequent wars.

In Ballarat, we also recently opened the new Garden of the Grieving Mother beside the Arch of Victory. This impressive garden has also helped to raise the broader issues of loss felt at home through a mother's eyes. Clearly the Anzac centenary has assisted in a range of ways to ensure that the events of 100 years ago are not forgotten, and that there is so much for the younger generation to learn and for them to reflect upon.

I was also pleased to visit Buninyong RSL recently to advise that they were successful in gaining a \$32 000 grant, which will help them run a significant event in Buninyong in July to commemorate the 100th anniversary of their Avenue of Honour. Events like these do not celebrate war but allow us to be reminded of loss, particularly in terms of human lives and the lives damaged. That is so important. Lest we forget.

### Prahran football club

**Mr HIBBINS** (Prahran) — I recently attended the 80-year anniversary of the Prahran football club's first premiership, when in 1937 they defeated Brunswick by two points in the Victorian Football Association grand final in front of 10 000 people at Toorak Park. It was great to hear club legends Jack Morgans and Charlie Payne reminisce about the match they watched as boys.

While a lot has changed in the history of the club and the suburb of Prahran, just like then, the footy club plays an integral part of the community. I want to acknowledge everyone at the club for their ongoing work in our local community. On the day the boys got up over Old Paradians by 41 points. They are now sitting second on the ladder. Good luck to the Two Blues for the rest of the year.

### Frankston Dolphins

**Mr HIBBINS** — While I am still on footy, I want to lend my support to the Frankston Dolphins and their efforts to get back into the VFL next year. I will always remember being at Frankston Park when the Dolphins came back from 37 points down in the last quarter to knock off the Pies in 2000. I do not think they ever demanded to use the home rooms again. Frankston have produced some great players over the years, and I urge AFL Victoria to allow them to continue playing in the VFL.

### *Guarding the Galilee*

**Mr HIBBINS** — I attended a screening of *Guarding the Galilee*, which is a 30-minute documentary on the battle to stop the biggest coalmine in Australian history, the Adani Carmichael project. The documentary was by the Stonnington Climate Action Network and the Australian Conservation Foundation. The federal government must not let this giant polluting and dangerous coalmine go ahead, which would drive up climate change, damage the Great Barrier Reef and trash our environment. Banks are getting out of coal — they know it is a bad bet. I urge the federal government to abandon their support for this project and not lend Adani a cent. I congratulate my local community for taking a stance against this folly.

### Anzac Day

**Ms KAIROUZ** (Minister for Consumer Affairs, Gaming and Liquor Regulation) — On 24 April I was delighted to attend the Anzac Day service at Movelle Primary School in my electorate of Kororoit. The event was attended by students at Movelle Primary School as well as veterans from our local community. The service was beautiful, with representatives from the student body speaking on the importance of Anzac Day and how the spirit of the Anzacs endures in future generations. The children also sang some lovely songs to commemorate the important event. I would like to thank the Movelle Primary School community for inviting me to this wonderful event.

I was also pleased to attend the Anzac Day service at Caroline Springs RSL. It was a cold and wet morning, but a huge crowd turned up to remember those who sacrificed their lives so we can enjoy the freedoms we cherish today. I would like to thank the Caroline Springs RSL and their president, Andrew Marshall, for all they do in our local community. Importantly, I would like to acknowledge the welfare work of Caroline Springs RSL and the league more generally. The league and its work is special and enduring, with

the purpose of preserving the spirit of mateship and to honour the memory of the fallen.

### **Caroline Springs women's football team**

**Ms KAIROUZ** — On another matter, I would like to congratulate the Caroline Springs Lakers women's team on winning their first home match of the season against the Tarneit Titans. It was a pleasure to be invited by the Lakers to meet the women's team before the match. It is wonderful to see the increased interest in women's football teams and the result of the success of the AFL Women's league. It is important that as a government we continue to invest in women's sport, and I will be excited to attend another Lakers women's game in the future.

### **More than a Mural project**

**Ms McLEISH** (Eildon) — In National Volunteer Week, I am pleased to inform the house about some wonderful volunteer initiatives in the Eildon district. On Anzac day I took delight in attending the unveiling of the More than a Mural project at the Alexandra RSL. Initiated by the late Rex Tate, the project features a number of painted murals depicting images from the wars Australia has been involved in. With the key objective of reducing graffiti, the project also had other benefits. It facilitated links between members of the local RSL and younger school students. In addition, it offered students an opportunity to participate in a community-based project.

There are many people to be acknowledged, including Anna Baker, More Murals founding member and project coordinator; Henry Andrews from the RSL; Murrindindi shire project chair Stuart Coller; Alexandra Secondary College principal Nigel Lyttle; Alexandra Secondary College students and the student leaders who attended on the day — Jelena Miladinovic, Jorja Gesler and Hugo Walcott. I also acknowledge Steven Miladinovic from Alexandra Primary school. The lead artist and mural maker, Russell Danby, did a fine job. I was especially impressed to hear his level of engagement with the school students, which included an additional skills workshop.

### **Christmas Hills Readers and Writers Festival**

**Ms McLEISH** — On Saturday, 29 April, I had the opportunity to drop in to the inaugural Christmas Hills writers festival, held in the mechanics institute hall, which I have heard described as the cultural centre of the universe. I was impressed on so many levels — with the range and calibre of the speakers, the full house, the morning tea on display and of course the

dedicated team of volunteers who put this event on. I want to acknowledge Glennis Bibra, Veronica Holland, Sandy Jeffs and Liz Mildenhall. They were supported by a large number of volunteers on the day. The theme was 'identity', which certainly attracted great interest.

### **Member for Gembrook**

**Mr EDBROOKE** (Frankston) — I rise to make a members statement to correct a misleading, fairly unequivocal statement from the shadow Minister for Emergency Services yesterday. He stated:

When we go back to February 2009, the minister should be able to tell us how many career firefighters were on the firefighting ground on 7 February for the first 5½ hours of Black Saturday. I can tell the house that it was zero. The volunteer firefighters were all out protecting us and protecting our environment, our future and our lives.

No doubt the house will know that our volunteer firefighters were out there protecting our communities, but I was there, and the shadow minister is wrong. I want to correct this statement out of respect to all firefighters in Victoria, and I believe the shadow minister should know the truth.

Over 350 firefighting personnel, mainly from the Country Fire Authority and the Department of Sustainability and Environment (DSE), were deployed across the state prior to 7 February — on the night of 6 February — in anticipation of the extreme conditions on 7 February. These career and volunteer firefighters ran the incident control centres and ground observer crews on the day and coordinated the response on Black Saturday. Over 400 fires broke out on that day, beginning at around 5.00 a.m. when the Bunyip State Park fire broke out. It must be said that these ground observer crews do not need to be told by the opposition what they did and did not do. They were there from the beginning. I know from a colleague in one of these teams that their vehicles had to be stripped and sold because they could not remove the burnt skin of the people they saved from the seats of their vehicles. These people are truly heroes.

Personally, I was working at Frankston. I responded with an integrated staff and volunteer strike team immediately after it was deemed that houses were under threat from a DSE fire. To the opposition, which said there was no link between cancer and firefighters, and to the shadow emergency services minister, who ran away from the Fiskville inquiry: shame.

### **Anzac Day**

**Mr GIDLEY** (Mount Waverley) — I rise to congratulate the Waverley RSL on organising both the

Anzac commemorative ceremony on Sunday, 23 April, and the dawn service on Tuesday, 25 April. These services aptly commemorated the enormous service and sacrifice of Australians and Allied forces during times of war. I give special thanks to the Waverley RSL sub-branch president and the dedicated RSL committee members and members of other service organisations who put so much time and effort into organising and preparing these events. Lest we forget.

### **Mount Waverley electorate railway station car parking**

**Mr GIDLEY** — Today in the Parliament I renew my campaign for the people of Glen Waverley and Mount Waverley to be provided with appropriate car parking facilities at local train stations. Between 2010 and 2014 the last state Liberal government invested heavily to improve car parking facilities at local railway stations, including \$10.8 million to upgrade Syndal station, which also included the construction of a multideck car park. Car parking at Glen Waverley, Mount Waverley and Jordanville stations was also improved.

In contrast, there has not been a single car park improvement at Glen Waverley and Mount Waverley train stations since the Andrews Labor government was elected at the end of 2014. Even worse, car parking at local train stations has gone backwards as demand has increased, meaning residents are forced to park miles away and walk to the station, often along poorly lit and isolated streets. It is just not good enough that this state Labor government does not even have any planning or proposals to improve car parking for Glen Waverley and Mount Waverley residents. It is time this government stopped snubbing Waverley and cutting transport services and actually developed, funded and implemented car parking improvements for local residents. I will continue to fight on behalf of my district for this.

### **Long March**

**Mr LIM** (Clarinda) — This year marks the 160th anniversary of the Chinese gold-diggers walk from Robe in South Australia to the Victorian goldfields to avoid the racist £10 poll tax imposed on the Chinese in 1857 in Victoria. Many of the 16 800-plus Chinese who made that terrible more-than-400-kilometre journey by foot died from exhaustion and sickness and suffered race riots and discrimination in the goldfields.

Last Saturday I was privileged to represent the government at the three-day commemoration festival

organised by the District Council of Robe, which included the opening of a specially built friendship gate to mark this historic occasion. It also included a parade of lion and dragon dancers, dragon boat races and fireworks. The highlight of this commemoration is the farewell and send-off of 19 pioneer walkers. Three of them are fourth-generation descendants of the original walkers. They commenced a 20-day walk retracing the footsteps of the original walkers. On 25 May the Premier will welcome their arrival with a reception in Queen's Hall at Parliament House.

This epic walk, organised by the Chinese Community Council of Australia, is to pay special tribute to the original walkers and to honour their heroic courage, tenacity, bravery, sacrifice, suffering and resilience. Most importantly it is also to recognise and celebrate the role and contribution of the Chinese community in the growth, development and prosperity of Victoria and Australia going back 160 years.

### **Model United Nations Assembly**

**Mr THOMPSON** (Sandringham) — I wish to pay tribute to Rotary district 9810 and its members for the ongoing convening of the Model United Nations Assembly in this chamber. Outstanding contributions have been made by Rotarians across multiple frontiers, including their contribution towards establishing the United Nations just after World War II. I acknowledge the excellent contributions of Joe Somers, Carol Lawton and members of district 9810 Rotary clubs in encouraging 80 students to contemplate the important issues of Syria, refugees and other matters.

### ***Art of Kakadu***

**Mr THOMPSON** — I wish to acknowledge the great contribution of the Rotary Club of Beaumaris for raising funds for the eradication of trachoma amongst Indigenous Australians with the holding of their current *Art of Kakadu* exhibition at the Bayside council chamber and later, to go on rotation to other precincts within the City of Bayside.

### **Mentone Lifesaving Club**

**Mr THOMPSON** — I wish to acknowledge the great work undertaken by the leaders of the Mentone Lifesaving Club, a club that has 1300 members, and the recent holding of their gala night, where multiple awards were presented. I also note that they are currently the state junior champions.

### Country Fire Authority volunteers

**Mr THOMPSON** — I pay tribute to the Country Fire Authority volunteers in Victoria and the great contribution they make towards fire prevention.

### West Gate tunnel project

**Ms SULEYMAN** (St Albans) — The Andrews government has delivered its third budget, a budget for all and a budget that again delivers for the people of the west. We have seen the West Gate tunnel being funded, which will be a second crossing to the west. This means an alternative route for people from the west to get to work and spend time with families.

### University Park Primary School

**Ms SULEYMAN** — Also, I have been very pleased to announce that University Park Primary School will receive further funding this year to continue the beautification of their school.

### Victoria University Secondary College

**Ms SULEYMAN** — Also, fantastic news for Victoria University Secondary College: planning works will begin to build a brand-new school at Cairnlea for St Albans locals.

### Health funding

**Ms SULEYMAN** — We have also seen funding of \$50 million towards the rebuild of Footscray Hospital. This is in addition to our commitment. We have already started building the \$200 million Joan Kirner Women's and Children's Hospital for the people of the west.

### Police numbers

**Ms SULEYMAN** — We have also seen 300 frontline police officers begin to roll out to Melbourne's suburbs this month. This includes 33 frontline police officers being deployed between Keilor Downs police station and Sunshine police station.

### St Albans level crossings

**Ms SULEYMAN** — On top of that we are about to see the completion of the removal of the Main Road and Furlong Road level crossings. The project is coming to a completion, and this is fantastic news for locals.

### South-West Coast electorate

**Ms BRITNELL** (South-West Coast) — Last week I was fortunate to be able to attend a bail justice hearing in the very early hours of Saturday morning. My respect for the police and the role they play in our community was strengthened as I witnessed them go about their work in the watch house, and my eyes were opened to the role of volunteer bail justices who drop everything in the middle of the night without a second thought. Our community is significantly challenged by increasing crime rates, with serious assaults and burglaries growing at a worrying rate in my electorate. Addiction formed the basis of the crimes that were the subject of the two hearings I attended. This also firmed my view that while there is no doubt we need to toughen up on crime, health policy has a role to play in fixing this law and order mess. It is vital we get that balance right. I remain committed to the consequences of and personal accountability for those who commit crimes and for a tough stance on repeat offenders.

Bail justices in the South-West Coast electorate often travel extraordinary miles, some over 100 kilometres, to and from hearings with absolutely no compensation. They do it for the good of their community — something that is common in South-West Coast. Since joining this place I have been continually amazed at the number of people willing to give up their time for a whole range of causes in the South-West Coast community, be it on a Saturday at the local footy and netball games, delivering meals on wheels to the elderly, spending time in aged-care homes or in schools, or giving up hours and hours of time to ensure a community event goes off without a hitch.

Then of course there are the amazing emergency services volunteers — the men and women of the Country Fire Authority and State Emergency Service — who put everything to one side to ensure the community is safe and secure in times of emergency. These are the people who make our community successful. They are the reason things get done, and in National Volunteer Week I want to say thank you to each and every member of the South-West Coast community.

### Ballarat GovHub

**Ms KNIGHT** (Wendouree) — The recent Victorian budget was fantastic for Ballarat. We had announcements around education, health and transport, but by far the biggest and most significant announcement was the one around the massive investment in jobs — the announcement of a hub that will bring 600 jobs to Ballarat. Building this hub, which

will co-locate the existing 400 public servants in Ballarat, has been well received. It will be located adjacent to the civic hall site. It will create about 500 jobs during construction, in addition to the 600 jobs that will be coming to Ballarat. This is a clear demonstration of the Andrews Labor government's commitment to growing jobs in our region. The announcement was not only welcomed, it was absolutely praised by the Committee for Ballarat CEO, by Commerce Ballarat saying it was a 'transformational change for our beautiful city' and of course by the Ballarat *Courier* with headlines that were incredibly complimentary.

## **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017**

### *Statement of compatibility*

#### **Ms NEVILLE (Minister for Police) 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'), I make this statement of compatibility with respect to the Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

In my opinion, the Sex Offenders Registration Amendment (Miscellaneous) Bill 2017 (the bill), as introduced to the Legislative Assembly, is compatible with human rights as set out in the charter. I base my opinion on the reasons outlined in this statement.

#### **Overview**

The bill amends the Sex Offenders Registration Act 2004 (the SORA) and related acts to, among other things, modify the circumstances in which a person may be placed on the sex offenders register, change when, and for how long, a registered sex offender's obligations to report personal information to police may be suspended, and clarify that all registered sex offenders remain on the sex offenders register for life.

The amendments in the bill will also provide police with greater powers to investigate and monitor registered sex offenders by creating a specific search warrant power for the investigation of suspected offences under the SORA, and give police specific powers to take fingerprints and forensic samples (that is, in order to obtain a DNA profile) of registered sex offenders.

#### **Human rights issues**

To consider how the reforms in this bill affect human rights, it is helpful to restate the purposes of the SORA, which are to protect the community, including children, by reducing the likelihood of registered sex offenders reoffending and assisting police investigations and prosecutions of any future offences. It is in pursuit of these purposes that registered sex offenders are required to report personal details to Victoria

Police ('reporting obligations'), are prohibited from engaging in child-related employment and are required to seek approval from the Chief Commissioner of Police or another relevant authority before they can apply to change their name.

#### **Registration of persons who commit certain offences**

Currently, all adults who are sentenced for a sexual offence listed in schedule 1 or 2 to the SORA must be placed on the sex offenders register (that is registration is 'automatic' by force of the SORA). The list of offences in schedules 1 and 2 to the SORA include offences under a law of a foreign jurisdiction that would have constituted an offence of a kind listed elsewhere in schedules 1 and 2 or that the regulations state is a class 1 or 2 offence (no such offences are currently prescribed). These offences can be generally described as indictable sexual offences committed against children.

Clause 27(1) of the bill will enable a police officer to apply to a court for the registration of persons who commit offences outside of Victoria in other circumstances, such as where the offender was aged under 18 at the time of offending or where the victim was an adult. Section 11 of the SORA already provides for registration of offenders in the same types of circumstances where their offending occurs in Victoria. Therefore, clause 27(1) ensures that the same protections afforded by registration apply to offenders regardless of whether they commit a sexual offence in Victoria or elsewhere.

In addition, clause 49(1) of the bill will amend a qualification that will specify when new child abuse material offences, inserted into the Crimes Act 1958 by the Crimes Amendment (Sexual Offences) Act 2016, will trigger automatic registration under the SORA. Section 43 of that act, which has not yet commenced, will insert eight new child abuse material offences into schedule 2 to the SORA. As a result, any adult that is sentenced for one of these offences will be automatically registered. The only exception is where the offence relates to child abuse material of a kind that depicts or describes a person who is, or who appears or is implied to be, a child as a victim of torture, cruelty or physical abuse where the torture, cruelty or physical abuse is not sexual. Clause 49(1) reduces the scope of this limitation so that these offences will result in the automatic registration of adult offenders where the offence relates to child abuse material that depicts the torture of a child, or a person that appears to be, or is implied to be a child, whether or not the torture is sexual.

#### *Rights to privacy (section 13(1)), freedom of expression (section 15), protection of children (section 17(2)) and rights of children in criminal proceedings (section 23(3))*

Statements of compatibility for previous bills amending the SORA have explained how registration engages rights protected under the charter and I do not think it is necessary to repeat that analysis here. However, I acknowledge that the rights engaged include the right to privacy (section 13(1)) and freedom of expression (section 15). Further where the person being registered is a child, the protection of children (section 17(2)) and the rights of children in criminal proceedings (section 23(3)) will also be engaged.

To the extent that these rights may be further limited by clauses 27(1) and 49(1) of the bill, I consider it to be reasonable and demonstrably justified in accordance with s 7(2) of the charter in light of the overall purposes of the SORA. Persons who commit sexual offences outside of

Victoria and who subsequently move to or return to Victoria may pose just as much of a threat to the Victorian community as persons who commit sexual offences in Victoria. Further, a person may only be registered under the provisions in clause 27(1) where a court is satisfied beyond reasonable doubt, that they pose a risk to the sexual safety of one or more persons or of the community.

On further reflection of the amendments made by section 43 of the Crimes Amendment (Sexual Offences) Act, I consider that it is necessary to ensure that all adults sentenced for any of Victoria's new child abuse material offences where the offending involves material depicting the torture of a child, or a person who appears or is implied to be a child, are automatically registered. Whether or not the torture is sexual does not change the unacceptable risk that persons involved in the production and distribution of such material or who seek to obtain and view such material may pose to the safety of children, and our community more generally. I note that the bill does, however, strengthen protections on the rights to privacy and freedom of expression in similar cases by imposing a similar qualification (that is, as amended) to all equivalent commonwealth child abuse material offences (currently, adults sentenced for these offences must be automatically registered even if it involves cruelty or physical abuse that is not sexual).

It is worth specifically restating that several safeguards apply where the person to be registered is a child. A child may not be automatically registered under the SORA and the amendments in clause 49(1) of the bill will not impact children who commit a child abuse material offence. In relation to the amendments in clause 27(1), section 11(2B) of the SORA will enable a court that makes a sex offender registration order in relation to a child, to exempt that child from, or modify, any particular reporting obligation that would otherwise apply to them. This provides a safeguard to the rights to protection of the best interests the child (section 17(2)) and the rights of children in criminal proceedings (section 23(3)) by ensuring that a court can consider and mitigate the impacts of registration on an offender during any period while they are under 18 years of age as appropriate. Children who are registered also have reduced reporting obligations under section 35 of the SORA.

#### Lifetime registration

A person can be placed on the sex offenders register in two ways: the first, which I have already mentioned, is by way of automatic registration, and the second is where a court makes a sex offender registration order under section 11 of the SORA. Once registered, an offender is required to comply with reporting obligations for a period of eight years, 15 years or life, depending on the type and number of offences, or four or 7.5 years for child offenders.

Even after the person's reporting obligations end, the SORA also clearly provides that the vast majority of offenders remain on the sex offenders register, and consequently also subject to the prohibition on child-related employment and are required to seek approval from the Chief Commissioner of Police if they wish to change their name, for life. That is because the definition of 'registrable offender' (the term used in the SORA to refer to a person that must be registered) in section 6 of the SORA is based on the fact the person has been sentenced for a registrable offence in relation to which either they have been automatically registered or a sex offender registration order has been made. Section 6(6) of the

SORA further provides that a person only ceases to be a 'registrable offender' if the reason for being registered — that is, the fact they have been found guilty or sentenced for a registrable offence or that a sex offender registration order has been made — has been quashed, set aside or in some other way adjusted.

However, there is some ambiguity around the ongoing status of two groups of offenders subject to sex offender registration orders. First, sex offender registration orders made in accordance with section 6B of the Serious Sex Offenders (Detention and Supervision) Act 2009 (SSODSA) operate slightly differently to other sex offender registration orders. That is because the making of the order is based on a person's status as being the subject of a supervision or detention order under the SSODSA rather than because they have been sentenced for an offence. Section 11(10) of the SORA states that such offenders are taken to be 'registrable offenders' for the purposes of the SORA, which suggests that the person would only cease being such an offender if the sex offender registration order is quashed on appeal. However, section 6B(2) of the SSODSA casts doubt on this by stating that such an order must be for a period of not less than 15 years.

The second group of offenders affected are children who have been sentenced for a class 1 or class 2 offence that results in the making of a sex offender registration order under section 11(2) of the SORA. The SORA carves these offenders out of the definition of 'registrable offender' (although children who commit any other offence that results in the making of a sex offender registration order under section 11(2A) are 'registrable offenders' despite the fact that under the SORA, there is a presumption that class 1 and class 2 offences are most deserving of registration). While section 11(8) of the SORA expressly provides that a person's reporting period is determined as if they were 'registrable offender', and they fall within the separate definition of 'registered offender' which is used for the purposes of the prohibition on child-related employment in part 5 of the SORA, there is some ambiguity around the status of these offenders after their reporting period ends.

Clauses 23 to 27 and parts 5 and 6 of the bill make a range of technical amendments that have the effect of clarifying that all persons who are placed on the sex offenders register, regardless of the manner in which they were registered, remain on the register for life (unless the finding of guilt, sentence or sex offender registration order that resulted in their registration is quashed or set aside, or a registration exemption order has been made). This does not affect the reporting period that applies under the SORA. However, this will mean that all registered sex offenders are prohibited from engaging in child-related employment and from applying for a change of name without the approval of the chief commissioner or other relevant authority for the rest of their lives.

This bill clarifies the operation of the lifetime registration consequence, in relation to the two groups of offenders described above. As with the other amendments, the right to privacy (section 13(1)) and freedom of expression (section 15) may be relevant as outlined above. If the right to privacy is also relevant to the ban on child-related employment as an employment restriction that impacts an individual's personal relationships or capacity to experience a private life, I consider that the restriction in these circumstances is reasonable and demonstrably justified under s 7(2) of the charter by the need to ensure the safety and protection of children from potential harm

caused by those in positions of employment involving, or with the potential to involve, close contact with a child. The changes, therefore, protect the best interests of the child under s 17(2) of the charter.

A court may only impose a supervision order or detention order under the SSODSA where it has found that the person poses an unacceptable risk of committing a serious sex offence if such an order is not made and the offender is in the community. Similarly, a sex offender registration order may only be imposed on a child where a court is satisfied beyond reasonable doubt that the person poses a risk to the sexual safety of one or more persons or of the community. While the Working With Children Act 2004 would generally preclude a person in these circumstances from obtaining a working with children check (and therefore, from engaging in child-related employment), I consider that it is necessary to go further and clarify that these offenders are prohibited from engaging in child-related employment for life. While a court finding leading to an order under the SSODSA or SORA may be based at a point of time, I consider that enabling such persons even the chance to work closely with children later in life would be an unacceptable risk to the protection of children and outweighs considerations of the impact of such registration on a person's ability to work in contact with children.

#### Exemption from registration

The provisions in division 1 of the bill will enable, in specific and limited circumstances, young persons found guilty of specified offences committed while they were aged 18 or 19 to apply to a court for an order (a 'registration exemption order') exempting them from being automatically registered or, if they have already been automatically registered for a specified offence, to be removed from the register.

As I have already indicated, clause 49 of the bill also qualifies the circumstances in which commonwealth child abuse material offences result in automatic registration when committed by an adult. The bill also includes a similar qualification in relation to the commonwealth offence of deceptive recruitment for labour or services. The latter offence has been expanded by the commonwealth from only prohibiting the deceptive recruitment for sexual services to all forms of labour or services.

#### *Rights to privacy (section 13) and freedom of expression (section 15)*

As noted above, registration is currently automatic for all adults who are sentenced for a sexual offence listed in schedule 1 or 2 to the SORA. I have already outlined that registration may limit rights such as the right to privacy (section 13(1)) and freedom of expression (section 15) protected under the charter. Accordingly, the amendments in division 1 of part 2 and in clauses 49(2) to (5) of the bill have the potential to reduce the number of cases in which such rights will be limited.

However, it is important to note the importance of the continued 'automatic' registration of offenders given the need to balance the above rights with the protection, and rights, of victims and the community generally, particularly the protection of children (section 17(2)). I consider the serious and devastating consequences of sexual offending on victims, their families and friends, and the broader community, as well as the widespread nature of offending and the characteristics of many sexual offenders that make their management particularly

complex justifies the continued application of automatic registration to the vast majority of adult sex offenders.

#### *Right to equality (section 8(3))*

Section 8(3) of the charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The proposed exception to automatic registration may engage the right to equality since it will only apply to 18 and 19-year-old offenders, and not offenders of older age.

The decision to allow only 18 and 19-year-old offenders to apply for exemption in the relevant circumstances recognises their potential proximity in age to any victim which, although it does not excuse them from criminal liability, may in some cases indicate that they are a lower risk to community safety. The age limit also recognises that while these young persons are regarded as adults, their maturity level may, at least in some cases, not be all that dissimilar from that of a child. This is relevant both in relation to the potential difference in maturity levels between an offender and any victim, as well as in recognising that an 18 or 19-year-old that commits a specified offence may not be much different from a 17 year old that commits the same offence in terms of maturity and judgment.

However, I do not consider these arguments, when related to adults aged 20 years or more, are strong enough to justify creating an exemption from automatic registration. Offenders of or above the age of 20 years old are mature enough to recognise the power imbalance between themselves and a child when it comes to sexual relationships or activity. The fact that they have committed a specified offence nonetheless demonstrates they are a risk to the sexual safety of the community. Consequently, to provide an opportunity for these offenders to avoid registration risks placing the community in danger.

Further, I do not consider that there are any less restrictive means reasonably available to ensure that the new exemption scheme appropriately balances the competing purposes of ensuring young persons are not unnecessarily registered while also protecting the sexual safety of the community. For example, I am not satisfied that replacing the upper age limit for the exemption by instead limiting the exemption to cases where a court determines that the age difference between the offender and the victim was not significant would provide a sufficient protection to the safety of children. Many of the specified offences will only apply to conduct involving a victim that is under 16 years of age, meaning that an offender of or above the age of 20 will, at minimum, be more than four years older than their victim. I consider that this age difference, in circumstances involving an offender aged 20 years or more and with the greater level of maturity that comes with that age, will necessarily be significant.

I also do not consider that increasing the scope of the exemption to offenders aged 20 or more in any circumstances provides sufficient protection to children in relation to those specified offences that may apply despite there being a smaller age difference. These offences relate to the production, distribution and possession of child abuse material or child pornography and can have significant and long-lasting negative impacts on victims. Persons aged 20 or more are old enough to understand those impacts, and I

consider that a person who commits such an offence consequently presents a significant risk to the sexual safety of children and the broader community that requires registration on the sex offender register.

For these reasons, I do not consider that the exemption is discriminatory or limits the right to equality. Even if a different view is taken, I consider that any limit on the right to equality is reasonable and demonstrably justified in accordance with section 7(2) of the charter for the same reasons.

#### *Right to a fair hearing (section 24(1))*

Under new section 11C of the SORA, an application for a registration exemption order must be made within six months of the date a person is first given notice under section 50 or 54 of their reporting obligations under the SORA. These notices are the formal process in which a person is made aware that they will be placed on the sex offender's register.

Section 24(1) of the charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. I do not consider that restricting the period in which a person may make an application to a period of six months limits a registered sex offender's right to a fair hearing. Rather, the provision merely ensures that the process for the making and hearing of these applications is as efficient as possible, enables the Chief Commissioner of Police to respond while the circumstances leading to the applicant's registration are fresh and provides certainty and finality to both the applicant and Victoria Police about the person's registration status. It also provides reasonable time for a person to apply for an exemption.

It is common for a time period to be placed on the initiation of court proceedings. For example, section 279 of the Criminal Procedure Act 2009 provides that an application for leave to appeal to the Court of Appeal against sentence must be filed within 28 days after the day on which the person is sentenced unless the court grants an extension. It is noted that the six month period only starts running upon notice being given under section 50 or 54 rather than upon being sentenced for a registrable offence, which is the trigger for registration. While in most cases, a notice under section 50 is given at the same time as sentencing, this will not always be the case. For example, a person who commits a registrable offence outside of Victoria and currently returns, or moves, to Victoria may only be given a notice upon Victoria Police learning of those offences, which may be some time after sentencing. This ensures a registered sex offender has sufficient time to make an application.

Further, for those offenders that have been sentenced for a registrable offence prior to the exemption scheme commencing, the time period is extended to the later of either two years from the day on which clause 7 of the bill commences or two years after the day on which the registered sex offender is first given notice under section 50 or 54 of the registered sex offender's reporting obligations. This recognises that these offenders would not have had the opportunity to seek advice on their options in relation to making an application for exemption prior to being sentenced and may require additional time to find a lawyer and seek such advice.

#### Suspension of reporting obligations

Clauses 14, 17 and 24 of the bill will also have the potential to reduce the impact registration has on the rights to privacy (section 13) and freedom of expression (section 15). As I have stated, the need to protect the public from the risks posed by sex offenders requires that child sex offenders continue to be registered in the vast majority of cases. However, there may be cases where an offender can later demonstrate, after a period of time complying with their reporting obligations, that they are not a risk, or a low risk to the community. Consequently, the amendments to suspension of reporting obligations have the potential to reduce the limitations on charter rights associated with registration under the SORA.

The SORA currently provides several mechanisms for the suspension of the requirements for an offender to report to police (which apply for a period of eight years, 15 years or life, depending on the type and number of offences, or four or 7.5 years for child offenders). These mechanisms include a power for the Supreme Court to suspend reporting obligations for as long as it thinks appropriate (including for life) where satisfied, upon application by the chief commissioner under section 39A of the SORA, that the registered sex offender does not pose a risk to the sexual safety of the community. Similarly, the Chief Commissioner of Police may suspend reporting obligations under section 45A for up to one year at a time (there is no limit to how many times it may do so) where satisfied that the registered sex offender does not pose a risk to the sexual safety of one or more persons or of the community.

However, there is some uncertainty around the practical operation of these powers, specifically whether in practice it is possible to be satisfied that a person who is not incapacitated poses 'no risk' to the sexual safety of one or more persons or of the community. Clauses 14 and 17 amend the test for suspension under both sections 39A and 45A of the SORA so that reporting obligations may be suspended upon satisfaction that the registered sex offender 'poses no risk or a low risk to the sexual safety of the community'. Clause 17 also extends the maximum period for which the chief commissioner may suspend reporting obligations to five years.

Clause 24 of the bill expands the definition of 'government custody' in section 3 of the SORA to include a person detained in a residential treatment facility under a residential treatment order made pursuant to section 82AA of the Sentencing Act 1991 and a child placed in a secure welfare service in accordance with an order made under section 173(2)(b) of the Children, Youth and Families Act 2005. Including such persons within the definition of 'government custody' means that, when they are also registered sex offenders, they will have their reporting obligations automatically suspended under section 32 of the SORA for the period of time they are detained or placed in the secure welfare service.

#### Search powers

Clause 22 of the bill provides new powers for police to search particular premises or a place where they suspect an offence has been committed against the SORA. Under clause 22, a police officer of or above the rank of senior sergeant (a senior police officer) may apply to a magistrate for a warrant in relation to particular premises if the police officer suspects on reasonable grounds that an offence against the SORA has been, is being or is about to be committed, and it is necessary to search the particular premises in order to investigate or

prevent the commission of that offence or the continuation of the commission of that offence, or to enable evidentiary material to be obtained of the commission of that offence or of the identity or location of an offender. If a magistrate is satisfied that there are reasonable grounds for such suspicions, the magistrate may issue a search warrant.

The warrant may authorise a police officer and any assistants the police officer considers necessary to enter the particular premises or vehicle named or described in the warrant and to search for and seize any evidence of the offence named or described in the warrant, including evidence of the identity or location of an offender.

In addition, new section 47C of the SORA (see clause 22 of the bill) provides that where a search warrant has been issued, a magistrate may also make an order requiring a specified person to provide any information or assistance that is reasonable and necessary to allow a police officer to access data on a computer, storage device or network, copy such data or convert such data into documentary form. It is a criminal offence for such a person who has relevant knowledge of the computer, network or device sought to be accessed, not to comply with the order without reasonable excuse.

*Right to privacy (section 13(a))*

Section 13(a) of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. The search powers outlined above will interfere with this right, as the powers may involve an interference with a person's home or correspondence, or if the premises to be searched relate to other premises or a vehicle, their personal environment. I also acknowledge that the search powers have the potential to indirectly interfere with the privacy of persons other than a registered sex offender, including persons residing in the same residence as a registered sex offender where that residence is to be searched or work colleagues of a registered sex offender where the premises to be searched are a place of business.

However, I am of the view that any such interference will not constitute a limit on the right to privacy. The proposed inclusion of the new search powers in the SORA means that the compatibility with the right to privacy turns on whether any interference is arbitrary, as the new powers will be lawful. The prohibition on arbitrariness requires that any interference with privacy must be reasonable or proportionate to a law's legitimate purpose. As I have stated above, a magistrate may only issue a warrant where satisfied that there are reasonable grounds for suspecting that an offence against the SORA has been, is being or is about to be committed, and that it is necessary to search the particular premises or a place which are the subject of the application for the purposes of investigating or preventing the commission of that offence or the continuation of the commission of that offence, or to enable evidentiary material to be obtained of the commission of that offence or of the identity or location of an offender. Consequently, I do not consider that any interference of a person's right to privacy will be arbitrary.

*Property rights (section 20)*

Section 20 of the charter provides that a person must not be deprived of his or her property other than in accordance with law. A deprivation of property is, therefore, permitted where authorised by legislation and appropriately confined and structured. I consider that the powers available under

the proposed new search warrant provisions satisfy these requirements and, therefore, that there is no limit on property rights.

New section 47A of the SORA (see clause 22 of the bill) sets the parameters for when a search warrant may be issued by a magistrate and authorises a police officer named in the warrant and any assistants the police officer considers necessary to seize any evidence of the offence named or described in the warrant, including evidence of the identity or location of an offender. As such, if a thing seized under the warrant ceases to be evidence, such as where it is determined that no offence has been committed, the thing must be returned.

Further, new section 47A(5) extends and applies the rules to be observed with respect to search warrants set out by or under the Magistrates' Court Act 1989 to search warrants issued under new section 47A. This means that the Magistrates Court may direct that any article, thing or material seized under a search warrant be returned to its owner, subject to any condition that the court thinks fit, if in the opinion of the court it can be returned consistently with the interests of justice.

*Right to protection against self-incrimination (section 25(2)(k))*

Section 25(2)(k) of the charter provides that a person who has been charged with a criminal offence has the right not to be compelled to testify against himself or herself or to confess guilt. The right applies in relation to incriminatory material obtained under compulsion, and extends to cover information that may have been obtained prior to any charge being laid.

The right to protection against self-incrimination generally covers the compulsion of documents or things which might incriminate a person. The bill's provision for a court order directing a person with knowledge of a computer or computer system to assist police in gaining access to a computer or other data storage device is relevant to section 25(2)(k).

However, these amendments do not limit the right against self-incrimination because there is a relevant distinction between documents or other material that has existence independent of the will of a person and information that is only stored in the mind of the person. A password for example has existence independent of the will of a person. The disclosure of such information or assistance in this context is also not in itself a requirement to testify in court or confess guilt.

Alternatively, if the right is limited insofar as such assistance could in some cases lead police to evidence that incriminates the person assisting police, it is a reasonable limit with regard to section 7(2) of the charter. While the protection in section 25(2)(k) is considered a fundamental right of an accused in relation to the criminal process, the protection accorded to the compelled production or pre-existing documents (or electronic data) is considerably weaker than the protection accorded to oral testimony or to documents that are brought into existence to comply with a request for information. This is particularly so in the context of this bill, where the search warrant may relate to suspected non-compliance with reporting obligations under the SORA relating to the use of computers and the internet, and where registered sex offenders are already required to report details such as internet usernames. The duty to provide assistance in

this context is consistent with the reasonable expectations of individuals subject to such reporting obligations.

A person subject to an order under new section 47C is only being compelled to assist an officer in accessing, copying or converting existing data or electronic files, and only if such assistance is reasonable and necessary to enable the officer's access to that data. For example, this may involve the provision of relevant passwords to allow an officer to be granted access to a registered sex offender's computer or the computer used by the offender. The person is not being compelled to answer any direct questions relating to conduct or behaviour nor bring into existence new forms of data to comply with a request for information.

Further, the ability to require such information and assistance to enable police access to data is necessary for the overall effectiveness of the SORA scheme, in which a significant proportion of sexual offending is related to computer, internet or other technology use, and can be subject to sophisticated methods of concealment. It is essential to the effective enforcement of reporting obligations under the SORA that police access to relevant data in the course of a lawfully executed search warrant is not hindered.

The changes are subject to appropriate safeguards (such applications for an order having to be made by a police officer of or above the rank of senior sergeant, and the court having to be satisfied of a number of matters, including that the person has relevant knowledge of the computer or device). The oversight of the court will ensure the orders are issued appropriately.

I am of the view that there are no less restrictive means available to achieve the purpose of enabling police to have efficient access to relevant data. Unless a person can be compelled to provide information or assistance, the police would be unable to readily access electronic information to investigate or prevent the commission of an offence under the SORA or that would enable evidentiary material of the commission of such an offence or the identity or location of an offender. Allowing a person to avoid providing access to data might encourage registered sex offenders to electronically conceal information and would unreasonably obstruct both the aims of the scheme and the very purpose for issuing the search warrant, as well as give offenders a forensic advantage in relation to the concealment of evidence of any contravention of reporting obligations or any other offence under the SORA. Similarly, it is necessary to ensure that persons other than a registered sex offender can be required to provide access to electronic information to investigate or prevent the commission of an offence by another person. Without this ability, registered sex offenders would be encouraged to use the computers of family or friends as a way of concealing their offending.

Further, the requirement that the search powers, and the power to require assistance only be available where authorised by warrant and court order — and then only where a magistrate is satisfied of the specific grounds outlined above — provides an important safeguard against the inappropriate use of these powers. Accordingly, I consider this clause to be compatible with the right not to be compelled to testify against oneself under the charter.

#### Powers to take forensic samples and fingerprints

Clauses 19 and part 3 of the bill will authorise police officers to take the fingerprints (including by fingerscan) and a

forensic sample from registered sex offenders where police do not already have that information.

The effect of these powers is to expand the circumstances in which police can already take fingerprints and forensic samples from registered sex offenders under powers in the Crimes Act 1958 and the SORA. Existing powers in these acts enable police, in certain circumstances, to use force to enable the exercise of a lawful power to take a person's fingerprints or forensic sample. The requirement that any use of force be reasonable means that force must be strictly proportionate to the ends sought to be achieved.

Police may already take the fingerprints of a person in a variety of circumstances. For example, section 464K of the Crimes Act 1958 enables police to take the fingerprints of a person police reasonably believe have committed or have been charged with certain indictable or summary offences. Fingerprints may also be taken under section 464NA of the Crimes Act if a person present at a police station has been charged with certain indictable or summary offences and the fingerprints are necessary to identify the person. Similarly, a police officer can also take the fingerprints of a registered sex offender who is reporting to police under section 27 of the SORA where the police officer is not satisfied as to the identity of the registered sex offender.

The Crimes Act 1958 also empowers police to take a forensic sample from a person in a variety of circumstances, including with the consent of the person in certain circumstances and in accordance with a court order, where the court is satisfied that, in all the circumstances, the making of the order is justified. Section 464ZA of the Crimes Act 1958 provides that a police officer may use reasonable force to assist a medical practitioner, nurse, midwife, dentist or other authorised person in exercising a power to take a forensic sample.

To facilitate the taking of fingerprints under the expanded powers in clause 19, a police officer of or above the rank of senior sergeant ('senior police officer') may cause or authorise a notice to be served on the registered sex offender directing them to attend a police station within 28 days. Several safeguards apply to ensure the appropriate use of this mechanism, such as limiting the power to issue these notices to senior police officers. Further, a notice must be served personally and must specify a range of information to ensure the registered sex offender is aware of the effect of the notice. This information includes a warning that a failure to comply with the notice may lead to an application for a warrant to arrest the person, and advise that the person may wish to seek legal advice as to the effect of the notice. An equivalent process applies in relation to the taking of forensic samples under part 3 of the bill.

Before taking the fingerprints of a registered sex offender, police must inform them the purpose for exercising the power, why the officer is not satisfied of the person's identity and a refusal to voluntarily give fingerprints may result in police using reasonable force to obtain the fingerprints.

In line with forensic samples that have been taken from a person who is subsequently found guilty of an indictable offence, a forensic sample taken from a registered sex offender may be stored indefinitely and DNA information obtained from it added to Victoria's DNA database.

*Right to privacy (section 13), right not to be subject to medical treatment without consent (section 10(c))*

The taking and holding of bodily samples and medical information is relevant to a person's right to privacy, including their right to bodily integrity. Any interference with privacy resulting from the taking of a forensic sample or holding of medical information under this bill will be lawful, as it will be authorised under the SORA. I am also of the view that any interference with these rights will not be arbitrary, as the obligation will only arise after a person has been sentenced for an offence that is either considered so serious that it requires the person to be automatically placed on the sex offenders register, or following which, a court has determined that the person poses a risk to the sexual safety of one or more persons or of the community and orders that they be placed on the sex offenders register. I therefore consider that there is no limit on the right to privacy.

Nevertheless, clauses 20 and 53 of the bill does include safeguards that restrict the powers of police to obtain the fingerprints or a forensic sample from a registered sex offender who is no longer subject to reporting obligations. Given the devastating consequences sexual offending can have on the community, I consider that it is essential that Victoria Police has the opportunity to obtain this information to effectively investigate any previous or future sexual offending by a registered sex offender. However, it is also necessary to ensure that where Victoria Police has been given sufficient time to do so, those persons no longer required to report to police should be able to move on with their lives. The bill therefore, provides an initial three-year period after the new powers commence in which police officers may obtain samples from persons who are currently registered sex offenders, whether or not they are still subject to reporting obligations. However, after that period, a registered sex offender no longer subject to reporting obligations may lawfully refuse to comply with a request to provide their fingerprints, undergo a forensic procedure or attend a police station for such a purpose unless Victoria Police have not had a reasonable opportunity to obtain that information due to person having been residing outside of Victoria.

Where a registered sex offender was residing outside of Victoria during the initial three-year period after the new powers commence, or in any other case where a registered sex offender returns to Victoria only after completing their reporting obligations, Victoria Police will have a 12-month opportunity during to obtain that offender's fingerprints or forensic sample. After that time, the person may refuse to comply with police's request. It will be up to the person wishing to exercise the right to refuse to demonstrate to the reasonable satisfaction of police that they have resided in Victoria for the relevant period of time (clauses 20 and 53(2)). I consider that this is appropriate given that the registered sex offender may be the only person who knows where they have been residing (noting that these persons will no longer have been required to report their residential address or where they sleep to police).

I also consider it is appropriate to leave the decision to senior police officers to determine whether a person has demonstrated they have been residing in Victoria. Any such decision must be reasonable, and the threat of civil suit for the unlawful use of powers were police to unreasonably deny a person's right to refuse provides a strong protection against the misuse of these powers.

Further, safeguards also apply in relation to the taking of fingerprints or conducting of a forensic procedure under these new powers. Where a registered sex offender is a child, police may only take the fingerprints or a forensic sample from them in the presence of a parent or guardian of the child or, if a parent or guardian cannot be located, an independent person (of the same sex as the child, if practicable). This promotes the right to protection of the best interests of the child under s 17(2). As with other registered sex offenders, where a registered sex offender is a child, there is a public safety imperative for this identifying information to be kept. This is to enable police to manage the risks associated with the offender, and monitor and investigate further or previous offending. I consider it is necessary to for the protection of other children and the community generally that these powers apply to child offenders.

The taking of forensic samples is also likely to be relevant to section 10(c) of the charter, which provides that a person has the right not to be subjected to medical treatment without his or her full, free and informed consent. While the taking of forensic samples, including by way of buccal swab, could potentially constitute medical treatment without consent, I am of the view that any resulting limitation would be reasonable and demonstrably justified under section 7(2) of the charter because such tests are being conducted for the important public purpose of assisting police to monitor and investigate further offending by registered sex offenders. In this way, the powers are also designed to protect the right of members of the community to be free from torture and cruel, inhuman or degrading treatment (section 10) and the right protection of families and children (section 17) by preventing the harms resulting from sexual offences.

As discussed above, the existing procedures and rules for the taking of forensic samples under the Crimes Act 1958 will provide important safeguards that minimise any limitation of these rights. These safeguards include requirements that intimate forensic samples may only be taken by a medical practitioner or nurse, or by allowing individuals to take their own mouth scraping (or buccal swab) under the supervision of a police officer or authorised police custody officer. This latter method avoids the need to take a more invasive sample from a registered sex offender.

*Rights to freedom of movement (section 12), liberty and security of the person (section 21), protection from cruel, inhuman or degrading treatment (section 10(b)) and right to humane treatment when deprived of liberty (section 22)*

The taking of the forensic sample or fingerprints are relevant to a person's freedom of movement. Persons lawfully within Victoria have the right move freely within the state and have the freedom from being forced to move to a particular place (section 12). However, I am of the view that any interference with this right is reasonable and demonstrably justified under section 7(2) of the charter. The circumstances in which a registered sex offender must attend a police station are limited to two discrete circumstances, namely where police do not already have that information or police are not satisfied as to the identity of the person. Fingerprints for identification purposes and forensic samples are fundamental tools to assist police's public safety function to monitor and investigate further offending by registered sex offenders.

Providing a fingerprint or forensic sample engages the right to liberty and security (section 21). The requirement to attend a police station could be construed as 'detention' in the sense that the registered sex offender is compelled to attend and a

warrant to arrest could be issued if the person fails to attend. Any limit on this right is reasonable and justified under section 7(2) of the charter as any detention is not arbitrary because the requirement to provide fingerprints or a forensic sample is only enlivened if police do not already have this information or there is a question as to the identity of the person and any restriction on liberty is for the limited period of time required to obtain the sample. The service of the notice to attend a police station, the grounds and process for taking fingerprints or forensic samples must all be in accordance with procedures established under the SORA and the Crimes Act 1958. Moreover the grounds for providing fingerprints or forensic samples are appropriate given the need for police to monitor and investigate further offending by registered sex offenders.

The extension of existing powers for a police officer to use reasonable force to take the fingerprints, or to assist in the taking of a forensic sample may also engage the rights to protection from cruel, inhuman or degrading treatment (section 10(b)) and to humane treatment when deprived of liberty (section 22). However, I do not consider that these rights are limited. As I have explained earlier, the requirement that any force used be reasonable ensures that force cannot be used unnecessarily and that any use of force is proportionate. Further, the safeguards under those existing powers will continue to apply. For example, section 28 of the SORA will limit the use of force to take fingerprints to circumstances where a registered sex offender refuses to cooperate voluntarily and the use of reasonable force has been authorised by the officer in charge of the police station or an officer of or above the rank of sergeant. If practicable, the officer using reasonable force must be the same sex as the registered sex offender. A similar requirement applies under section 464ZA(2) of the Crimes Act in relation to the use of force to take forensic samples. This requirement promotes the dignity of the person. The use of force in those circumstances is also limited to assisting an appropriately qualified medical professional to take the sample.

The Hon. Lisa Neville, MP  
Minister for Police

### *Second reading*

**Ms NEVILLE** (Minister for Police) — I move:

That this bill be now read a second time.

### **Speech as follows incorporated into *Hansard* under standing orders:**

Sexual offending is a scourge on our society. It has devastating and long-term impacts on victims, their families and friends, and the broader community. The sad reality is that much sexual offending is committed against the most vulnerable in our society: our children. The tragic outcomes of child sexual offending has been clearly outlined by brave survivors and their families in the public hearings of the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse.

It is against this sad backdrop that the unfortunate need for the Victorian sex offenders registration scheme is only too apparent. The scheme is established under the Sex Offenders Registration Act 2004 with the important purposes of protecting the community, including children, by reducing the likelihood of registered sex offenders reoffending and

assisting police investigations and prosecutions of any future offences. It is in pursuit of these purposes that registered sex offenders are required to report personal details to Victoria Police, are prohibited from engaging in child-related employment and are required to seek approval of authorities before they can legally change their name.

The Sex Offenders Registration (Miscellaneous) Amendment Bill 2017 makes a range of important reforms that will improve the scheme's ability to achieve these purposes as well as sharpen the scheme's focus. These provisions have been developed in consultation with Victoria Police which supports these amendments.

### **Search powers**

First, the bill will give Victoria Police the tools they need to detect crimes by registered sex offenders and prevent further harm to the community.

One of the tools provided under this bill is a new search warrant power specifically tailored to the investigation of suspected offending against the Sex Offenders Registration Act.

Victoria Police has requested these new powers to assist them in monitoring the compliance of registered sex offenders with their obligations under the Sex Offenders Registration Act, such as to report personal details and all contact with children to police.

A magistrate will be able to issue a search warrant under the new power when satisfied:

there are reasonable grounds for suspecting that an offence against the Sex Offenders Registration Act has been, is being, or is about to be committed; and

it is necessary to search particular premises in order to investigate or prevent that offence or the continuation of that offence, or to enable evidentiary material to be obtained of the commission of that offence or the identity or location of the offender.

Consistent with general search warrants under the Crimes Act, police will also be able to apply for an additional order authorising them to require a person to provide any information or assistance to allow police to access data on a computer or electronic device. The availability of such orders is particularly important in the context of investigating a suspected failure by a registered sex offender to report their email addresses, internet usernames and other online identities, as well as any contact with children over the internet.

### **Powers to obtain fingerprints and DNA profiles from registered sex offenders**

The bill also creates new and more efficient powers for police to obtain fingerprints and DNA samples from registered sex offenders.

These new powers will fill the gaps in existing provisions such as by ensuring that Victoria Police can obtain the DNA profiles of offenders who move to Victoria and are placed on the sex offenders register here due to offences they committed elsewhere. They will also enable Victoria Police to back capture fingerprints and DNA samples from offenders already on the sex offenders register.

The new powers will no longer require Victoria Police to first obtain a court order before they may take a DNA sample from a registered sex offender. Currently, a court may order a sample be taken from persons convicted of indictable offences where it is justified in all the circumstances. This is unnecessary: the Andrews government considers that the taking of DNA samples from a registered sex offender to assist police to investigations into any previous or future offending will always be justified. Further, avoiding the need to obtain a court order will reduce administrative burden on police and the courts and enable resources to be put to better use protecting the community.

The new power also brings Victoria into line with most other Australian jurisdictions, which permit police to obtain a DNA sample from registered sex offenders without a court order.

#### **Clarification of prohibition on child-related employment**

The bill also amends the Sex Offenders Registration Act to better clarify the intended operation of the prohibition on child-related employment under section 68 of that act.

This amendment has arisen due to some uncertainty around how long the prohibition applies in relation to offenders who when aged under 18 commit sexual offences committed against other children and are placed on the sex offenders register by court order. The reason for the uncertainty is that the Sex Offenders Registration Act does not currently specify how long these sex offender registration orders remain in effect.

The bill will clarify that these offenders, like all other persons placed on the sex offenders register, are prohibited from engaging in child-related employment for life unless they are exonerated on appeal or where any sex offender registration order is quashed or set aside on appeal.

It is important to note that sex offender registration orders are only very rarely made against persons under 18 and only where a court has been satisfied beyond reasonable doubt that the person poses a risk to the sexual safety of one or more persons or of the community. In those circumstances, it is essential that the protection of other children remains paramount and that these offenders be prohibited for life from engaging in child-related employment.

#### **New limited exception to automatic registration**

The amendments I have discussed clearly demonstrate the Victorian government's commitment to ensuring Victoria Police has the powers it needs to monitor and investigate sex offenders. However, it is also important to reflect on the existing powers and requirements under the Sex Offenders Registration Act and ensure that they are working as intended.

In 2011, the Victorian Law Reform Commission did exactly that and published its report, *Sex Offenders Registration*. In that report, it was made apparent that the existing system of 'automatically' registering all adults upon being sentenced for certain 'registrable' sexual offences has resulted in the inherently unfair and unnecessary registration of a small number of young offenders.

Those cases have typically arisen in two types of situations involving young adult offenders:

offending that occurs in the course of an otherwise consenting relationship or encounter with someone

under 16 but in circumstances where the young offender does not pose an ongoing threat to the community; and

offending that relates to 'sexting' or similar conduct where the person depicted was under the age of 18 at the time the images or video were taken but, again, in circumstances where the young offender does not pose an ongoing threat to the community.

The Sex Offenders Registration Act was not focused on automatically capturing all of these cases without any exception. Not only is automatic registration in certain strictly limited cases involving offenders aged 18 or 19 years old potentially unfair, it also requires police resources to be devoted to offenders that pose a very low risk to the community when they could be more effectively directed towards paedophiles and other offenders that represent a far greater risk to the community.

The Victorian Law Reform Commission recommended the abolishment of automatic registration completely and that persons are only registered at the discretion of the court, similar to the current requirements around the offenders who are under 18. The government does not agree with that recommendation. For the vast majority of adult sex offenders, automatic registration is the only effective means of ensuring that offenders do not slip through the cracks and can avoid the additional scrutiny of police that comes from being on the sex offenders register. All other Australian jurisdictions except Tasmania have taken a similar position and provide for automatic registration of adult sex offenders.

However, apart from Western Australia, those jurisdiction also include limited exceptions to the automatic registration process. To ensure that young adults are not inappropriately placed on the sex offenders register, this bill will do the same. The bill creates a process where offenders who are sentenced for a 'specified offence' committed when aged 18 or 19 will be able to apply to the courts for an order (a registration exemption order) exempting them from automatic registration.

Persons already on the sex offenders register who would have been captured by the exception had it existed at the time will also be able to apply to be removed from the register.

The list of 'specified offences' is set out in the bill. These offences have been selected because they may arise in the context of otherwise consenting relationships between a young adult and a child under 16, or 'sexting' or related conduct.

The limited exemption scheme includes several important safeguards to ensure that offenders will only avoid registration in exceptional cases where registration serves no useful purpose. A person will only be eligible for exemption so long as the offending involved no more than one victim, unless the offending relates to the possession of child pornography or child abuse material.

An offender will not be eligible to apply for exemption where they would still be required to be registered for reasons other than they have been sentenced for a specified offence. For example, where the offender has been sentenced for another 'registrable offence' which is not a 'specified offence'. Offenders that commit further sex offences after being placed on the sex offenders register will also be ineligible from applying for exemption, as will offenders that have previously had an application for exemption refused.

Finally, a court may only grant exemption from registration where it is satisfied that:

any victims were at least 14 years old at the time of the offence; and

the offender poses no risk or a low risk to the sexual safety of one or more persons or of the community.

As I indicated earlier, the creation of this limited exemption scheme will mean Victoria's sex offender registration scheme is more consistent with those in the majority of other Australian states and territories. It also reflects community concerns about the stigma of being on the register and that some young people are being inappropriately labelled for life.

#### **Powers to suspend reporting obligations**

The bill will also make amendments to existing powers of the courts and the Chief Commissioner of Police to suspend a registered sex offender's reporting obligations.

Once a person is placed on the register, they remain on it for life and are required to report to police on an ongoing basis for a period of eight years, 15 years or life, depending on the type and number of offences, or four or 7.5 years for child offenders.

However, there may be cases where an offender has demonstrated, after a period of time complying with their reporting obligations, that they are no longer a significant risk to the community and that there is no benefit to the community in requiring them to continue to comply with those reporting obligations.

This is currently recognised by enabling an offender's reporting obligations to be suspended in two main ways:

the Supreme Court may suspend reporting obligations under section 39A of the Sex Offenders Registration Act for as long as it thinks appropriate where satisfied, upon application by the Chief Commissioner of Police that the registered sex offender does not pose a risk to the sexual safety of the community; and

the chief commissioner may also suspend reporting obligations under section 45A of the act for up to one year at a time where satisfied that the registered sex offender does not pose a risk to the sexual safety of one or more persons or of the community.

However, a strict interpretation of these powers may mean that it is near impossible to be satisfied that a person, unless they have been incapacitated in some way, poses no risk whatsoever to the community. Consequently, the bill amends the test for suspension under both sections 39A and 45A so that reporting obligations may be suspended upon satisfaction that the registered sex offender poses a low risk to the sexual safety of the community.

In addition, the bill will improve the efficient operation of the powers by:

amending section 39A so that an application may be made to the sentencing court, rather than Supreme Court; and

permitting the chief commissioner to suspend reporting obligations under section 45A for up to five years at a time, rather than one year.

Victoria Police has indicated that it only intends to use the revised powers sparingly — and would take a risk-averse approach to the use of these powers.

#### **Further miscellaneous amendments**

Finally, the bill seeks to improve the overall effectiveness and efficiency of the sex offender registration scheme by making several miscellaneous amendments to the Sex Offenders Registration Act. For example, the bill will provide for the automatic suspension of a registered sex offender's reporting obligations when detained in a residential treatment facility by court order or where a child offender is placed in a secure welfare service by the Secretary of the Department of Health and Human Services. While offenders are in these facilities and under close supervision there is no need for requiring them to report certain personal details to police.

The ability of police to efficiently and effectively monitor registered sex offenders who live transient lifestyles will also be improved by amendments requiring offenders to report more specific details to police such as any place where they sleep on a regular basis.

Another miscellaneous reform included in the bill is to clarify that Victoria Police may apply for a sex offender registration order in relation to persons that commit offences outside Victoria but subsequently move or return to Victoria and are not automatically required to be registered here. This will ensure police have the necessary powers to monitor incoming or returning offenders who pose a risk to the safety of our children and the community more generally.

I commend the bill to the house.

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

**Debate adjourned until Thursday, 25 May.**

## **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016**

### *Council's amendments*

**Message from Council relating to amendments further considered.**

**Debate resumed from 10 May; motion of Mr PAKULA (Attorney-General):**

That the amendments be agreed to.

**And the amendment of Mr CLARK (Box Hill):**

That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely'.

**Council amendments:**

1. Clause 2, lines 19 to 31, omit all words and expressions on those lines.
2. Clause 2, line 32, omit "Division 2" and insert "Division 1".
3. Clause 2, page 4, line 5, omit "subsection (2), (3), (4) or (5)" and insert "subsection (2)".
4. Clause 2, page 4, line 6, omit "July" and insert "September".
5. Clause 42, line 12, omit '29A;'; and insert "29A;".
6. Clause 42, after line 12 insert—
 

'(ea) a decision of an agency or a Minister refusing to grant access to a document or refusing to amend a document, or a decision of a principal officer refusing to specify a document in a statement, that is taken to have been made under section 53;';.
7. Clause 45, after line 23 insert—
 

'(2) In section 53(1) of the Principal Act, for the words and expressions commencing "the principal officer" and ending at the end of the subsection **substitute** "for the purposes of making an application to the Tribunal under section 50(1)(ea), the agency or Minister is taken to have made a decision refusing to grant access to the document in accordance with the request or, in the case of a request under section 39, refusing to amend the document in accordance with the request, on the last day of the relevant period.".

(3) After section 53(1) of the Principal Act **insert**—

"(2) Subject to this section, where—

  - (a) a notice has been served on the principal officer under section 12(1); and
  - (b) the time period provided in section 12(2) has elapsed; and
  - (c) notice of the principal officer's decision has not been received by the applicant—

for the purposes of making an application to the Tribunal under section 50(1)(ea), the principal officer is taken to have made a decision refusing to specify the document in a statement on the last day of that period.".
- (4) In section 53(5) of the Principal Act, for "other than a decision to grant, without deferment, access to the document in accordance with the request, is given," **substitute** "is given, subject to subsection (5A)."
- (5) After section 53(5) of the Principal Act **insert**—
 

"(5A) Subsection (5) does not apply to—

  - (a) a decision of the agency or Minister to grant access to the document without deferment; or
  - (b) in the case of a request under section 39, a decision of the agency or Minister to amend the document in accordance with the request; or
  - (c) in the case of a notice under section 12(1), a decision of the principal officer to specify the document in a statement.".

(6) Section 53(8) of the Principal Act is **repealed**.'.
8. Clause 64, line 23, omit "Services" and insert "Complaints".
9. Clause 96, line 14, omit "section 8D(1)(e)" and insert "section 8D(1)(d)".
10. Clause 97, line 19, omit "or (h)" and insert "and (i)".
11. Clause 98, line 24, omit "or (h)" and insert "and (i)".
12. Clause 133, omit this clause.
13. Clause 134, omit this clause.
14. Clause 137, line 3, omit "July" and insert "September".

**Mr KATOS** (South Barwon) — I am pleased to continue my contribution to the debate on the amendments of the Legislative Council with regard to the Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016. How ironic that these amendments are before the house this week as it is Privacy Awareness Week, which is being run by the commissioner for privacy and data protection. The theme is trust and transparency in a week of events hosted by the commissioner. It started on Monday and finishes tomorrow. Events were due to be held in Ballarat, Geelong and Melbourne. Curiously, the two events in Melbourne have gone ahead, but the Ballarat event on Tuesday was cancelled and the Geelong event yesterday was cancelled. That pretty much sums it up, because the Andrews government is trying to get rid of the privacy and freedom of information commissioners.

As I said in my contribution yesterday, this is just one of those situations where freedom of information and privacy are paramount. These officers do their jobs without fear or favour and should be protected in their roles. Obviously the privacy commissioner is doing something that the government does not like, so as is the trademark of this government, we squash anyone who opposes us, whether it is the privacy commissioner, whether it is the Country Fire Authority Board, whether it is a water board — it can be anyone.

In this morning's *Herald Sun*, on page 12, in an article entitled 'Ire at merger: watchdog reform row', the privacy commissioner himself is quoted, and I will read from this article:

Privacy commissioner David Watts told the *Herald Sun* he was saddened by the news the restructure would go ahead. 'It is certainly a sad day for privacy and data protection in Victoria', he said.

'It is an attack on the independence of our office and it will clearly impact Victorians'.

In the same article the Special Minister of State in the other place, Gavin Jennings, is reported as saying:

... the bill was about allowing agencies to 'share' information.

Well, getting rid of independent officers who are doing their job is not sharing information; it is trampling on democracy. That is what is going on here with this government. They are very good at it. They have almost got their little secret police that go around trampling on anyone that dares to oppose them. With that, I am happy to support the amendments as put by the member for Box Hill.

**Ms ALLAN** (Minister for Public Transport) — There has been a number of members from the Liberal-Nationals side speak, and I ask that the question now be put.

**Ms Ryan** — On a point of order, Speaker, I would also like an opportunity to contribute to this debate.

**Mr Clark** — On a point of order, Speaker, it is not in order for the Leader of the House to make remarks ahead of moving to shut down the debate. If she wants to move a closure motion, she needs to do so. She cannot contribute her comments on the subject matter and then move the closure motion. I believe in those circumstances her motion should not be accepted.

**Ms ALLAN** — It was very clear from my contribution that I was speaking on the procedural matter that the question be put. Out of courtesy to the house, I was indicating the reason why I was moving that the question now be put. If the manager of opposition business would prefer me to say, 'I move that the question now be put because there have been adequate speakers on the motion', I am happy to amend my language accordingly. I move:

That the question be now put.

**The SPEAKER** — Order! I am interested to hear if the Greens wish to contribute to this debate.

**Mr Hibbins** — No.

**Mr Walsh** — On the point of order, Speaker, the manager of government business has been in this place long enough to know the correct procedures for doing things. It is a procedural matter but, as I understand it, a motion to have the bill put is what it is. You do not make a preamble, because a preamble is effectively a contribution to the debate on what is before the house. Speaker, I urge you to take the contribution that the manager of government business made to be a contribution on the bill, allow debate to continue, and allow the member for Euroa an opportunity to make her contribution.

**The SPEAKER** — Order! There is no point of order. I am satisfied there has been sufficient debate on this, and I am happy to put the motion to the house.

**House divided on Ms Allan's motion:**

*Ayes, 47*

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

*Noes, 37*

Angus, Mr	Northe, Mr
Asher, Ms	O'Brien, Mr D.
Battin, Mr	O'Brien, Mr M.
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.
Dixon, Mr	Southwick, Mr
Fyffe, Mrs	Staley, Ms
Gidley, Mr	Thompson, Mr
Guy, Mr	Tilley, Mr
Hodgett, Mr	Victoria, Ms

Katos, Mr  
Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr

Wakeling, Mr  
Walsh, Mr  
Watt, Mr  
Wells, Mr

Kealy, Ms  
McCurdy, Mr  
McLeish, Ms  
Morris, Mr

Walsh, Mr  
Watt, Mr  
Wells, Mr

### Motion agreed to.

**The SPEAKER** — Order! The Attorney-General has moved that the amendments made by the Legislative Council be agreed to. The member for Box Hill has moved an amendment to that motion. The question is:

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

Those supporting the member for Box Hill's amendment should vote no.

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

#### *Ayes, 47*

Allan, Ms  
Andrews, Mr  
Blandthorn, Ms  
Bull, Mr J.  
Carbines, Mr  
Couzens, Ms  
D'Ambrosio, Ms  
Dimopoulos, Mr  
Donnellan, Mr  
Edbrooke, Mr  
Edwards, Ms  
Eren, Mr  
Foley, Mr  
Garrett, Ms  
Graley, Ms  
Green, Ms  
Halfpenny, Ms  
Hennessy, Ms  
Hibbins, Mr  
Howard, Mr  
Hutchins, Ms  
Kairouz, Ms  
Kilkenny, Ms  
Knight, Ms

Languiller, Mr  
Lim, Mr  
McGuire, Mr  
Merlino, Mr  
Nardella, Mr  
Neville, Ms  
Noonan, Mr  
Pakula, Mr  
Pallas, Mr  
Pearson, Mr  
Perera, Mr  
Richardson, Mr  
Richardson, Ms  
Scott, Mr  
Sheed, Ms  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Thomas, Ms  
Thomson, Ms  
Ward, Ms  
Williams, Ms  
Wynne, Mr

#### *Noes, 37*

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

Northe, Mr  
O'Brien, Mr D.  
O'Brien, Mr M.  
Pesutto, Mr  
Riordan, Mr  
Ryall, Ms  
Ryan, Ms  
Smith, Mr R.  
Smith, Mr T.  
Southwick, Mr  
Staley, Ms  
Thompson, Mr  
Tilley, Mr  
Victoria, Ms  
Wakeling, Mr

### Amendment defeated.

### Motion agreed to.

## FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017

### *Second reading*

### Debate resumed from 2 May; motion of Mr PAKULA (Attorney-General).

**Mr GIDLEY** (Mount Waverley) — I rise to make a further contribution on the Family Violence Amendment (Information Sharing) Bill 2017, and I do so again with a direct focus on the importance of police responses to family violence incidents. The victims of family violence deserve nothing less than to be able to have confidence that there are sufficient police resources to respond to their needs.

That is where I and many others are greatly concerned about the state of police resources in our state under this government. As we know, the Chief Commissioner of Police went on the record at a recent Public Accounts and Estimates Committee hearing confirming that in Victoria under this government we have had a cut in police resources — that is right, a cut in police resources. As our population continues to increase and because this government went to the last election with no commitment to increase police numbers and sat on its hands for so long in its term, we have had a real cut in police numbers.

In addition to that, we had the announcement a number of weeks ago by senior members of the Labor Party of their plans for Monash. Those plans for Monash include the closure of not one, not two, not three but four police stations, with the closure of Glen Waverley police station, the closure of Mount Waverley police station, the closure of Oakleigh police station and the closure of Clayton police station. That is what is on the record. That was launched and advocated for by senior members of the Labor Party. Of course we have that on the record, and that is increasingly concerning residents in my district because not only has there been a cut in police resources, as confirmed by the chief commissioner, but we are now in a situation in Monash where we are going to have four police stations closed, based on the Labor Party's plans. That is so disappointing because for victims of domestic violence

who rely on a police response, that sort of action — cutting police numbers and closing four police stations in Monash, as the Labor Party plans — will have a massively detrimental effect on their capacity and their confidence in being able to get the sort of policing response they should get.

Then on top of that we have also had in the last two weeks, as part of Labor's plan in Monash, a clarification of their views on Murrumbeena police station — that is, that the Liberal-Nationals plan to refurbish and reopen Murrumbeena station is, and I quote, 'ludicrous'. That is what the Labor Party has put forward on the record. That is of great concern because not only is there is a plan to cut or shut four police stations in Monash but there is also a plan to campaign heavily against Murrumbeena station, which increases it to five stations. That is just in the space of two to three weeks. We have got a long time until November 2018, so if the Labor Party has put that view out in the space of a couple of weeks that they want to do that to five police stations in Monash and surrounding areas, who knows what the plans will be up to November 2018.

I want the house to be assured that I will continue to fight on behalf of residents in my district to ensure these savage cuts and these plans to gut police stations in Monash do not happen. I will ensure that I fight against the Labor Party's misunderstanding, and that is all I think that it must be. I take it on face value that it is a misunderstanding as to the importance of police responses to family violence. That is all I hope it is. But whether it is a misunderstanding of the importance of police responses to family violence or not, I and my district will stand up for those victims to ensure that we have appropriate policing resources available to them to ensure those matters can be responded to, and I know that my colleagues in the Liberal-Nationals will continue to do the same.

It is just incredibly disappointing from where we came from, because under the last Liberal-Nationals government we did the heavy lifting. We spent \$27.8 million on an upgrade to the police academy in Glen Waverley to make sure that Victoria Police could recruit, train and deploy police. We had the 940-plus protective services officers. We invested in Mount Waverley police station to ensure that it was not closed and sold, as was the Morand plan at the time. We did all of that; we did the heavy lifting.

Then after the government was elected we had a couple of years where they sat on their hands. Now we have this plan to shut four police stations in Monash and to call for the closure of and attack the plans for Murrumbeena. As I said, it is disappointing enough, given the importance

of police responses to family violence, but after you have done the heavy lifting, after you have put so many resources and so much time into ensuring Victoria Police have the resources they need, it is disappointing to have a government that clearly just does not understand the importance of those police resources and to have the Chief Commissioner of Police go on record and confirm the cuts to police numbers.

But from that disappointment we must — and we do on the side of the house — take up the baton and fight very, very hard. We will ensure that we get back to a place where the cuts inflicted by this government, where the planned closures of Glen Waverley, Mount Waverley, Clayton and Oakleigh stations and the commentary on Murrumbeena station are not put into action. We will fight for those local police stations. We will fight to ensure that our local police have the resources to respond to family violence incidences. That is important; it is the right thing to do. We understand that on this side of the house. It is the right thing to do for victims of family violence. It is the right thing to do to stop the lawlessness in our state that has been perpetrated under this government. It is the right thing to do for victims of crime, and it is the right thing to do for the taxpayers of the state, who deserve much, much better than they are getting under this Labor government.

**Mr PEARSON** (Essendon) — I am delighted to make a brief contribution on the Family Violence Protection Amendment (Information Sharing) Bill 2017. When you recognise that there is a problem and a scourge in our society, it is appropriate that you start a formalised response and you start going about your work with a very careful, deliberative approach. It was that rationale that led to the establishment of the Royal Commission into Family Violence, which is the very first time any jurisdiction has tackled this scourge in this particular way. When you do your work, do that research, start to look at the evidence and start to look at possible ways to address that, you then come up with a series of recommendations. That leads us to this point, where this bill starts to take up some of that work and implement the recommendations which were suggested.

When you start to have a formalised response to such a profound issue that has caused such enormous trauma in our society, it cannot just be a kneejerk response. It cannot just be a thought bubble. It cannot just be something that will grab the headlines in a 24-hour news cycle. It must be careful, it must be quite deliberative, and it needs to be done in a way in which it can be part of that structural change. There are interlocking aspects that are being run simultaneously in order to tackle this particular issue.

I was at a function on Saturday night at a local netball club which my daughters attend. At 11.30 p.m. on that night I was approached by a woman who is an early years educator. She was talking about the service that she runs, which is in an area of significant economic hardship and distress. She was saying how difficult it is to keep early years educators in that setting. In relation to one particular educator, who by all measures is an outstanding contributor to that organisation and is a very good educator, the organisation is struggling to keep her employed because of what she sees on a daily basis. She had a four-year-old come to kinder with a black eye that had been inflicted on her by her father, and the four-year-old indicated that her father had done it and had also hit her mother twice.

When you start to hear these little stories — and this early years educator was quite distressed and concerned about what she was seeing and what her team members have to experience on a regular basis — it gives you a sense in terms of just how profound these issues are in our community, the impact that it has on our community and how it is all pervasive. For those of us who have known victims of family violence, the impacts are quite profound and they reverberate down the decades, long after the trauma has ceased, long after the perpetrator — —

**Business interrupted under sessional orders.**

## QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

### Criminal justice system

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. I refer to the tragic case of Ken Handford, a decorated war veteran who was brutally murdered on the eve of his 90th birthday in September 2015 by ice addict Jonathon Cooper. Mr Cooper tied Mr Handford up by his wrists and legs before stabbing him 13 times in the back, stealing his war medals and leaving him to die over the following 4 hours. Mr Handford's body was found the next day, on his 90th birthday. Mr Cooper was sentenced to a minimum of just 13 years in jail. Mr Handford's grandchildren have launched a petition calling for an appeal against this sentence and for tougher sentencing laws. Premier, with the Handford family watching this online today, can you tell them what you will be doing to support this family's petition?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. First of all, I am sure I speak on behalf of all members in this place and all fair-minded Victorians when I extend our sympathies

and our condolences to the Handford family. It is not just a matter of sending our best wishes, though. Our actions are there as well to support that family, and to enhance and improve the infrastructure around victims of crime and to give a funding boost, I might add, in this year's budget, which we were very proud to deliver.

Beyond that, though, the government has made a raft of changes in relation to the criminal law and the administration of our justice system. We have a number of further changes which we have foreshadowed, the most recent of which the Attorney-General announced on Monday this week. We will continue to make the necessary changes to make sure that there is proper balance in the system and that the safety of the community is the paramount concern and the central focus of our judiciary, the central focus of our criminal justice system.

We will continue to learn, as we are required to, from tragic cases such as this in the hope that we can honour the pain and suffering of this family, and the fact that they have lost someone so dear to them, through a better set of laws and a better-resourced police force with a record boost in this year's budget — more than has ever been invested in the safety of the community — and a statute book to match. Just today we have — —

*Honourable members interjecting.*

**Mr ANDREWS** — This is a serious matter and one that I would have thought all honourable members would be interested in. Shouting and screaming across the chamber is not the focused, deliberate leadership that is required for this family and every Victorian family. We will continue to provide that reform and change, giving to the chief commissioner the resources he needs, the power he needs.

Most recently — today — we announced a raft of changes to make sure that serious sex offenders are appropriately dealt with. If you are a risk to the community, then you will not be in the community. The rights of a serious sex offender will not take precedence over the rights of innocent Victorians.

That is but one example of a raft of reforms and changes that we have made or foreshadowed based on expert advice — not just our sympathy, not just our best wishes to this family and others, but our determined and deliberate action to reform and change, and properly resource those who keep us safe.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Under the mandatory sentencing reforms I announced two weeks ago, Mr Handford’s disgusting attacker would have faced a minimum of 20 years jail with no discount for pleading guilty. Is it not true, Premier, under your proposed standard sentencing scheme it would still be possible for monsters like Jonathon Cooper to get away with light sentences for brutal murders such as that of Ken Handford?

**Mr ANDREWS** (Premier) — The latest advice I have is that the Director of Public Prosecutions is in fact giving due consideration to appealing this matter, so I will be very cautious in commenting on an individual case that may well be the subject of an appeal. The last thing that I would want to do, and the last thing that any member of this government will engage in, is loose commentary that could in fact put at risk any Victorian getting what they are duly owed and therefore families receiving the justice that they are owed. Irresponsible commentary will benefit nobody. The Attorney-General announced, following a decision of the Court of Appeal — and indeed the whole government has been left with rather a mess to clean up, left by those opposite — that we will, through new sentencing standards — —

*Honourable members interjecting.*

**Mr ANDREWS** — We will not shout and scream about it. We will deliver a fix to the mess left by those opposite and struck down by the Court of Appeal.

**Ministers statements: federal budget**

**Mr ANDREWS** (Premier) — Again I have no joy in rising to inform the house and all Victorians that under new analysis from my department we can now say that just 8 per cent of commonwealth infrastructure funding is being provided — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Members will come to order. The manager of opposition business was raising a point of order.

**Mr Clark** — On a point of order, Speaker, the Premier has cited analysis demonstrating a figure that he has quoted to the house. I ask you to ask the Premier to make that analysis available to the house.

**The SPEAKER** — Order! Was the Premier quoting from documents?

**Mr ANDREWS** — On your question, I do not have a document in front of me. I am more than happy — —

*Honourable members interjecting.*

**Mr ANDREWS** — Well, you can shout all you want, but Malcolm Turnbull is a rip-off merchant and you should be shouting at him.

*Honourable members interjecting.*

**The SPEAKER** — Order! There is no point of order. The Premier, to continue his statement.

**Mr ANDREWS** — Those opposite ought to be shouting at Malcolm Turnbull for having ratted on a deal with Victoria, a deal that Denis Napthine himself signed with the federal government.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Kew is warned. The member for Frankston is warned.

**Mr ANDREWS** — It was a deal done by the previous government, for heaven’s sake, and still they cannot call it out. They cannot do anything other than cheer him on. Eight per cent of infrastructure funding — that means that Victoria, each and every hardworking Victorian across our state, is \$6 billion short of what would be our population share. What that means is that instead of being able to deliver better regional rail on the Warrnambool line, the Gippsland line, the Bendigo line to Ararat, and to the Surf Coast, all of those projects and the 1000 jobs that go along with them are at risk — —

**The SPEAKER** — Order! The member for Ripon and the member for South-West Coast!

**Mr ANDREWS** — because the Prime Minister of Sydney — —

**The SPEAKER** — Order! The member for South-West Coast is warned.

**Mr ANDREWS** — refuses to properly support Victorians, Victorian jobs, Victorian infrastructure and a fair share for the state of Victoria. The Prime Minister, with his abject neglect of Victoria, shows himself to be the Prime Minister of Sydney and Sydney alone, ratting on deals and ripping off Victorians — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBERS**

**Members for Essendon, Geelong, Bentleigh and Frankston**

**The SPEAKER** — Order! The member for Essendon, the member for Geelong, the member for Bentleigh and the member for Frankston will leave the chamber for the period of 1 hour.

**An honourable member** — Name them!

**The SPEAKER** — Order! They did not defy my ruling.

**Honourable members for Essendon, Geelong, Bentleigh and Frankston withdrew from chamber.**

**QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

**Questions and statements resumed.**

**Mr Clark** — On a point of order, Speaker, I would submit that the conduct of the member for Frankston in particular was egregious, in defiance of you when you rose to your feet and in contempt of the Parliament, and for parity of treatment in relation to the member for Bass yesterday I would submit that it would be appropriate that you name the member for Frankston for his contemptuous disregard of the Parliament.

*Honourable members interjecting.*

**The SPEAKER** — Order! When the member for Frankston saw me on my feet, he resumed his seat. I removed all members — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Members are warned that the use of props is inappropriate in the house.

*Honourable members interjecting.*

**The SPEAKER** — Order! I removed the members that I saw with props.

**Mr Burgess** — On a point of order, Speaker, the opposition would like you to review the tape, and if the member for Frankston did not resume his seat when you stood up, will you name him?

**The SPEAKER** — Order! I have ruled on the point of order.

*Honourable members interjecting.*

**The SPEAKER** — Order! Is there a question? The member for Gembrook.

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Mordialloc**

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

**Honourable member for Mordialloc withdrew from chamber.**

**QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

**Questions and statements resumed.**

**Country Fire Authority Lara brigade**

**Mr BATTIN** (Gembrook) — My question is to the Minister for Emergency Services. Greg McManus is a veteran Country Fire Authority (CFA) volunteer, ex-captain of Lara CFA and national emergency medal recipient with 27 years of firefighting experience. He is here in the gallery today. Your plan to split the CFA will evict volunteers like Greg from the Lara CFA fire station. Minister, can you face Greg and explain why you are going to force him and his volunteer colleagues out of the Lara CFA station, a station that they and their community proudly built?

**Mr MERLINO** (Minister for Emergency Services) — I thank the member for Gembrook for his question. In fact I have met with the volunteers from the Lara brigade, as I have met with volunteers across the state, and what — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Without assistance. The Deputy Premier, to continue. The member for Kew has been warned.

**Mr MERLINO** — The message I am hearing from volunteer firefighters across the state and the message I am hearing from career firefighters across the state is that they are sick of being used as a political football. They want to see an end to it, and that is exactly what we will do. I would say to not only Greg but to all the members at the Lara brigade and all of the volunteers around the state that what we will not do is cut their

funding. What we will not do is deny presumptive rights. What we will not do is go to the tennis when there are dozens of fires burning across the state. That is the record of those opposite.

**Mr Clark** — On a point of order, Speaker, the Deputy Premier might not want to answer the question, but he is not entitled to resort to debating. I ask you to bring him back to answering it. If he is not prepared to answer it, he should simply sit down.

**The SPEAKER** — Order! The Deputy Premier is being responsive to the question that has been asked.

**Mr MERLINO** — The question from the member for Gembrook was utter nonsense. What we are doing is enhancing and protecting the roles of our volunteers in Victoria — over 100 appliances to volunteer brigades, rebuilding volunteer brigade stations, the sustainability grants program and providing vital equipment, support and training to volunteer brigades. That is our record, and we will continue to do so.

*Honourable members interjecting.*

**Questions and statements interrupted.**

### SUSPENSION OF MEMBER

#### Member for Kew

**The SPEAKER** — Order! The member for Kew has been warned twice. I ask him to leave the chamber for the period of 1 hour.

**Honourable member for Kew withdrew from chamber.**

### QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

**Questions and statements resumed.**

#### Country Fire Authority Lara brigade

*Supplementary question*

**Mr BATTIN** (Gembrook) — Sorry, Greg, he would not guarantee it for you. Other volunteers at Lara Country Fire Authority (CFA) have been appalled by the attitude of their local Labor MP, the member for Lara, to the extent that a statutory declaration has been signed about his criticism of volunteers, with the member for Lara going as far as to have said about their campaign for respect for volunteers:

You will pay for this. Now I will make sure we have a real fire service in Lara.

Minister, is it your position — —

**Mr Eren** — On a point of order, Speaker, I seek a retraction of those comments from the member. That is an absolute lie. I have made no comments such as those, and I ask the member to withdraw and retract his statement.

**Mr BATTIN** — On the point of order, Speaker, in relation to the statutory declaration signed by a volunteer and other witnesses, all willing to speak to the media, I will not withdraw a comment that was directly from a statutory declaration of a volunteer about the member's disgraceful behaviour against volunteers in our state.

**The SPEAKER** — Order! The member for Gembrook, to continue his question.

**Mr BATTIN** — Other volunteers at Lara CFA have been appalled by the attitude of their local Labor MP, the member for Lara, to the extent that a statutory declaration has been signed about his criticism of volunteers, with the member having gone as far as to say about their campaign for respect for volunteers:

You will pay for this. Now I will make sure we have a real fire service in Lara.

Minister, is it your position that CFA volunteers are not real firefighters and that decades of firefighting experience from CFA volunteers count for nothing?

**Mr MERLINO** (Minister for Emergency Services) — The answer to the member for Gembrook's question is no, and I will say in addition that the member for Lara is an advocate for all his firefighters.

*Honourable members interjecting.*

**The SPEAKER** — Order! The level of shouting in the chamber during question time is completely unacceptable. I will begin to remove members without warning.

**Mr Battin** — On a point of order, Speaker, in relation to relevance, whilst the minister is saying that the member for Lara is an advocate — —

**The SPEAKER** — Order! What is your point of order?

**Mr Battin** — Is he saying that the minister is a liar or is he saying the volunteers are lying in their statutory declarations?

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

**Mr MERLINO** — The member for Lara is a strong advocate for all his firefighters. The member for Lara organised the meeting that I had with the members of the brigade. I have been listening to their concerns and engaging with the member for Lara. We will protect volunteers not only at the Lara brigade but right across Victoria.

### Ministers statements: budget

**Mr PALLAS** (Treasurer) — I rise to inform the house about the ongoing support that the Andrews government is providing to regional Victoria. Last week's state budget included the largest ever investment in regional Victoria. In fact we have invested more in three budgets than the state coalition did in four — that is, \$4 billion worth of investment. But that is not all. The state budget also included an Australian first — a 25 per cent reduction in payroll tax for regional businesses, which will support jobs across regional Victoria.

*Honourable members interjecting.*

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

**Mr PALLAS** — We have delivered twice the amount of business cuts in three budgets as the coalition did in four. We have done our fair share for regional Victoria, unlike those opposite — and, might I say, their federal colleagues as well. The least the federal government could do is keep its word to regional Victoria and deliver what it promised.

You would think that the National Party at the very least would have something to say about the constituency that is being cheated. Their meek capitulation finally proves what we have always suspected — they are nothing more than Liberals in big hats, R. M. Williams boots and a big yellow streak down their backs.

*Honourable members interjecting.*

**The SPEAKER** — Order! Without the assistance of the member for Warrandyte.

**Mr Clark** — On a point of order, Speaker, sessional orders provide for ministers statements to advise the house about matters, not to debate the issue. The Treasurer is now debating issues. I ask you to bring him back to the proper purpose of this sessional order,

which is to provide information to the house on matters relevant to his portfolio.

**Ms Allan** — On the point of order, Speaker, it is entirely appropriate for the Treasurer of this state to talk about risks and threats around federal government funding and funding cuts to Victoria, particularly regional Victoria. He is being entirely relevant, and it is a great shame that those opposite are trying to gag debate on what is a critical issue for regional Victoria.

**Mr Watt** — On the point of order, Speaker, I take the point of the Leader of the House — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Without the assistance of government members. The member for Eltham is warned.

**Mr Watt** — The Leader of the House in the last part of her statement has just agreed with the manager of opposition business that the Treasurer was debating. She said we are trying to gag debate. The point is not to debate but to give information. She has belled the cat.

**The SPEAKER** — Order! I do not uphold the point of order, but I do ask the Treasurer to ensure that he stays within the bounds of making a ministers statement.

**Mr PALLAS** — I would have thought that the National Party at the very least would be interested in hearing the massive gift that the people of Victoria expect from this government and get — unlike, of course, the federal government, who have done everything within their capacity to rip Victorians off and to short-change regional and rural Victoria — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Burwood is warned.

**Mr PALLAS** — The member for Bulleen is Malcolm's guy. The Pied Piper from Point Piper has been playing his tune, and the member for Bulleen has fallen into line like the loyal Liberal lapdog that he is.

### Family Safety Victoria

**Ms VICTORIA** (Bayswater) — My question is to the Premier: 12 months ago you said about the Minister for the Prevention of Family Violence's appointment:

When it came time to choose who would fulfil this role, who would be the leader in this field and deliver on all the

commitments that we had made ... It wasn't a long conversation: it didn't really need to be.

Given your comments, why did you hand the responsibility for Family Safety Victoria to Gavin Jennings? Why did you not give it to the person you described as the 'leader in this field'?

**Mr ANDREWS (Premier)** — I could not be prouder than to lead a government that includes the Minister for the Prevention of Family Violence in a key portfolio where this state is not only leading Australia, we are leading the world. Perhaps the member for Bayswater would have more credibility if, when given the opportunity, the great gift of government, she had actually done anything at all in this critical area — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Yan Yean.

**Mr ANDREWS** — On this question on arrangements in terms of family violence, I will remind the member for Bayswater — because she does need reminding; clearly the minister yesterday eloquently ran through the facts — that acting on family violence is an effort for every member of this government.

**Ms Victoria** — On a point of order, Speaker, I would bring you to a point of relevance. It was not about a personal attack on me or what I might have done; it was asking the question of the Premier — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Footscray.

**Ms Victoria** — It was asking question of the Premier as to why the relevant minister was not given the responsibilities under her charter.

**Ms Allan** — On the point of order, Speaker, the Premier could not have been more relevant to the question that was asked about the family violence prevention agency. He was going through in detail — as the minister did yesterday, might I add — about how this whole-of-government effort is coordinating the work that we are doing on family violence. I would suggest that the Premier is being entirely relevant to the question that was asked.

**Ms Ryan** — On a point of order, Speaker, perhaps you will let me renew my point of order from yesterday in support of the member for Bayswater. The question was very clear about why the Premier, who describes itself as a champion for gender equality, would strip a

competent female minister of her portfolio and give it to a man. That is the subject of the question and that is what the Premier should be answering.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order. I will just remind members that points of order are not an opportunity for members to repeat a question. The Premier, I think, did stray but was coming back to answering the question.

**Mr ANDREWS** — Thank you for your guidance, Speaker. I am more than happy to make the point that the Minister for the Prevention of Family Violence, Australia's first such minister, is doing an outstanding job. She has significant responsibilities, and despite the significance of those responsibilities she is equal to the task — be in no doubt about that — to deliver an agenda which in prevention alone is bigger than the investments made by those opposite over four years for the whole of family violence.

The minister is doing an outstanding job. She has the full support of all of her colleagues in her important work, but her work is one part of a whole-of-government effort to deal with the number one law and order challenge in our community and our nation. I would say to those opposite, it would suit you better to ask some questions about the budget, perhaps, and the \$1.91 billion that this government is investing to keep women and children safe — 100 times more than the commonwealth government — —

**Mr Clark** — On a point of order, Speaker, the Premier is now departing from the subject of the question and proceeding to debate it. It was a question about the allocation of ministerial responsibilities, and I ask you to bring him back to answering that question.

**The SPEAKER** — Order! I rule that the Premier covered the subject matter of the question. He is now talking about the broad subject matter of the question, which is family violence.

**Mr ANDREWS** — The allocation of responsibilities is to ensure that we have a proper, whole-of-government focus to deliver profound reform — —

**Ms Staley** interjected.

**The SPEAKER** — Order! The member for Ripon has already been warned.

**Mr ANDREWS** — The minister is doing an outstanding job. She, I am certain, will continue to do

that work, bringing her considerable abilities, her personal experience and her passion. That is why I was proud to choose her to play the role and why I continue to, so for anyone who wants to know, including those opposite, this minister has achieved more in three years, and this government has achieved more in three years, than those opposite could ever have dreamt of. It would suit the member for Bayswater better to reflect on all the things she did not do when she had the chance.

*Supplementary question*

**Ms VICTORIA** (Bayswater) — My supplementary question to the Premier is: what qualifications does Gavin Jennings possess that make him a superior candidate to oversee Family Safety Victoria —

*Honourable members interjecting.*

**The SPEAKER** — Order! Without the assistance of government members. The member for Bayswater.

**Ms VICTORIA** (Bayswater) — What qualifications does Gavin Jennings possess that make him a superior candidate to oversee Family Safety Victoria, compared to the actual portfolio minister, the Minister for the Prevention of Family Violence?

**Mr ANDREWS** (Premier) — It is a delight to be lectured on qualifications for service from any member from that side of the house, frankly. Can I just say in answer to this question: my focus, and the focus of every single member on this side of the house, is unashamedly on victims and survivors of family violence, not silly games like the ones being played by the member for Bayswater.

**The SPEAKER** — Order! The member for Bayswater on a point of order. The Premier has concluded his answer.

**Ms Victoria** — On a point of order, Speaker, I would like a written response. I would like you to review the Premier's response. The Premier has not responded to the question as it was asked.

**The SPEAKER** — Order! I will review the Premier's answer and provide a response to the house.

**Ministers statements: federal budget**

**Ms ALLAN** (Minister for Public Transport) — I am not pleased to rise to update the house today on the outrage that is sweeping regional Victoria following the federal government's decision to dud communities right across our state. It is, as James Campbell said in today's *Herald Sun*, that this is a federal budget that:

... is enough to make a Victorian taxpayer's blood boil.

Too right, because this Sydney-centric government flatly refuses to give Victoria every single cent we are entitled to, and instead tosses a few crumbs off the side of NSW's silver platter. A scan through today's regional media — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Ripon**

**The SPEAKER** — Order! I have warned the member for Ripon on a number of occasions to stop shouting across the chamber. I ask the member to leave the chamber for a period of 1 hour. I again remind members to please cease shouting across the chamber so members can hear the minister on her feet or someone asking a question.

**Honourable member for Ripon withdrew from chamber.**

**QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

**Ministers statements: federal budget**

**Questions and statements resumed.**

**Ms ALLAN** (Minister for Public Transport) — It is a shame those opposite are not this vocal in telling their mates in Canberra to give us our fair share. A scan through today's regional media will show you that regional Victoria can see this for what it is. We are fighting for a fair and equitable share across regional Victoria, not — to quote today's *Bendigo Advertiser* — a package with:

... blatant preference for coalition-held seats.

Today also in the *Ballarat Courier* it quotes the federal Minister for Infrastructure and Transport admitting that the:

... \$500 million earmarked for regional rail won't quite deliver the revival the state government wanted.

Also, the member for South-West Coast has said on radio that the regional revival rail plan was:

scribbled on the back of the envelope.

What an insult to her community. This \$100 million would deliver VLocity services and extra trains to her

community, and she is not standing up for them. They have been let down. Again I quote from the Bendigo *Advertiser*, which says that the Turnbull government:

... has thrown a massive stumbling block in the way of the very thing people want; getting things done.

### Shepparton rail services

**Ms SHEED** (Shepparton) — My question is for the Minister for Public Transport. Minister, I am delighted, as is the Shepparton district community, that the government has announced investment of \$43.5 million in passenger rail services for Shepparton. I have advocated long and hard for this, as has my community and the All Aboard campaign. On 28 May 2015 a large group of Shepparton district residents travelled to Melbourne — many in their pyjamas — to the steps of Parliament House to impress on the government the lack of services available to them and the need for more, better and faster services. But we have waited for so long and we do not want to wait any longer. My question for you today is whether you can take steps to bring forward the works that are so urgently needed in this current budget year.

**Ms ALLAN** (Minister for Public Transport) — I thank the Independent member for Shepparton for her question, and I would like to acknowledge the hard work that she has done with her community, as she outlined in her question, in campaigning for better and more train services for her community. To continue the theme, it is such a shame that the Liberal and National Party members in the region will not also stand up for better public train services in central Victoria. This year's budget invests \$43.5 million to improve train services for Shepparton. I was pleased to join with members of the Shepparton community on the platform at Shepparton station last Wednesday morning to talk in greater detail about how this will invest in stabling a passing loop around Murchison East and of course extra services as well.

We have seen some commentary on this commitment. Sadly a member for Northern Victoria Region in the other place, Wendy Lovell, who wanted to sell her community short, was on Facebook asking for \$750 000 for a business case for the Shepparton community in the budget. What happened was we provided 58 times that — 58 times! I will tell you what happened to that Facebook post: she deleted it. She deleted that Facebook post to replace it with another one that said \$43 million is not enough.

I think we have better aspirations for the Shepparton community. I appreciate the member for Shepparton's enthusiasm for getting these upgrades done as quickly

as possible, because she is right. The Shepparton community have waited a long time for these improvements, and we need to get them moving as quickly as possible. I have listened very carefully to the question that was put by the member, and immediately following question time today I will be asking my department to examine options on how we can accelerate the delivery of these critical infrastructure works, because you have got to do the infrastructure works to get the extra services. That is what we are committed to do, and I will keep the member for Shepparton informed of the advice I receive from my department.

### Supplementary question

**Ms SHEED** (Shepparton) — Those who understand the needs of Shepparton district people seeking better rail services know that the eventual rollout of the whole improvement project will be in the vicinity of \$200 million. Can the minister tell us what on-the-ground works will form part of the first stage of the project, and what steps are likely to be taken in relation to my community's travelling arrangements while those works are being done?

**Ms ALLAN** (Minister for Public Transport) — I thank the member for her supplementary question. She asked about the works that will be done as part of what she is describing as — I think I heard correctly — a first stage of works. As I have indicated, there will be works on a crossing loop along the line and also stabling at Shepparton station for the trains to be stabled. Obviously with infrastructure works comes disruption, and we will be managing that very carefully. In the meantime, in August of this year we will be adding an extra service for the Shepparton community on the weekends, adding to the weekday service we have already added in January. Plus we are also adding coach services. I cannot resist the opportunity to finish with an observation from the *Shepparton News* last week, which says:

Where was Ms Lovell when she had the capacity — as a state government minister — to do something?

In our view, Ms Sheed has already made a huge difference to Shepparton's prospects and there is more to come.

### Ministers statements: tourism

**Mr EREN** (Minister for Tourism and Major Events) — I rise to update the house on the investments that the Andrews Labor government is making in regional Victoria. We know that tourism plays a huge role in regional Victoria. It is worth about \$11 billion —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for South Barwon is warned.

**Mr EREN** — and there are about 114 000 jobs associated with that. Certainly we on this side of the house value tourism and regional Victoria. I can outline to the house that there are some who do not support the tourism sector. It is not us saying this; it is actually the Transport and Tourism Forum Australia (TTF) and the Victoria Tourism Industry Council (VTIC) — organisations that are peak tourism bodies — that are saying it. This is what the peak tourism bodies have to say about our budget. VTIC says:

Victorian tourism and events receive much-needed funding in state budget.

They ask people to read their press release for further info.

What did TTF say? They said:

Tourism and transport the big winners in Victorian budget.

What did they say about the federal budget? This is what they said about the federal budget:

The Turnbull government has jeopardised the growth of Australia's visitor economy.

What did VTIC say about the federal budget? They said:

Federal budget a missed opportunity to support a growing tourism industry.

This is not us saying it; this is actually the tourism lobby groups saying it. That is exactly why this side of the house is concentrating on infrastructure such as Simonds Stadium, Eureka Stadium and Bendigo Stadium and getting all of those major events to regional Victoria. It is worth a lot of money.

What I would suggest is that the opposition stand up for Victoria, stand up to their masters in federal government and say: 'We deserve more money from the federal government to boost this very important sector'. I wish they could ask me one question about the portfolio. They have got nothing to say. We have just handed down a budget. They have got nothing to say about it. Shame on the opposition for not sticking up for tourism.

### Members for Tarneit and Melton

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. Premier, do you back the member for Buninyong's comments in this chamber

when he says that the rorting members for Melton and Tarneit should be treated like respected members, recognising they have held high office and they have only committed a misdemeanour when in fact they are collectively responsible for thieving more than \$200 000 from the Victorian taxpayer?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question — —

**Mr Howard** — On a point of order, Speaker, I would have thought if the member opposite was going to quote me, he would quote me accurately and not add words in that were not in the original statement.

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

**Mr ANDREWS** — I thank the Leader of the Opposition for his question. I have not seen those comments, and I would offer no comment on those matters because, as I understand it, Victoria Police are looking at those matters, and they should be allowed to do so.

*Honourable members interjecting.*

**Mr ANDREWS** — For all the laughter and nonsense from those opposite, I will not interfere in proper investigations —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Hawthorn has been warned.

**Mr ANDREWS** — that are properly conducted, not by this lot but by the authorities.

### Supplementary question

**Mr GUY** (Leader of the Opposition) — On 24 April, when speaking about the member for Melton's rorted moneys, Premier, you boasted to the media that:

If he's not done the right thing by the time these (reform) bills are in the Parliament, which is just in a few weeks time, then the Parliament will take the matter out of his hands.

Premier, the member for Melton has not done the right thing. He is refusing to pay back \$76 000 of taxpayers money. Why are you refusing to make this rorting MP repay the full amount? Why will you not let the Parliament take the matter out of his hands and get every single dollar back, as you said it would?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. My position on this has

been very clear: the money ought to be paid back. Whilst I am not subject to detailed advice on the terms of that payment — as I should not be, really; that is a matter between the Parliament and the member, as I understand it — I made no such announcement. That is complete nonsense from a confused and wholly inaccurate opposition leader in every utterance he makes, either making it up or just not knowing. The arrangement between the member for Melton and the Parliament is one between the parties. As I understand it the money is being repaid, as it should be.

**Mr R. Smith** — On a point of order, Speaker, there is an issue that has just come to my attention that involves the rotting of the member for Tarneit. It has come to my attention that the rotting member for Tarneit’s website still lists him as the Speaker of the Legislative Assembly. He may wish that he was, and he may well be if he had not been publicly exposed and shamed as a rorter —

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

**Mr Walsh** — On a further point of order, Speaker, the member for Warrandyte was raising a very valid issue: that the parliamentary website still lists the rotting member for Tarneit as the Speaker of this chamber. I suggest that the website should be updated.

**The SPEAKER** — Order! I have ruled on the point of order.

**Ministers statements: education funding**

**Mr MERLINO** (Minister for Education) — I rise to update the house on how the Andrews Labor government is fighting for Victoria’s fair share of funding from the federal government. Last week —

**Mr R. Smith** — On a point of order, Speaker, just for clarity, is it your position that members of Parliament are permitted to list roles that they do not have on their website in order to mislead their communities when they have been publicly shamed for stealing and thieving?

**The SPEAKER** — Order! Points of order are an opportunity for people to raise matters of procedure in the house. This does not relate to procedures of the house. There is no point of order, and I have ruled on the point of order. The Deputy Premier, to continue.

**Mr MERLINO** — Last week the state budget delivered for Victorian students, teachers and school communities. Over our three budgets we have invested an unprecedented level of funding into our schools,

initially to fix the black hole left by those opposite. We have fully funded Gonski in 2015, 2016 and 2017, and with an additional \$456 million we have fully acquitted our obligation for the 2018 year for Gonski.

Fast-forward to Tuesday this week, and once again we have witnessed a federal Liberal government gut education in Victoria. Just like their promise on the regional rail revival, the federal Liberal government has ripped off Victorian schools to the tune of \$630 million. Not one person from those opposite fought against those cuts. They have been singing the same song as the master from Point Piper, but no-one can be surprised by this subservience.

*Honourable members interjecting.*

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

**Mr MERLINO** — One person in particular has had a shocking couple of weeks, and a disastrous budget-day press conference where it was obvious he had not even read the budget papers. The *Herald Sun* recently said this person was:

... foolishly overcooking his budget response by saying it does ‘nothing to crack down on a crime wave that is sweeping Victoria’. It’s not the first time in recent weeks Guy has been a bit off his game — perhaps he’s suffering midterm opposition blues.

**CONSTITUENCY QUESTIONS**

**Rowville electorate**

**Mr WELLS** (Rowville) — (12 645) The constituency question I wish to raise is for the Minister for Roads and Road Safety. Minister, I was pleased to read on page 38 of budget paper 3 that the Andrews government has included commonwealth government funding allocated for planning to upgrade Bergins Road intersection in my Rowville electorate.

After strong lobbying by my constituents, who encounter heavy peak-hour congestion at this intersection with Stud Road, causing great difficulty for Heany Park residents in the surrounding streets, I am relieved that plans will soon be underway to fix this intersection. I am very appreciative of the financial assistance from the federal government and their support for local infrastructure to tackle traffic congestion where it is needed most. The question I ask is: Minister, when will VicRoads provide a detailed timeline of this project for my constituents and an outline of the proposed traffic solution under consideration for my constituents?

**Wendouree electorate**

**Ms KNIGHT** (Wendouree) — (12 646) My constituency question is to the Minister for Industry and Employment, and I ask: what is the government doing to strengthen the Victorian Industry Participation Policy, improve opportunities for local suppliers and ensure that commitments to local content are met?

Local businesses often raise with me the importance of local content and industry participation rules in securing local jobs, and the importance of fostering the expertise that results in the high-quality products and components made right here in Victoria and in my community in Ballarat. It is crucial to businesses and workers in my electorate that local businesses are able to competitively tender for government contracts and that suppliers are ultimately held accountable for their local content commitments so they can deliver on them for the benefit of all Victorians.

**Ovens Valley electorate**

**Mr McCURDY** (Ovens Valley) — (12 647) My constituency question is the Minister for Ambulance Services. Michael O'Brien of Buffalo River has contacted me regarding his wife, who recently had surgery in Melbourne to remove a brain tumour. She had been home recovering well until the evening of 28 March this year. At 7.15 p.m. he called 000 as his wife felt quite ill. He gave the call centre all the details and was advised an ambulance had been sent. By 8.15 p.m. there was still no ambulance and his wife was panicking due to her condition. Michael called again and was advised an ambulance had been dispatched but they had no idea where from or where it was.

At 8.40 p.m. the ambulance finally arrived. The ambulance officers advised they had got the call 8 minutes ago and had come from Myrtleford. Professional standards at Ambulance Victoria have advised Mr O'Brien that there was a missed step in the process and this had happened to a few other calls that night. Luckily in this instance it all turned out okay, but there could have been disastrous consequences. Minister, how many more people have to be put at risk before this issue is treated seriously?

**St Albans electorate**

**Ms SULEYMAN** (St Albans) — (12 648) My constituency question is for the Minister for Roads and Road Safety. What is the government doing to address the safety concerns of motorists and residents in relation to the intersections at Perth Avenue, Adelaide Street, Chatsworth Avenue and Reid Street

along Ballarat Road in Albion? These intersections are major thoroughfares for residents to get in and out of their neighbourhoods. This includes a local school, shopping precinct, retirement village and a mosque. Recently I joined a number of residents in support of addressing the safety concerns and the installation of traffic signals across these intersections. It is important that we address these safety concerns with the appropriate solutions.

**Sandringham electorate**

**Mr THOMPSON** (Sandringham) — (12 649) My constituency question is directed to the Minister for Public Transport. The issue of graffiti is an increasing one along the Sandringham and Frankston lines. Outstanding work has been done by a number of local residents to redress the issue, including on the Sandringham line where hundreds of hours have been spent improving the vegetation reserve along the line and removing graffiti by Mr Terry Reynolds and other hardworking citizens within the wider district. I ask whether the minister may be able to meet with concerned residents to help define an action plan for the future to halt the incidence of graffiti.

**Yuroke electorate**

**Ms SPENCE** (Yuroke) — (12 650) My constituency question is to the Minister for Education. How will secondary students in the Yuroke electorate benefit from the Doctors in Secondary Schools program? The Yuroke Youth Advisory Council, which I established in 2015 and consists of young people from across the Yuroke electorate, chooses a topic to focus on each year. This year they have chosen the issue of mental health, and at their most recent meeting discussed the availability of mental health services for young people in our community. With both of the government secondary schools in the Yuroke electorate having been selected to participate in this initiative, I know that members of the advisory council and other young people living in the Yuroke electorate will be pleased to hear about the Doctors in Secondary Schools program and how it will benefit them.

**Prahran electorate**

**Mr HIBBINS** (Prahran) — (12 651) My constituency question is for the Minister for Roads and Road Safety, and I ask: what is the minister going to do to make the intersection of Yarra Street and Toorak Road, South Yarra, safe for pedestrians?

A number of people have raised this issue through Victoria Walks and WalkSpot, and some of the

comments are that: it is an intersection with heavy pedestrian usage but there are no crossings or lights; it is extremely unsafe and something needs to be done to help both pedestrians and cars; it is the worst spot and it is so dangerous during the AM/PM peak periods when you are trying to cross the intersection between Yarra Street and Toorak Road; it is an extremely dangerous corner with a huge amount of foot traffic exiting the station, including many schoolkids; it is extremely busy during peak hour with pedestrians to and from South Yarra station and cars entering and exiting Yarra Street; with the increase in large apartment buildings nearby the number of pedestrians has increased; the footpath on Yarra Street is very narrow at this end of Toorak Road; I use this crossing every day to get to and from my office on Yarra Street, it is extremely unsafe and it is just a matter of time before someone gets seriously injured or killed; and it is an incredibly busy corner with a huge amount of foot traffic and the footpath is too narrow.

### **Cranbourne electorate**

**Mr PERERA** (Cranbourne) — (12 652) My constituency question is to the Minister for Police. How will the 31 new police allocated to the Casey police service area benefit the Cranbourne community? Local communities are beginning to see the 300 frontline police officers on these streets. These are the first of the 3135 police the Andrews Labor government is delivering over five years to make communities safer and drive down crime. The recent Labor budget 2017–18 provides a historic \$2 billion boost for police, the biggest ever investment in the history of Victoria Police since they opened their first depot in 1853. My constituents are very appreciative of this initiative. Family violence is the greatest challenge when it comes to community safety, and one we are facing in my local area. Dealing with and preventing family violence is certainly a matter of interest to the Cranbourne community.

### **South-West Coast electorate**

**Ms BRITNELL** (South-West Coast) — (12 653) My question is to the Minister for Education, and I am seeking information about lease arrangements for the land purchased by the department for the future home of the Warrnambool Special Developmental School. Minister, as you know, the Warrnambool Special Developmental School has outgrown its current site in Hyland Street. You may remember visiting in October 2014 when you proclaimed that only Labor would build a new special development school and told the Warrnambool *Standard* that conditions there were ‘simply unacceptable’.

Well, nothing has changed, Minister. The site is still not fit for purpose. Since then a block of land has been purchased and the planning done. This project is ready to start, but there has not been anything else mentioned about funding for the actual job of building the new school, much to the disgust of parents, teachers and the community in general who are so desperate to get this project started. The land has a dwelling on it, which has since been leased by the department. I am seeking information about the length of that lease and if income from rent is going into general departmental coffers or is being quarantined. Minister, what are the lease arrangements for this block of land?

### **Thomastown electorate**

**Ms HALFPENNY** (Thomastown) — (12 654) My question is to the Minister for Planning. Can he provide information about why council is taking so long to complete Edgars Road? Can the minister please advise how the developer contributions can enable the completion of this important project?

## **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017**

*Second reading*

### **Debate resumed.**

**Ms KEALY** (Lowan) — It is a privilege to rise to add my contribution to the Family Violence Protection Amendment (Information Sharing) Bill 2017. This is a wide-ranging bill which, as the name suggests, is around improving information-sharing processes between various organisations to ensure that we have a stronger framework to make sure that people do not fall through the gaps and that we have a system where information is shared, rather than a victim having to provide their story over and over again.

There are three main purposes of the bill. It is about establishing a scheme for sharing between prescribed entities information relevant to assessment and management of risk of family violence; developing a new family violence risk assessment and risk management framework; and implementing recommendations 1, 2, 5, 6 and 7 of the Royal Commission into Family Violence.

We have heard a lot from this government around family violence. There has been an enormous number of media stunts and media releases all about how much money we are spending on family violence and what we are going to do. There have been all of these

reviews done by various committees. There have been glossy brochures galore. But unfortunately when you cut through all of that information around family violence and you actually speak to local women and families — when you speak to local councillors and when you speak to local police officers — you find out that actually this is something that is not getting better by putting out more and more glossy brochures, by forming another committee and by just talking about it.

Certainly in my part of the state, in the Lowan electorate, which includes the Western District and the Wimmera regions of Victoria, we are seeing family violence rates go through the roof. I was very disappointed to receive information from local police recently that talked about the high rate of domestic violence that is occurring in our region. Some police refer to Sunday as ‘family violence day’ because they are constantly called out to various domestic violence incidents.

This is getting worse; it is not getting better. If you look at some of the statewide data, over the past five years we have seen an increase in family violence of 28.8 per cent from the year ended December 2012 to the year ended December 2016, an almost one-third increase in the rate of family violence, and this is just getting worse and worse and worse.

We had somebody who approached my office recently, a young woman from a rural town in my electorate who had been a victim of family violence. I am not sure how long she was a victim of family violence for, but she was involved in an incredibly aggressive assault, she suffered extreme head injuries and she was admitted to hospital for a number of days. She was not cleared to go back to work until she had a CAT scan — of course we do not have local access to that sort of technology in our region. Because she had just started a new full-time job she was not able to access any sick leave to cover off that period. She was not a Centrelink client, so she was not able to access any emergency funding. She truly was left high and dry by the system. She, of course, was seeking counselling, which is the normal process that happens when the police are involved in these types of incidents. She was told that to see the family violence counsellor she would have to wait for a period of five weeks. On further investigation around that, we found out that there are actually 40 women on the waitlist to see a family violence counsellor in western Victoria. There is only 0.6 equivalent full-time of a government funded family violence counsellor from Ararat right through to the border.

It is simply not enough support for women who are trying to escape what may be years and years of abuse. This is where the system is letting us down. This is

where no number of glossy brochures or media statements or stunts will help these women. It is an absolute disgrace that when we hear these big announcements about support for financial counsellors for victims of family violence, all that we got for this entire region of the Wimmera, which as I said, goes from Ararat to the border, was 6 hours a week. It was not even enough to put on an employee.

We are being neglected in rural Victoria. We have some of the highest rates of family violence. It is well known that women who live in rural areas are far more likely to be victims of family violence than their city sisters, yet we are not seeing that investment from this city-centric Labor government to make sure that those supports that our women desperately need are out there.

I raised with the relevant minister over a year ago that we had deep concerns that 17 support and safety hubs for the state of Victoria are simply not enough. There would only be one support and safety hub from Brim in the north of my electorate, all the way down to Warrnambool, and that takes in the areas of Horsham, Stawell and Ararat. If we are looking to provide better support for women, so that they have got a safe place where they have got a one-stop shop, that is fabulous. But do not expect them to travel 4 hours — 400 kilometres — to be able to access that kind of support.

I was extremely disappointed to see in the announcement for the budget that Labor are still sticking by this idea that we need to have 17 support and safety hubs. We need to look at how we fund these sorts of supports not by population, because it just does not work in rural areas. It just does not work to expect that somebody has to travel that far — when they may not have access to a vehicle, when they may not have access to public transport options, when they may not have any other supports in the area that can take them to a safe place — and to put this extra burden of responsibility on them. Not only does a victim have to make a decision and have the confidence that they want to break out of this cycle, that they want to make a change and they want to have a different life, but then we have to get them to organise their travel to a support and safety hub which is hundreds of kilometres away.

We provide no support for that. This is why I do not think that Labor is appropriately addressing family violence in rural Victoria. We simply need to see these supports on the back line. My concern is that we are seeing family violence crime continue to increase in the area. We continue to hear from police that this issue is getting bigger, it is not getting smaller. We hear from local counsellors that so often they are talking to an

individual — it may be a male, it may be a female — and unpacking all of the issues that may be going on in their lives. They may be going through different addictions, they may be going through different levels of depression and anxiety or other mental health challenges, but so often underneath there is a family history and a relationship to family violence.

If we do not have access to such support in local areas across rural Victoria, we will not rise to the challenge of putting an end to family violence. We may see a decline in city areas, but it is simply not enough for women and children who are living in country Victoria. It is my deepest criticism of this government that they hold this so high as a flagship of something they want to achieve, and over and over again we hear about the money they are putting into it and about all of the features of what they are going to put in, but at the end of the day when you actually speak to the people directly involved with the women who are in violent family situations, when you speak to the counsellors and the police, time and time again you hear that it is just not making a difference. It is not making a difference for our local people.

I would like to see a shift in direction. I would like to see less money put into having a new poster put up and have less money, as I have referred to a number of times, for the glossy brochures. We need real support out there for when women finally get to the point where they want to see a difference and where they want to make a change to their lives and break out of the family violence cycle. There is an obligation upon this Parliament and particularly upon the government to ensure that those supports are available for the women who need them the most at the time they need them.

**Ms SULEYMAN** (St Albans) — I rise to speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. There is no other government in this country that is committed to and delivering in relation to family violence and protecting victims in this area than the Andrews Labor government. Just this year we have seen funding of \$1.9 billion, and that is on top of last year's in excess of half a billion dollars committed to this area.

This bill forms part of Victoria's 10-year plan for ending family violence and is part of our ongoing commitment to increasing information sharing between agencies and focusing on early intervention in family violence. It means that a lot of the red tape and processes will be cut to ensure that the family violence system does not allow for there to be a lag in time and for a victim to fall through the cracks when it comes to sharing vital information within and across agencies.

The bill aims to improve responses to family violence by creating clear guidelines for information sharing across agencies. It also removes the requirement that a serious threat to an individual's health, safety or welfare must be imminent before action can be taken. In real terms it means that action can be taken. It will achieve consistency in family violence risk assessment and risk management practices by requiring services to work under a set framework.

As we probably all know, the Andrews Labor government set up the only royal commission to be conducted in this area in this country. The royal commission found that there is a significant amount of red tape which prevents effective information sharing across agencies. It found that the current laws were complicated, confusing and restrictive for those who work with victims, and they make it much more complex for victims. It also found that a lack of information sharing about perpetrators is a key gap in the system that leaves victims much more vulnerable at a time when they are already facing many challenges, and it allows perpetrators to go unrecognised.

The bill clearly addresses some of the gaps by establishing a specific family violence information-sharing program that prioritises victim safety over a perpetrator's right to privacy. It is important to make sure this gap is filled to ensure victims have total safety in every area. The bill also provides clear guidelines for organisations. I have to say that a lot of the support organisations and various agencies do a fantastic job, but there can be, as we have seen, some confusion and red tape. In particular, when we are dealing with challenging circumstances for family violence, sharing relevant information is absolutely critical. The bill really cuts through a very complex system.

I want to talk a little bit about my electorate of St Albans. In 2016 Women's Health West unfortunately experienced a 30 per cent jump in demand for family violence help, with almost 5000 referrals from Victoria Police during July to December alone. CommUnity Plus, is a support agency that does a lot of work — not just in the electorate of St Albans — for the most vulnerable victims in the west. I have had the great fortune to support a number of programs and events to make sure that we are getting to victims of family violence, in particular those from non-English-speaking backgrounds, to make sure that women understand that they do not have to tolerate any form of violence regardless of the postcode they live in or their ethnicity. There is clear help for those women who need to leave when they are experiencing violence, not only physical violence but emotional violence as well.

I am very proud of what we have achieved. The Andrews Labor government has not been talking glossy brochures, as the previous speaker said; we have actually made some real change. I know the real change that support agency CommUnity Plus has seen. It has been successful in a number of grant opportunities, which has given them the opportunity to employ legal professionals and advocates to work at Western Health and Sunshine Hospital, and to help women who have experienced family violence or who have left a violent relationship. They may be pregnant, and the organisation has been able to help those women firsthand. This is a direct result of Andrews Labor government funding. That has been a fantastic and successful program. I want to commend the work of every support agency. These are very challenging situations, and it is fantastic to see these support agencies across the west helping women and children and doing the very best they can.

My office sees so many women who come in, whether it is due to homelessness or family violence. It is not just about the \$1.9 billion; we have seen a real change in providing immediate and secure accommodation, because that is also an issue for women who are leaving violent relationships. For women, it needs to include an ability to have secure accommodation.

It is not just about family violence. It is a cross-section of government, and we have seen the tremendous work by all ministers in relation to family violence in Victoria. I just wish to reiterate the commitment of the Andrews government when it comes to family violence. The prevention of family violence is also an area; making sure that we get early intervention is a priority for our community. This bill allows greater information sharing across the agencies, makes sure that unnecessary red tape is cut and that support services are provided earlier in the piece rather than later on.

Again I would like to commend the Andrews Labor government, and I note the Minister for the Prevention of Family Violence is at the table. I commend her for her work in relation to this space. It has been life changing for women and families across Victoria, and in particular in my electorate of St Albans.

Let me say this will be, I think, a legacy. It is not only symbolic; it is a historic moment for Victoria, where we will see that women can actually get real help when they need it and have the confidence to be able to leave a relationship with their children, leave violence, and know that there will be a support agency, a community and a government that supports women and children in

our community. I commend the bill to the house, and thank the minister.

**Mr BATTIN** (Gembrook) — I rise to speak on the Family Violence Protection Amendment (Information Sharing) Bill 2017. I will first off acknowledge that the Minister for the Prevention of Family Violence is at the table. At a recent soccer match we had a discussion about a past with family violence. It is one of those topics that I think a lot of people understand affects many in their community, but sometimes do not truly understand how many it affects.

It is a hidden crime. It is a crime in the home that a lot of people, first of all, do not get the opportunity to hear about. We saw in the past a lot of women in particular did not get an opportunity to speak out. They did not get the opportunity to seek assistance, and they did not get an opportunity to seek help — fear obviously gets in the way of that. Seeing it firsthand in my former role as a police officer and through past family history, I can understand exactly how those people feel, particularly the fear around leaving. I note the last speaker spoke about the fear with children: what you are going to do if you leave a home, how you get children out et cetera.

I am going to speak about some things in my electorate and some of the support services available there. I think it is important that we do get that information out there. Whilst family violence is itself a negative story — we cannot put any positive spin on family violence — what we can say is, ‘We’ve got groups in our area that are working so hard to identify family violence issues in our community and offer genuine support’. One of those that I will speak very quickly about is the Casey North Community Information and Support Service. It is interesting how they came about. It was originally set up to assist with some of the community issues that were happening.

One of the things they identified as a service is financial strain. Now I think everybody has a pretty clear understanding of that. Financial strain is one of the key indicators that can lead to family violence and violence in the home. What I do not think a lot of people understand is that financial strain and financial stress are also reasons for a victim of family violence to not leave the home: the fear of leaving a house and not knowing what the income is going to be next week, the fear of leaving the roof over your head and not knowing where you are going to be sleeping. A lot of people would have a genuine fear that if they needed counselling, they are going to have to pay for it. We know there are free services out there, but when you are in a home and you are a victim of family violence, the thought that you might have to pay for counselling

could actually be enough to put you off taking that next step and leaving.

If there is anything we can get out of bills like this or any time we talk about family violence in a community, it is that we can get a message back to some of those people. They could see it quickly on an ad on TV, they could see a quick message on social media or hear something spoken about on the news. The only message I really want them to get is that it is okay to stand up, and it is okay to come out and ask for assistance and get support.

Information sharing is obviously a sensitive topic because privacy is something that is very, very important for a lot of people in our state and our country. We have had very proud protection of our privacy for a long period of time. We actually have some of the strongest and strictest privacy laws in the world. If you go to other parts of the world, you will see how they can use your information quite freely, whereas over here we have a lot of restrictions around that — understandably so, because our privacy is very, very important.

I spoke to the minister across the table just before about it, and one of my queries on this was around the penalties: what the penalties are in relation to this act if you information-share when it is not warranted. I am not actually criticising that, but I am saying it is something that I would like to see later on, even if it is something that could get discussed later on — what the penalties are and how they would be enforced — to make sure people do not abuse what potentially has an opportunity to protect someone in the future. Those are questions that could genuinely be on the table.

I noted when I was reading part of the bill just before that information sharing is also not just about someone who has committed the crime of family violence. It clearly states in here that:

... confidential information may be shared for a family violence assessment purpose and a person alleged to pose a risk of family violence ...

When I was in Dandenong working in the police force it actually was quite difficult, because posing the risk of family violence kind of crosses the border. Posing the risk of family violence, in my view, is potentially family violence. If it is putting an emotional stress on someone in the home that there is a chance they are going to have physical violence in the home, then that is violence in itself. That is making people feel uncomfortable in their own home. It is up to governments of any colour or persuasion to make sure that we are standing up and putting things in place to

protect these people and give them the opportunities to speak out in the first place.

I think it is very important that we do that and put a lot of these processes in place so we can share that information. We can have the relevant agencies talk about and have an open discussion with all the relevant facts on the table, rather than a discussion where different departments are not talking to each other and could make an incorrect decision based on the fact that they did not have all the facts on the table. We have seen some of the tragic outcomes of that in the past, and that needs to be ruled out.

We spoke about children, which is obviously very important when you are talking about family violence. The decision to leave a home can be based on what you are going to do with your children and the housing accommodation for your children.

One thing that is not mentioned too often, and I do not think it has been too much in the public arena, is Animal Aid, one of our key organisations in Victoria. Animal Aid have a facility where, if you are a victim of domestic violence, you can work with them and they can assist with the care of an animal or pet — a dog, a cat.

When you talk to people, I do not think they have seen some of the history. If you are a dog lover, it is a big move to turn around and say, 'I'm going to just pack up and leave today whilst the offender's at work, but I'm going to leave my dog at home'. Again the question comes down to the what-ifs. What do I do with my pet? What do I do with a dog that loves me? The dog could be seen as protection or the cat could be seen as comfort for someone who is a victim of family violence. You would struggle to get up and leave. I think that is something we need to have on the record as well.

It is something that we need to look at in the future: how we can work with agencies like Animal Aid to, again, ensure that the message is out there so that people have a facility like this. A facility like that, whether via government or private investment or even community donations, could have the opportunity to expand into other parts of Victoria so that the service is available to more people. I think that would be fantastic going forward.

I can only make a short contribution today. Just finally — and I mentioned Casey North Community Information and Support Services — can I thank all of those people in our communities who face daily family violence: as a counsellor; someone who is going out as a first responder; people who are friends and family of victims of family violence and have to speak to them

afterwards and work through the ongoing issues with them; again, government agencies and government workers; and anybody else who takes the plunge and stands up against family violence.

The one thing we share on both sides of the house is we all want to stand up against family violence. We may have different views on what is right and what is wrong and how to get the final result, but what we do want to achieve, no matter where we sit in this house, is for every person in Victoria to be safe in their home, and no perpetrator has the opportunity to inflict fear on someone else in that house.

**Mr McGuire** (Broadmeadows) — History will applaud the Andrews government, and this Labor government, for protecting women and children first. History will acknowledge the leadership that has been shown to address what has been too often a secret issue — an issue that kills women on a weekly basis, an issue that is our most avoidable crime. This government, in the budget, has now made an unprecedented investment of \$1.9 billion. To give that perspective, that is more than in every prior Victorian budget combined and also more than in every state and territory plus the commonwealth government budget combined. As the Premier said today in the house, it is 100 times the investment of the commonwealth government. This is a defining issue internationally and historically, and I think what the 58th Parliament and the Andrews government will be remembered for are their values and their commitment to address this issue.

The Minister for the Prevention of Family Violence is at the table. I want to not just commend the minister but congratulate her for all of the work, the intelligence, the nous and the commitment that she brought to this and also the fortitude that she had in telling her own personal story, because this is an issue that touches all of us in some way or another; that is the reality of the circumstances, unfortunately.

Acting Speaker Spence, you and I hosted a forum in Broadmeadows on a cold, wet winter's night. The minister came out and we heard about how this issue affects all sectors of the community and how it plays out in so many different ways with consequences that can be traumatic for children and that have generational issues and unfortunate legacies that need to be resolved as well. It is a rare occasion when you have a chance for a government to take such leadership and for a Parliament to deliver key results.

We are now in the situation where we are working through in a legislative way and also with the commitments from the government to financially back

up what needs to be done. This commitment is part of the government's implementation of all of the 227 recommendations of the Royal Commission into Family Violence. This bill itself implements recommendations 2 and 5 and will also enable the implementation of recommendation 7. To give context to those, the bill will create a purpose-built family violence information-sharing regime authorising a so-called trusted circle of agencies to share information relevant to family violence, risk assessment and risk management. This is a critical point: to be able to have access to the key data in a trusted way and in a way that gets the balance right between privacy and the right people knowing what the history is, and their being able to take the right action at an appropriate time in order to protect women and children, predominantly, and how that actually works in looking at risk assessment and risk management, because the evidence is in, the case studies are there, and in some cases the results have been horrific. So that is the proposition to take care of to address that issue.

It will also enable the central information point to be an effective and timely conduit of information sharing for core agencies such as family violence support and safety hubs, courts, Corrections Victoria, Victoria Police and the Department of Health and Human Services. Also it will empower the relevant minister to require alignment from key organisations and funded agencies with a new, common family violence risk assessment and risk management framework so that they can improve identification, access and management of family violence risk in a consistent manner across all services. That is extremely important as well — that agencies are not just in silos, because in those gaps key propositions are missed, which can lead to terrible results.

What the bill also attempts to do is remove the requirement in privacy legislation that a serious threat to an individual must also be imminent before information can be lawfully shared, allowing services to intervene earlier and help manage risk. This is an attempt to get the balance right on this sensitive matter. We all want our privacy protected, but it is also about when to make the intervention and how to best manage the risk. So that is the way this legislation is formed.

When it comes to what the next practical steps are and what the infrastructure will be, hubs will serve as a visible contact point for victim survivors and will give local communities access to highly skilled workers with connections to the justice system and social services, including housing. These are the 17 support and safety hubs that will be established throughout this state with a budget allocation of nearly \$450 million. Again the

proposition is to put the safety of women and children first. To support the hubs the government will also deliver the central information point, as outlined in detail in this bill, and that is to provide real-time coordination between agencies to try to avert violence. Previously the inability to share information about perpetrators has been a significant gap in the system and unfortunately has left women and children more vulnerable. The central information point will bring together police, the courts, corrections and social workers to share the critical information that allows them to track perpetrators and, as best they can, try to ensure that victims are kept safe.

This bill delivers on the government's promise that a victim's rights to safety will come first against a perpetrator's right to privacy, and it is a critical point to try to get that balance right. The government has taken the position of trying to protect potential victims or those who unfortunately on too many occasions have been victims. The bill also seeks to make information sharing less complicated for those who are actually in the system so that they can put the needs of victims and their safety first.

The information-sharing regime contained in the bill seeks to prevent women and children having to repeat their story at every turn, whether it be to safety services, police, housing assistance or courts, because this causes frustration and compounds trauma. It is inadvertent, but it can nevertheless happen to victims and survivors if they have to continually relive what has happened to them or their family and their children. The bill will stop the situation of one agency not knowing what the other agency is doing and then one agency having the necessary line of sight — as it is described — to the perpetrator.

The proposition here is to try to get the facts on the record, to get the information to the people who need to know and to get it done in a way that protects privacy as best as it can be but also to try to make the safety of women and children priority one. That is the critical proposition in the main part of this bill, and it is a clear and simple legislative mandate to share information as a critical precondition for the safety and protection of victims or survivors.

The bill also requires specialists and universal service providers across the family violence, justice, health, education and community services sectors along with general and universal service organisations with roles and responsibilities to access or manage risks to align with the new family violence risk assessment and risk management framework. The obligation to align will only take effect for specific organisations once they are

prescribed by regulation or they enter into a new funding arrangement with the state.

**Mr CRISP (Mildura)** — I rise to make a brief contribution on the Family Violence Protection Amendment (Information Sharing) Bill 2017. Many of my colleagues have outlined the issues very, very clearly. However, I do want to make a note that the cost of family violence is high — too high, particularly in personal areas where you have families torn apart and children's lives being shaped at a very susceptible time in their lives. Instead of growing up with health and education as a priority, they are growing up with other priorities, and this is simply not good enough.

There are also the other costs. The police are involved and all the support services are involved, and this adds up. With \$1.9 billion committed to family violence it is a shame, and I am embarrassed it is going to cost that much to deal with this scourge. If we did not have to do that, look what we could spend it on. But we have to do that, and Mildura is no different to anywhere else. We have all these problems. They are out there in my community, and I am embarrassed by the fact that they are and by the extent of it. We have to deal with this issue. We have to change mindsets, and some of those are recidivist offenders and they are very slow to get the message, but they need to get the message that this is unacceptable. This is the challenge, and this bill goes part of the way to dealing with that challenge by having information shared so that there is no place to hide behind the bureaucracy when it comes to these issues.

It also brings in a unified way of dealing with risk assessments and what families are going to do about that. It creates offences, though, for the unauthorised disclosure of confidential information. We do need to protect particularly the children in this, so these measures I think go some way towards helping what is a scourge. Also I would like to quickly say that although these are good steps, we need to change the mindset of a certain part of our population, and I thank those who do this work. As parliamentarians we see a little of it; the people who work in this area see it every day and work very hard to try to change those lives. With those words, we need to just get on with the job and fix this scourge.

**Mr WAKELING (Ferntree Gully)** — I too wish to make some brief comments with regard to the Family Violence Protection Amendment (Information Sharing) Bill 2017. I firstly place on record my thanks to those in the Victorian community who work in this sector — from first responders to those who care for the victims. I thank them for the work they do. I also wish to place on record the hurt that is suffered by victims of family

violence and the fact that it is longstanding. As a member of the Betrayal of Trust committee, whilst dealing with victims of crime we learnt of the longstanding impact of violence perpetrated, particularly on children, and the long-lasting effects of that, with family violence being no different.

I would like to place on record concerns within the education sector with regards to family violence and the children in the sector. There is a significant issue with information being provided to schools and also children being moved from school to school once a report has been made, and it is imperative that all efforts are made to ensure that, particularly across sectors, information is shared with schools so that in relation to perpetrators of crime schools are aware of the fact that some children may have previously been a victim of family violence and may have been subject to a report made by a previous school.

It is certainly an issue of concern to many schools. It is a concern about a lack of information being transferred, and it is imperative that more is done in this place to ensure that we protect children but also that schools are aware of issues that may beset a particular child if that child has been subject to intervention on the basis of family violence. I seek to place on record, as I said, my congratulations to and support for the sector. I wish the bill a speedy passage but believe that it behoves us to do everything we can as a community to eradicate this scourge.

**Debate adjourned on motion of Mr SCOTT (Preston).**

**Debate adjourned until later this day.**

## APPROPRIATION (2017–2018) BILL 2017

*Second reading*

**Debate resumed from 9 May; motion of Mr PALLAS (Treasurer).**

**Ms RYAN (Euroa)** — It is my pleasure to have the opportunity to give my response to and thoughts on the Victorian Labor government's appalling budget this year. I would like to begin by outlining a few of my observations in my capacity as the shadow minister for training, skills and apprenticeships, firstly, and then, secondly, discuss what this budget means or perhaps does not mean for my electorate of Euroa.

We all remember those on the opposite side of the house before the last election signing a TAFE rescue pledge. They promised that they would save TAFE. They promised that they would invest an extra

\$1.2 billion in TAFE. We now know that they have made promises not only that they have not kept but that I think they never had any intention of keeping. They have shamelessly used students as a political football, and now they are backtracking on that apparent \$1.2 billion pledge with their so-called TAFE rescue. This budget impact cuts \$45.5 million from the training, higher education and workforce development output. You do not need take my word for it; it is clearly outlined on page 167 of budget paper 3. What absolute hypocrites! They promised an extra \$1.2 billion and now they are taking the axe to training and TAFE in this budget.

Last week, minutes before the budget was handed down, the minister chose to table 10 of the 12 TAFE annual reports. You would have to ask the question: if TAFE was a good story for those opposite, why would they choose budget day to table annual reports? This we all know is a good day to take out the dirty trash from the government — to bury stories. That is why they tabled 10 of the 12 TAFE annual reports. What did those annual reports show us? Firstly, there are 123 000 fewer students in government-subsidised training now than there were when Labor came to government. They inherited a training system with 443 000 students, and there are now 123 000 fewer in Victoria. Does that sound like a government that is growing enrolments, as Steve Herbert promised repeatedly before and after the election? I do not think so.

Yesterday the Minister for Training and Skills in the other place was asked about this; she was asked why there was such a drastic decline in student numbers in this state. What was her explanation? It was absolutely bizarre. She said that the coalition enrolled fake students, and that is why the numbers are now declining. Apparently we enrolled fake students and that is why the government now has a 30 per cent decline in the number of students enrolled in government-subsidised training in Victoria. Of the 10 TAFEs that tabled their annual reports, six of them in fact have an underlying structural deficit. I am very happy to provide those figures for the benefit of those opposite.

We have the Gordon in Geelong, which turned a \$1 million profit. However, it received more than \$22 million in additional cash, a bailout from the government in December, to ensure that it turned a surplus. It has an underlying deficit of \$21 million. South West Institute of TAFE has an underlying deficit of \$9 million. Melbourne Polytechnic, which posted a comprehensive result of a loss of \$2.4 million —

**Mr Pearson** — On a point of order, Speaker, I have been noticing that the member for Euroa seems to be

currently livestreaming her speech, or her office is, on her Facebook page. I am not sure if that is in line with standing orders. I seek your advice.

**The ACTING SPEAKER (Ms Ward)** — Order! I thank the member. I will check. I will pause the house for a moment. My advice is that livestreaming via the Department of Parliamentary Services is allowed. If you are livestreaming from any other source, that is not allowed, and I would ask you to cease.

**Ms RYAN** — Clearly, I am not, Acting Speaker, since I am standing in the chamber. What a desperate stunt from those opposite not to hear the news that they know is true and are desperate to avoid!

**Mr Pearson** — On a point of order, Speaker, the point I am raising is that it is actually livestreaming on the member's own Facebook page. I appreciate the fact that the member is not doing it herself, but clearly someone in her staff or someone who has access to her Facebook page is livestreaming, and I do not believe that is in line with standing orders.

**The ACTING SPEAKER (Ms Ward)** — Order! If it is being broadcast through the Parliament, through Parliamentary Services, then that is okay. If it is being broadcast through any other means, then that is not acceptable, and I would ask anyone who is doing that to cease.

**Ms RYAN** — Thank you, Acting Speaker. What a fantastic little way to avoid hearing the news about TAFE, member for Essendon. Any stunt will do. Back to the atrocious results that TAFEs in Victoria have been posting. GOTAFE has recorded an underlying deficit of more than \$12 million. Box Hill Institute has recorded an underlying deficit of more than \$23 million. SuniTAFE in Mildura has recorded an underlying deficit of more than \$1 million. That does not sound like a TAFE rescue to me. Acting Speaker, I do not know if that sounds like a TAFE rescue to you, but it certainly does not to me.

Why are TAFEs posting such appalling results? It is because they are now receiving less funding under this government to train students than they were receiving in 2014. The Gordon was receiving \$57 million in 2014 to train students; it is now receiving \$24 million under this government. This government is slashing funding to train students, and then through a back door it is channelling extra funds to ensure that they turn a profit. Seven of the 10 institutes that tabled their reports are now receiving less funding for student training in 2016 than they received in 2014, when this government took office.

Student numbers at Melbourne Polytechnic have halved. They lost 14 600 students last year. What do those opposite have to say about that after promising that they would rescue TAFE? It is a complete and utter sham, and they should hang their heads for their failure, their hypocrisy and their absolutely appalling use and politicisation of students before the last election.

For more than 700 days we have had no scrutiny of the finances of Federation Training in this Parliament. That is absolutely staggering. We have not had an annual report from Federation Training in Gippsland in two years. We have not seen their 2015 report; we have not seen their 2016 report. That is absolutely appalling.

I would like to take the remaining time that I have to make a few comments about what this budget has or has not delivered for my own electorate. In actual fact I would have to say that the rorting member for Melton has received more from this budget than most of the communities across my electorate, because most of them did not receive a cracker. This is a Melbourne budget; this is not a Victorian budget. This is a Melbourne Premier not a Premier who knows how to govern for all of Victoria.

The north-east rail line, which runs through many of the communities that I represent, did not get a cent under this government. Jacinta Allan is happy to stand up here day after day and pretend she cares about regional Victoria. She was not willing to invest a single cent in the north-east rail line — —

**Mr Scott** — On a point of order, Acting Speaker, members should be referred to by their correct titles.

**The ACTING SPEAKER (Ms Ward)** — Order! I uphold the point of order. The member for Euroa will continue to refer to members by their title.

**Ms RYAN** — Those opposite are a bit touchy today, are they not, Acting Speaker? They are pretty desperate to run out time on the clock. They do not want to hear about their budget and how little it delivers for regional Victoria. The federal budget handed down on Tuesday night delivered five times the amount for the north-east rail line. It delivered \$100 million. When the Minister for Public Transport was running around the state trying to spend federal government money that she did not even have, she was only willing to chuck 1.3 per cent of her regional revival package, completely unfunded, to the north-east line. Now the federal government has come out and invested \$100 million in that line and she has nothing to say about that.

**Mr Richardson** — On a point of order, Acting Speaker, we are back on live stream now. We have

gone from being live streamed to not being live streamed. Now we are back livestreaming. The member for Euroa is again breaching the rules of the Parliament by going back to live streaming.

**The ACTING SPEAKER (Ms Ward)** — Order! Just to clarify, member for Mordialloc, your point of order is that the member for Euroa or her staff has continued to live stream?

**Mr Richardson** — In defiance of parliamentary procedures and in direct defiance of the Chair. They are back on live stream right now.

**The ACTING SPEAKER (Ms Ward)** — Order! If it is being streamed via Parliamentary Services, then this is allowed. If it is not being streamed via Parliamentary Services, then I ask whoever is live streaming to cease.

**Ms RYAN** — This is a ridiculous farce. It shows how little those opposite care to hear about their own budget. The live stream is clearly from the Parliament's website. I think if you look around here, you will not see anybody holding a mobile phone live streaming from inside the chamber. It is clearly from the Parliament feed. This is a pathetic attempt to deny regional Victorians — my constituents, the Euroa electorate — from having a voice in this debate. It is absolutely pathetic.

The Premier came to Wangaratta several weeks ago and said that he was not willing to invest in new trains for the north-east rail line until the federal government put up money to fix the track. Well, they have. So my question to the Premier is: when are you going to buy new trains for the north-east rail line? Because you have spent three years planning, designing, planning, designing to avoid any kind of investment in the north-east line. It is now time for the Premier to stump up and show us the colour of his money. That is what my electorate demands, and that is what we now expect. The community of Euroa has been seeking investment for some kind of funding — —

**The ACTING SPEAKER (Ms Ward)** — Order! The member for Geelong on a point of order.

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Ward)** — Order! I take offence to the member for Burwood's comments directed at me. I ask the member for Burwood to withdraw.

**Mr Watt** — I withdraw.

**The ACTING SPEAKER (Ms Ward)** — Order! I thank the member for Burwood for his respect for the Chair.

**Ms RYAN** — I just want my constituents in the electorate of Euroa, who probably have tuned in via the live stream, member for Mordialloc, to know that those opposite are denying them the opportunity for a response to the budget by taking completely frivolous points of order.

Euroa demands some investment from this government in providing public health care. That has been denied for the last two and a half years by this government. We have seen ambulance response times across the Shire of Strathbogie get longer, not shorter, as ambulances are tied up ferrying patients to and from Goulburn Valley Health. The Minister for Health knows that there is a sensible economic and social argument to be made by funding Euroa Health to deliver public health care, but this government refuses to provide the investment that that community needs. Fundamentally this is an argument about social justice.

Residents in the Shire of Strathbogie demand the same level — deserve the same level — of access to public health care as any other community around this state, yet they have been denied that access. They are the only shire in the entire state which does not have access to publicly funded health care. I think it is a real disappointment to my communities that that has again been overlooked in this budget, and that we have seen no positive reaction after two and a half years of lobbying the Victorian health minister for an investment in that service.

Schools in my region have again been completely overlooked. Benalla P–12 College and Seymour College had a funding commitment of \$15 million each from the coalition before the last election, and Labor has not delivered for them. This is not the education state. This is not a Premier who cares about regional Victoria. He is willing to put money into Labor-held seats, but he will not invest in country communities. He will not invest in the education of children outside of metropolitan Melbourne, and I think that that is an incredible shame.

On public transport, the Minister for Public Transport has had a proposal for more than six months to provide additional bus services in the town of Heathcote. She has done nothing with that proposal. Heathcote has the longest main street in rural Victoria. It has very limited services connecting it to Bendigo, and it is time that the public transport minister got on and did something

about that. This is a terrible budget for regional Victoria.

**Ms GARRETT (Brunswick)** — It is my great pleasure today to rise and acknowledge the terrific 2017–18 Victorian budget. It is a budget that is truly a Labor budget with its delivery of a strong surplus in the forward estimates and an outstanding investment in the proud Labor values of jobs, health and education. It also demonstrates that this Andrews Labor government is leading the nation on progressive politics.

I am also delighted that one of the key centrepieces of this budget is family violence funding. I am delighted that I am able, with the way that the cards have been thrown, to present my budget-in-reply speech so soon after the debate on the family violence legislation. We heard much on both sides of the house about the commitment to getting rid of the scourge of family violence and acknowledging the terrible toll on victims and the ongoing issues that are occurring, often behind closed doors where women and children are living in fear in the place that should be their very sanctuary from the world. It was the Andrews Labor government, then in opposition, which made family violence and tackling the issue of family violence a core set of its values, which led of course to its election in 2014.

I was there that day at the state Labor conference when the Premier's speech focused pretty much entirely on the issue of family violence and made a commitment to establishing a royal commission, which had never been done anywhere before. It not only established that royal commission but before the royal commission had even commenced its work the government said it would implement each and every one of those recommendations — 227 of them.

Of course one of the first things the Premier did upon seizing office in 2014 was to establish the royal commission and to appoint the member for Northcote as the Minister for the Prevention of Family Violence. Many people have paid tribute to the minister today, but I would like to add my words. She is a minister of great integrity and courage who has used her considerable skill set and experience and also her personal, deep experiences to drive this agenda and to lead the nation in this agenda being delivered in Victoria. It has oft been said this last week, but I will say it again: Victoria, under the Andrews Labor government, is investing more in family violence than all other jurisdictions combined. That is something that each and every member on this side of the house is incredibly proud of.

Of course when you open the door to this issue and you dig deep into it you realise there is so much work that needs to be done, but for the first time women and children are at the centre of this discussion. There is the cyclical impact of violence and the horrors that people have to live in. The fact that we held a joint sitting and heard directly from victims, including Rosie Batty, was I think one of the moments that touched us all the most in this house. This government organised that, followed it through and forced each and every member to actually sit and listen to the journeys of people who have suffered family violence or who have had to escape, fearing for their lives, and of course there are those many people — one a week — who lose their lives at the hands of their partners.

To have family violence at the centrepiece of this budget is something we are all very proud of. There is \$448.1 million for the creation of 17 support and safety hubs for women experiencing violence and hundreds of millions for after-hours crisis support counselling. There is the implementation of five specialist family violence courts, 450 new child protection workers and \$130 million towards extra long-term housing rental assistance and improved crisis accommodation. These are the practical measures that will save the lives of women and children. While many governments can talk about this issue and seek to raise awareness about it and say that things should be done, it is a very different thing to then, of course, put your money where your mouth is and do those things, creating the safe spaces that women and children can flee to. It is not just talking, it is action, and it will save lives. The Premier, the minister and the Treasurer, who have put together this budget, are to be commended for making that the key centrepiece. I am very proud.

I would like to talk now about my own electorate and the budget in relation to it. Like my electorate, every other electorate is impacted on by this commitment to family violence and is very grateful for the leadership shown by this government. This budget also goes a long way in terms of education. We have heard much about record investments in capital and also in recurrent spending in education. I am seeing the fruits of that investment by the Minister for Education in my dear electorate of Brunswick. In the 2013–14 state budget under the Liberals, TAFE was gutted, with \$1.2 billion worth of cuts and hundreds of millions pushed aside. Schools like Brunswick Secondary College in my electorate, which desperately needed a modernisation and upgrade, were of course forgotten. There was zero in the budget.

**Sitting suspended 1.00 p.m. to 2.01 p.m.**

**Ms GARRETT** — Before the luncheon break I was waxing lyrical with just cause about the Andrews Labor government's commitment to education across the state, but also in the Brunswick electorate. I was also saying that the former Liberal government failed to deliver anything for Brunswick in the budgets in its term of government. Of course as soon as we took office in 2014 there was an immediate commitment of \$10 million to Brunswick Secondary College. One of the great days for me as a local member was turning the sod on that project just a month or so ago, with current and former students and current and former principals — and what an exciting day that was. We are continuing that extraordinary legacy.

I know I am reflecting on the Chair, but in a very positive way, because Acting Speaker Blandthorn has an electorate that abuts mine. Together we have delivered millions of dollars of investment in Pascoe Vale South Primary School, a school that is on our boundary and is shared by both of us. That again was a terrific and outstanding celebration.

But there is more — of course there is more. What is the more? The more came in this budget from the Treasurer and the Premier, and it came for two outstanding schools in my electorate that need modernisation and upgrades — Brunswick North Primary School and Merri Creek Primary School. What is really nice is that they are in two different parts of the electorate. Brunswick North, not surprisingly, is in the northern part of the electorate. It is a rapidly growing school, which is bursting at the seams, and a school with great history and tradition. As it grows to address the needs of our community, its buildings are becoming creaky and the upgrade is much needed. When I gave the news to that school that the Andrews government was giving them a contribution in excess of \$3 million for that upgrade, there were tears in everybody's eyes, including mine.

That brings me to Merri Creek Primary School, a gorgeous primary school which is right at the southern part of my electorate. In fact I think Merri Creek has the honour of being on the border of four different electorates — Brunswick, Northcote, Richmond and Melbourne — so it is right on the cusp. We can all imagine the sorts of territory we are in right there. But it is a beautiful, beautiful school. It is a school that is proudly progressive. It is a school that encourages a commitment to the environment, to public transport, to cycling and to innovative and cutting edge education. Again it is a school that is bursting at the seams. To be able to advise that school, with which I have a long association — I have known many teachers, principals and pupils there — that we were providing them with

\$3.82 million meant that again there were tears of joy and celebration.

These schools feed into the wonderful Brunswick Secondary College or Coburg High School, which also received a significant contribution in this budget. Coburg High School is again just outside of my electorate in the electorate of the member for Pascoe Vale. My mother was head prefect at the original high school back in the day before it was abolished, so again my family has a long history with that school. I know how hard the member for Pascoe Vale has advocated for that upgrade and how hard we both campaigned for the school to re-emerge, and that parent community is absolutely delighted with the ongoing contribution.

But we do not stop at education in Brunswick or Pascoe Vale. We also have considerable investment in our sports facilities. Sports are really the glue that is sticking a lot of our fabric together. In the inner city, where public space is limited and people do not have large backyards, it is really important that they have access to sportsgrounds and sports clubs that help them stay fit, healthy and active. More than that, they connect them to a community. They have clubrooms where they can have social activities. The volunteers who spend so much time in those clubs — the parents and past players — raise money to make sure those clubs work.

In previous budgets we have committed significant amounts of money to sports facilities. I have had the great privilege in recent weeks of opening some of the investments that we made previously — the A. G. Gillon Oval, for example, with our investment making sure that its change rooms, which were really in a disgusting state, were upgraded leading to a sensational outcome, particularly for women who are able to access facilities that suit their needs. It is the same at Balfe Park, the home of the Zebras. The Zebras are bursting at the seams at Sumner Park, so to have this other facility in the heart of Brunswick is terrific. A lot of girls plays soccer there, and the change rooms were just disgusting. You were not able to have teams come and play without people having to get changed in their cars or feel very uncomfortable. I opened those facilities in conjunction with Moreland City Council. We have made significant investments in other parts of Brunswick and Coburg as well.

This budget is no different from our previous budgets. I would like to thank my colleague the Minister for Sport, who has been a tireless campaigner for community sport, for making sure that local grounds are funded and in particular, as we go through the themes of this day and making sure that women and children are at the centre of our thinking, women's

sports, with netball courts, change rooms and facilities that make it clear that we understand women's participation in sport should not only be celebrated but it must be celebrated with adequate facilities. He has been an absolute champion of that.

Morris Reserve will be getting a significant upgrade under this budget. The Morris Reserve is home to the West Coburg Sports Club, which includes a vibrant and very effective cricket club. It has netball; it has football, both men's and women's; and it has had an incredible history and is a growing club. But again the club's facilities are appalling and its clubrooms are a disgrace. What this Andrews Labor government's budget will mean is that it can be completely transformed, and the hundreds and hundreds of people who call that club home and who spend many hours of their lives playing sport there, volunteering, raising funds and holding their community events, will finally get the facilities they deserve.

That is just a snapshot. There are the massive investments in health, which are so important for the Brunswick community and for Victoria, and housing affordability, making sure that we invest in public housing. We have heard about family violence safe housing, but also more generally there are massive investments in ensuring that public housing is available to the people who need it most. For people in the inner city, housing affordability is a massive issue, but it is a massive issue right across Victoria. The housing affordability package that was announced by the Premier and the Treasurer recently will see its gestation occur with this budget, and it will mean a huge amount to people, particularly those in regional and rural Victoria, and I am very proud of that. There is nothing better than helping people get their first start and get their first home and raise their family in a place that they can call their own. Unfortunately that dream is being taken away from many, many people.

Again, it is outstanding that this government has led the nation and led the federal government on measures that will make housing much more affordable for our treasured Victorians. I commend the budget not only to the house, I commend it to the Brunswick community and I commend it to the broader Victorian community. It is an outstanding budget, and the Premier and the Treasurer should be very proud.

**Mr ANGUS (Forest Hill)** — I am pleased to rise today to speak on the Appropriation (2017–2018) Bill 2017, the Victorian state budget. I note from the outset that the budget papers are this year entitled 'Getting on with the Job'. I think this year there has been another typing error like last year, and that title should in fact

have read 'getting on with the con job' because what we have here is a typical budget of spin from a Labor government that we know cannot manage money. In the midst of this document they are trying to con all Victorians, and I will expand on that in various ways shortly. I want to divide my contribution basically into the following key areas: some general comments, then look at Labor's budget record and then look at the implications for the Forest Hill electorate, which I can assure you will not take very long.

In terms of some general comments, I note that Labor's budget means that Victorians are paying more than ever before, but they are getting less. We have got in the budget record levels of taxes and charges, but essentially nothing to show for it, and I will explain more about that shortly too. Under the state Labor government we have got a law and order crisis here in Victoria, and that is well identified and has been spoken about in this place on many, many occasions. It is interesting to note that the only thing rising faster than the crime rate in Victoria, which is up an enormous 20.2 per cent since the election, are the tax levels in Victoria, which are up an extraordinary 22 per cent.

The Treasurer is boasting about his surplus, and I will discuss that shortly as well. However, Victorians have received nothing in cost-of-living relief, just new and higher taxes and charges and, in fact, upward pressure on household expenses and consequent costs of living. Labor has introduced or increased 10 taxes since the election, which is a clear broken promise from a Premier who promised all Victorians there would be no new or increased taxes. Once again by his actions he has shown why he cannot be trusted, and I will detail that shortly as well.

Despite a \$4 billion tax increase, an almost \$10 billion port of Melbourne windfall and \$13 billion in higher GST receipts, Labor is increasing state debt by almost \$10 billion. So the obvious question to me and I know to many Victorians is, where is the money going?

Labor's so-called infrastructure agenda is also a con. There is no money to build the north-east link and no money to build regional rail — just a claim that it is a state investment, but with the bill being sent to Canberra for the project to be funded out of Canberra with federal funds. We have also got a budget that slugs CityLink users in the east and south-east to pay for the western distributor which, like most of my constituents, I would not even know where it is, and will probably never use it.

If we turn to some details in relation to Labor's budget record, and particularly in relation to surpluses shown

in the budget, we can see budget paper 2, page 48 and the pre-election budget update showed various budget figures. For 2015 it showed that the coalition's surplus would be \$2.3 billion, Labor said it would be \$2.6 billion. In 2016–17, the coalition said the surplus would be \$2.7 billion, Labor has got it in at \$1.3 billion. In 2017–18 the coalition said the surplus would be \$3 billion, and Labor has got it in at \$1.2 billion. The net effect of all that is that under the coalition for those three years there were to be \$8 billion worth of surpluses, and what have we got under Labor? We have got \$5.1 billion worth of surpluses, so that is a material and substantial decrease of some \$2.9 billion.

The point I am making here is that in its pre-election financial statement Labor committed to delivering the coalition's surpluses. So it is now apparent to every person in Victoria, and indeed every person anywhere, that once again Labor have failed in this key promise that they undertook before the election. They have failed to deliver in relation to surpluses.

It is also well worth noting the list of Labor's new taxes on Victorians. I touched on that before but I think it is very important in doing this to note exactly what the Premier said on Channel 7 news just before the election on 28 November 2014. I want to quote Peter Mitchell, the Channel 7 news anchor, who said:

Daniel Andrews, all the polls say you will be Victoria's next Premier. If you are, do you promise Victorians here tonight that you will not increase taxes or introduce any new taxes?

The Premier said, and I quote, 'I make that promise, Peter, to every single Victorian'. What a lie that has turned out to be, Acting Speaker, and you are probably very embarrassed about it really, because we can see that there have been 10 new taxes.

I want to go through the 10 new taxes that the Premier has introduced. First of all we can look at the energy tax on coal royalties. We can see what the result of that implementation has been in a very short space of time, and that has been the closure of the Hazelwood power station, the loss of hundreds of local jobs, the flow-on impact throughout the broader community, the adverse impact that has had on countless other local businesses and of course all Victorians, resulting in higher utility prices.

Next we have got the taxi and the Uber tax at \$2 a trip for every single trip. That does not sound like much but that will soon add up for many, many people. We have got the land tax surcharge for absentee owners, introduced at 0.5 per cent and then increased to 1.5 per cent. We have got the stamp duty surcharge for foreign buyers, introduced at 3 per cent and then increased to

7 per cent. We have an increase in the fire services property levy. We have got an increase in stamp duty on new cars, which is a 1 per cent cost on a motor vehicle. If you want to in one easy lesson drive new motor vehicle dealers out of Victoria, that is a good way to do it. We can see from the budget papers that that is set to raise over \$390 million over the next four years. Of course that does not just come magically from nowhere; it comes from the pockets of consumers and from ordinary people throughout Victoria.

We have got new stamp duties on off-the-plan property purchases. We have got new stamp duties on property transfers between spouses. This is a perfectly legitimate taxation and business planning tool that has now got that significant disincentive imposed on it, and it will make it more difficult for many small business operators. We have got new annual property valuations to increase land tax on a more regular basis. We have got a vacant home tax, and that will result basically in the Treasurer of Victoria deciding whether or not you are using your property. Other speakers have raised that question and some very legitimate points as to how that will be determined. There are some very good reasons for having property that is perhaps not occupied too often, but we will now have the Treasurer peeping in through the blinds to see if anyone is living there.

Having raised those 10 new taxes that Labor has introduced contrary to the promise of the Premier before the last election, I want for the record also to identify that history shows that Labor budgets are notoriously inaccurate. Every year I rise to speak on the appropriations bill in Victoria I note this, because it is something that people should take note of and remember. It is one thing just to speculate on the future, but it is another thing to see what you deliver. Basically the way I see a Labor budget is that it is nothing more than an annual wishful thinking exercise that is held in May of each year.

I can cite some examples. In Labor's budgets they forecast the following taxation revenue: in 2015–16, their first budget, \$19 billion, and the actual was \$19.9 billion. In 2016–17, the forecast was \$19.8 billion, and the latest figure is \$22.2 billion. In 2017–18 they forecast \$20.4 billion, and the latest revised figure is \$21.8 billion. They said in 2018–19 the tax revenue would be \$21.3 billion, and it is in fact scheduled to be \$23.2 billion. So we can see that all those figures are significantly out, but most importantly we see that rather than a budgeted 12.1 per cent increase over those four years we have got an actual 22.1 per cent increase in tax revenue over those four years. Again, that augurs very badly for all residents here in Victoria.

In my view this is a somewhat risky budget, because there is a significant portion of the revenue based on the property market and subject to factors well outside this government's control. Even at the briefing yesterday the point was made that there is not that much exposure to the property market, but I would beg to differ. When you look at the size of the surpluses, the revenue being gained and the incremental revenue being gained from the property aspect within this budget are certainly material to the surplus. So I think that is something we all need to watch very carefully.

Labor forecast the following employee expenses in its budgets: in 2015–16 it was \$19.9 billion, but the actual was \$20 billion. In 2016–17 it was \$20.6 billion, but the revised figure is \$22.1 billion. In 2017–18 it was \$21.5 billion, but the latest figure is \$23 billion. In 2018–19 it is \$22.4 billion, and the latest revised estimate is \$24 billion. We can see a 21 per cent increase in employee expenses in four years, and I can certainly advise that local people in my electorate of Forest Hill are not getting a 21 per cent pay rise in four years.

It is also worth noting the annual expense growth, and I have talked about this in this place before. From 2001 to 2009–10 under Labor the actual annual expenses growth was 8 per cent. Under the coalition between 2010–11 and 2013–14 it was 3.1 per cent, and we had forecast it over the out years to be 2.6 per cent per annum. I have every expectation that the Labor government will be on track to eclipse their previous high rate of expense growth, and that is a dreadful outcome for all Victorians.

Labor in its budgets forecast the following for net debt levels: in 2015–16 it was \$16.9 billion, and the latest actual is \$22.3 billion; in 2016–17 it is \$19.3 billion, with a revised figure of \$18.1 billion; in 2017–18 it is \$19.5 billion, and the revised figure is \$23.8 billion; and in 2018–19 it is \$19.8 billion, with the latest figure \$25.1 billion. What we see is a 49 per cent increase in net debt in four years.

I note over the forward estimates the net debt level is budgeted to reach an extraordinary figure of \$28.9 billion in 2020–21, and that is a staggering increase on the amount that Labor inherited from the coalition government and will effectively represent an increase from the 2015–16 figure of some 71 per cent, which is just an amazing increase. I note again that that is despite the windfall gain of \$9.7 billion from the sale of the port of Melbourne.

In relation to the level of infrastructure investment, the government said it would eclipse the levels of infrastructure investment as outlined in the coalition's

last budget, but that is yet to happen. In 2014–15 the coalition promised \$5.8 billion, and the Labor actual was \$4.6 billion. In 2015–16 the coalition said \$7.3 billion and Labor \$4.8 billion, so there are massive differences there. Again we are hearing a lot of talk about seed money and planning money, but there is not much actually happening out there. That again raises the question: if you look at the infrastructure investment on budget paper 2, page 48, the obvious question is: where has the money gone? We have got record levels of taxes and debt, and yet infrastructure here in Victoria is languishing. We have got a typical Labor budget, which is high taxing and high spending — both at record levels — and an ever-increasing size of government, with more backroom employees and increasing fixed overheads while revenue sources are variable.

Just before I close I will touch on the shortest part of my contribution today, and that is in relation to the Forest Hill electorate. If we look at what has been done positively in the state budget for residents in my electorate, it does not take very long and the answer is, effectively, nothing. Once again Forest Hill schools have largely missed out. Fast-growing schools like Vermont Primary School, Orchard Grove Primary School and Livingstone Primary School, despite their well-identified needs, have been completely neglected by this government. It is a disgraceful situation that schools in urgent need of capital investment have once again been neglected by the state government. It is a matter that I have raised in this house on numerous occasions with the various ministers who are relevant to that area. It is a very big disappointment for the residents of Forest Hill.

In conclusion, it is a bad budget for Victorians, it is a bad budget for Forest Hill residents, it adds to cost-of-living issues rather than addressing them and it is a typical Labor budget — very high taxing and very high spending. It will be interesting to see in the next 12 months and then beyond, and certainly in next year's budget, where some of these numbers are heading. I think the trend is very apparent, and it is very concerning for all Victorian residents and particularly for Victorian taxpayers to see the level of debt increasing and the level of taxes just continuing to increase at a staggering rate. All Victorians can rightfully ask: what is being done with the money?

**Mr McGuire** (Broadmeadows) — History will applaud the Andrews government for protecting women and children first, for protecting us on our streets and in our homes and for protecting our jobs against the relentless march of change. History will acknowledge the Premier's commitment to confront family violence, an avoidable crime, with a record

amount of funding — \$1.9 billion. To put that into the context that we need to know and understand, this is more than has ever happened in Victoria's history. It is more than every other state and territory and the commonwealth's contributions combined. This will be a defining measure of the values and the commitments of the Andrews Labor government, and it will make cultural, generational and systemic change. This is a critical point that is at the heart of this budget to protect Victorians.

The next proposition is the record amount of funding — \$2 billion — to recruit extra police on the front line and actually put them on a needs-based strategy to address the issues that we have to confront to protect us in our homes, on our streets and in our communities.

The Andrews government is helping to protect jobs and create jobs and is the nation's leader in creating jobs. I listened to the opposition's contributions on this, and I am just so glad the Fairfax journos are back and we can get an analysis that goes beyond the alternative facts, the post-truths that we hear from the opposition. Let us actually go for the obtainable truth that is evidence-based. This is why we need quality journalism. We need this analysis to say, 'What do we hear?'. In the last contribution we heard that apparently there is no infrastructure.

The other big proposition from the Andrews government is its commitment to get rid of those level crossings, removing the relics of the past that have stopped productivity and have been dangerous. It needed to be done, and we are ahead of schedule. They are creating jobs. These are really important structural economic reforms that make a difference. They are good for safety; they will save lives too. They will increase productivity, and they will create extra jobs and keep driving the economy. These are the settings, and these are the issues that you do not hear the opposition refer to even just obliquely, if at all. We have to have the debate so that the public understands the significance of this budget and what it delivers.

The Andrews government is protecting the general community and individuals through that record \$2 billion investment in police recruitment. The strategy for it to go where it is needed most is welcome from my perspective to address and prevent crime. That is a critical proposition. This is underscored by the strategy of coordination and collaboration with Victoria Police and communities. The Andrews government is leading on job creation. It is critical to provide opportunities for people, particularly in our postcodes of disadvantage that we are trying to redevelop into

postcodes of hope. This is fundamental to how we build a bigger and better society.

It does contrast with the propositions from the previous one-term coalition government. I have been quite surprised to hear some of the commentary from the other side. I understand that as an MP representing communities it is your duty to advocate on behalf of your community, but there needs to be perspective. None of them have had what the people of Broadmeadows faced — the reverse Robin Hood strategy, where the money that was allocated was actually taken out and redistributed. That is what happened under the one-term coalition government; that is exactly what occurred, for the information of those who were not in the Parliament in the last term. Then there was the managed decline from the federal government.

Here is an emblem of why Labor matters and the difference that it makes in taking care of these communities. When the announcement was made that the Andrews government was going to fund \$163 million for the Northern Hospital, nurses who work in their life-saving intensive care units had tears in their eyes when they heard the news. They thought this was fantastic because it had been a long campaign to make sure that this development, which was long overdue, occurred, and the reason was because of wilful neglect in the past.

I remember only hours before the Baillieu government's first budget they put out their report on health requirements throughout the state, and it showed that the area of greatest need and highest growth was in Melbourne's north. Yet they put it out in the shadow of the budget only hours before because it would get overwhelmed and they were not going to put in any commitment to this community. That was the way they addressed these communities in safe Labor seats, rather than actually saying, 'Here is the area of need and growth and let's actually help build these communities'. That is why the Northern Hospital announcement was so welcome and the response was such an emotional response, because this will help save lives.

This example underscores the theme that I have been constantly trying to get the Parliament to address: safe Labor seats just cannot be punished by coalition governments, or they cannot have wilful blindness. What I am calling for is to have responsible governments deal with these sorts of issues. Such a response was also revealed in the funding commitments to communities devastated by the end of the car manufacturing industry. I have argued for a reinvestment of the contribution of the unspent

\$1.324 billion from the automotive transformation scheme to help these communities. At least we did get something out of the federal government. There was a \$100 million proposition that they put up for innovation that can help these communities. That is at least one proposition that came to fruition. My argument is that we need to have more unity tickets on propositions that are clearly in the national interest and clearly in the community's interest. You cannot just leave these communities behind.

Unity tickets are critical to how we address the other issues that we want as a state. If you look at the regional rail proposition, here is the Victorian government saying to our regions and our country communities, 'Here is a fantastic opportunity and investment'. And what do we want? We want the Australian government to stop playing the politics, because it is clearly defined that this is in the state interest and the national interest. Here is an investment that is a wonderful opportunity. The amount of money is not a lot of money in a federal budget. Can we stop playing the two-dogs-barking style of politics that turns people off? We should look to a unity ticket here and get this done.

Similarly with medical research, I have argued that Victoria is a leader, particularly with the elegant science that comes out of Melbourne. We have to watch what happens here with the Medical Research Future Fund, because politics can now be played about where some of that funding goes. On merit, historically Victoria has been the leader internationally for Australia. When the funding comes out, where it is assessed on merit by the National Health and Medical Research Council, Victoria gets more than 40 per cent of the funding. If you look at the equation that we normally address, where Victoria has 25 per cent of the Australian population, on infrastructure, what do we get? About 8 per cent. That is woefully low, unjust and unfair. Then if we look at what we get for medical research, it is more than 40 per cent. I just want to put on the record in the Parliament that this is an issue that we will have to address and watch in future budgets as well. The Medical Research Future Fund is one of the great opportunities, but it also could be our greatest threat to these wonderful institutions in Victoria.

The Andrews Labor government again has invested, and the community has had a huge response to welcome the investments that we are making in medical research and what that holds for the future. Building the hospitals, taking care of the patients, investing where we need it most to get the cures for the future, and delivering — that is the health proposition that has been played out by this government.

From a local perspective, I am delighted that following the investment we had in last year's budget we will soon be opening a surgery in Broadmeadows for the first time, and that is a fantastic result for the community that I represent. It goes to how we address these issues, how we take care of these different communities right throughout the state and how we build smarter, healthier, better connected and sustainable communities. I really look forward to that proposition coming along as well.

I note that in the budget we are going to have a Parliamentary Budget Office that will be able to assess different ideas and programs that are put forward by MPs, and that is an advance. That fits in with what I am trying to do for my local community and the area through the Postcodes of Hope strategy. I am delighted that we have now had endorsement from the Victorian Planning Authority. Their vision is that:

Greater Broadmeadows will become the powerhouse of Melbourne's north. Catalyst investments and actions will unlock development potential for growth in local employment and for diversified housing.

This is how we can actually provide the big-picture vision for communities and connect everyday people with the big picture so that they can see how it works for them in terms of the opportunities for education, lifelong learning, skills and jobs, and then we will provide that as best we can across the state. These are the critical underpinnings of this budget, from the big-picture investments to how you take care of small communities that have too often been left behind, to how you actually give them a hand up and to how you put in the different frameworks that they need as well.

This budget tells a big-picture narrative about the Victorian government — about it standing up, delivering on the job and getting it done. What you then realise is that you do not hear anything from the opposition about the unfairness of the treatment we are getting from the Australian government. What is happening there? Do you want to be the Victorian government, or do you just want to be a Liberal opposition? What are you doing? Why do you not actually stand up and make the call with the Australian government? If the Australian government wants its headline to be about fairness and a fair go, then how is the opposition and how is the National Party standing up for Victorians? There has been silence, and again I would call on the investigative journalists or the political reporters right throughout the media to call out the opposition on that. What are you doing? Where is your contribution?

If you look at infrastructure funding, \$1.46 billion is owed to Victoria under the asset recycling agreement signed in 2014 for investments in Victorian projects. The Andrews Labor government had planned to use this funding to revive regional rail throughout Victoria, and the Turnbull government has broken its promise, dictating that we can only spend \$500 million on specific upgrades to regional rail. New South Wales received their full \$2.2 billion allocation for projects of their choice under the same agreement.

Every Victorian will lose out from the federal government's budget, and we have not heard a peep from the opposition. We have not heard anything more than some weasel words around the issue. They have not confronted the issue and are not actually addressing it, and that is what people are crying out for. They do not want any more of this partisan 'playing for your own political self-interest'. They want people to set aside the partisanship and to actually govern in the national interest and in the community's interest right across the system. That is what this budget does. It sets us up for a great year. I commend the bill to the house.

**Mr WATT** (Burwood) — I rise to speak on the Appropriation (2017–2018) Bill 2017. Tuesday, 2 May 2017, will be forever remembered as a dark day in Victoria — a day we returned to the long, dark years of hard Labor. The people of Victoria have been duded. Furthermore, the people of Burwood have been duded. I remember when in 2014 the then opposition leader had an interview with Peter Mitchell. It was actually 28 November 2014. I specifically remember the interview. I went back and tracked down some quotes from that interview. Peter Mitchell asked:

Daniel Andrews, all the polls say you will be Victoria's next Premier. If you are, do you promise Victorians here tonight that you will not increase taxes or introduce any new taxes?

And the current Premier said:

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

Every single Victorian has the right to feel duded by the Premier because he lied. He did not tell the truth. He told a furphy. Call it what you like — it is a broken promise. I also note that this was not the only time that the then opposition leader, now Premier, made exactly that promise. On 19 November 2014, before the election, these were election promises that he made. He took it to the people, the people believed him and he lied. David Speers said to him in an interview:

So, any higher taxes, levies?

The Premier said:

Absolutely not.

I have to say that when I look through the budget papers — I can read, I can count and I can certainly see — there appears to be about \$4 billion a year or so in taxes. It is a tax grab. It is \$4 billion extra. I do not know about you, Acting Speaker Blandthorn — well, I do know about you, because you are part of the government — but you should not go to an election making a solemn promise, with hand on heart, of no new taxes and no increases in taxes and then within three years, in your third budget, say, 'We have \$4 billion extra in taxes'. We are talking about a 22 per cent increase in taxes since Daniel Andrews became the Premier.

I do not know how you can go to an election and say, 'No new taxes, no increases in taxes', then 22 per cent and 10 different taxes later tell people, 'We didn't break promises'. That is just unbelievable. As a matter of fact, the only thing that has increased more than the crime rate by 20 per cent is the tax rate by 22 per cent, and I have got to say that the people in my electorate are getting nothing for it. The member for Forest Hill talked about the title of the budget. I cannot even remember what it is, because quite frankly it should be: 'Doing a job on Victorians'. You go to an election and you say you are putting people first. Well, this budget quite clearly is putting politics first.

If you go onto the website — [budget.vic.gov.au](http://budget.vic.gov.au), for anyone who is interested — you can put in your suburb and it tells you what the government is offering in this budget for your suburb and for your municipality. I have got three municipalities in my electorate, and it is interesting to look at them. I had a look at Whitehorse, and it is interesting to note that the member for Melton has rorted more money than the entire municipality of Whitehorse is getting out of the government this year. As a matter of fact the member for Melton is being let off paying more money than the entire municipality of Whitehorse in this budget. That is a disgrace. The people of Whitehorse, 160 000 people, cumulatively walk away from this budget with less than the member for Melton — the rorting member for Melton — and I notice nobody is saying anything because they know it is true. Have a look on the website.

If you go to [budget.vic.gov.au](http://budget.vic.gov.au) and put in all the suburbs in the Burwood electorate, what you will find is that it does not show anything. Over 1000 pages — nearly 1100 pages — were presented on 2 May in this house as the budget, and I noted that there are only three pages in that entire document that talk about my electorate. My electorate is mentioned in just three pages in nearly 1100 pages worth. One is a project that

was funded by the former Naphthine government. This government is finishing the school that we committed to, Ashwood High School. I note that the budget actually calls it Ashwood secondary college. For the information of the Treasurer and maybe the Minister for Education, the name of the school has changed; it is actually Ashwood High School. It would be nice to see that reflected in the budget, but nonetheless it is a fantastic school with a fantastic principal and fantastic students — and it will have fantastic facilities as a result of the former coalition government, and that is recognised in this budget.

There is money that was committed by the former coalition government to Parkhill Primary School. There is money that was put forward by the former coalition government for Ashburton Primary School. But one thing that I found interesting that is new — although I did not see it on the website — is that there is some \$13 million this year for the Markham housing estate project. Those people who are blind and deaf and do not listen to anything that goes on in this place might not know about the Markham housing estate. It is a public housing estate in my electorate which the government plans to invest \$23 million in so it can then flog off 75 per cent of it. It is a highly contentious matter. No-one in my electorate has asked for the government to invest \$23 million in it and then flog most of it off. Nobody knew about the amount of money that has been invested, but what they do know is that the government is going to get super profits out of this site. That is the only money from this year's budget that I can see being spent in my electorate.

Having a look at the local papers, the *Progress Leader* notes on page 11 that we were “‘Ignored” in the budget’. Once again, as I said, they mention the Markham housing estate, but the local papers recognise that the good people of Boroondara have been duded by this government. If we take out the Markham housing estate, the people of Burwood have less money out of this government than the government is willing to let the rorting member for Melton off with. There is less money for my electorate than the rorting member for Melton gets.

If you look at the *Whitehorse Leader*, Whitehorse gets nothing. The only thing in the budget for Whitehorse was the state government announcing money that was actually federal money, and I note that an article on page 5 of the *Whitehorse Leader* this week is headed ‘Little joy in budget for the east’.

If you go to the website — as I said, you go to [budget.vic.gov.au](http://budget.vic.gov.au) and put in the details of your suburb — and look at the City of Monash, it is very

interesting because there is a line that runs pretty much through the middle. It is called the Monash Freeway, and what we all know about the Monash Freeway and the municipality of Monash — —

**Mr Katos** — That's where those country bridges are.

**Mr WATT** — That is where the Premier puts the country bridges program money, into the Mulgrave country club. It is country down there; the Premier said so, that is why he puts money there. But let me make this point. If you look at the City of Monash, at the bottom half of the municipality we are talking about Labor-held seats. If you look at the north of the Monash Freeway, you are essentially talking about Liberal-held seats. There is a slight crossover, and you will know where the slight crossover is because you will see there are projects that have been funded in those electorates. However, there is nothing new for Burwood or Mount Waverley and there is very little for the Forest Hill electorate. I have got to tell you, this budget is nasty, mean-spirited and certainly reflects on the personality of the Premier. It is nasty and it is mean-spirited.

I have got to tell you that no-one in my electorate is jumping for joy at the prospect of paying extra taxes. I look at it this way: if you are going to increase taxes by 22 per cent, you are going to increase revenue by 22 per cent. I note that many on that side bleat about the federal government, but I also note that grant revenue, which is essentially money you get from the feds, has gone up from the 2014–15 budget, when we were last in government, to \$29.8 billion. Well over half the budget is money that has been given to the state by the feds. We often hear it said, ‘We want to build this project, but the feds have to pay for it’. I have got to tell government members that they cannot take credit for other people's work and they cannot take credit for other people's money, but they can take credit for the 22 per cent increase in taxes.

My electorate are asking, ‘With a 22 per cent increase in taxes, do we have 22 per cent better services?’. Do we have 22 per cent more police? The answer is no. Do we have 22 per cent more teachers? No. Do we have a 22 per cent better health service? Do we have 22 per cent better education? The answer is no on all of those counts. As a matter of fact we are not getting 22 per cent extra; the situation is getting worse. Taxes are going up by 22 per cent and the crime rate is going up substantially.

It is a serious issue that my electorate is being duded by this government and returning to the dark old days, the long, dark years of hard Labor, and I think that

when it comes to the next election the people in my electorate will remember this day. They will remember this budget and they will ask themselves, ‘Should we reward a government that has done us over? Should we reward a government that has no interest in the wellbeing of my community?’.

When I look at the money that is being spent in this budget, I note the 20 per cent-odd increase in expenses and I also note that the government is talking about \$1.35 billion of cuts. I am yet to find out exactly where. I looked through the budget and could not find exactly where it was, but I know the Premier on the day after the budget talked about a \$1.35 billion cut across the board. So there are cuts there, but the one thing that has not been cut is employee expenses. In this year alone employee expenses will go up by about \$1 billion. Think about that. In one year we have got a \$1 billion increase in employment costs. When we were last in government in 2014–15 employee expenses were about \$17.8 billion and now we are talking about employee expenses of about \$23 billion. We are talking about over \$5.3 billion extra every year in employee expenses. I do not know where they are going, because they are not going into police, they are not going into emergency services in my electorate and they are not going into getting more teachers or getting more health professionals in my electorate. We are not seeing this, so the people in my electorate are saying, ‘Where is the money going?’, and it can only be going in sweetheart deals with their union mates, because I cannot see anywhere else it is going.

There is not extra productivity that I can see. There are not extra people on the frontline. There just are not. Two examples would involve the police. The Burwood police station, which is in my electorate, has actually closed. The government will never admit it, but it closed when this government came in. It closed when the member for Mulgrave became the Premier. I know the current Minister for Police likes to say that the hours have been adjusted, but let me tell you: if you adjust them down to zero, that means it is closed. If the hours of operation of that police station have been zero since February 2015, then that is closed.

The Ashburton police station has gone from a seven-day-a-week station down to two days a week; the hours have been adjusted from seven days to two days. That is having a real effect in my electorate. We are seeing employee expenses go up and we are seeing police numbers go down. It is a dark day. People will remember this when it comes to the ballot box — politics first.

**Ms D’AMBROSIO** (Minister for Energy, Environment and Climate Change) — I rise today extremely proud of this Andrews Labor government’s 2017–18 state budget. It is a budget that reinforces our strong record of responsible financial management alongside confirming a strong surplus and continued jobs growth. In conjunction with this we are also delivering the services and projects that really matter to Victorians.

One of the measures in this budget that I am most proud of is our record investment of \$1.9 billion into family violence. Family violence is a national emergency. It is the biggest law and order issue facing our country. We promised we would do everything we could to put an end to family violence. That is exactly what this funding will work to achieve. That \$1.9 billion will go towards our ongoing commitment to implement every single one of the 227 recommendations of Australia’s first Royal Commission into Family Violence. This includes establishing safety hubs, victim assistance, after-hours crisis support, counselling and therapy, enhancing the response of Victoria’s legal system to family violence — and the list goes on. Our landmark commitment to ending family violence shows just how serious the Andrews Labor government is in tackling this very, very serious issue.

We are also of course investing in schools right across our state — the education state. This government is making sure that every child gets the best start in life by building and upgrading a record number of Victorian schools. I am absolutely delighted that the budget also includes \$200 000 for Findon Primary School in my electorate for important upgrades and modernisation. I saw firsthand just some months ago on a recent visit to Findon Primary School, a terrific school, just what those infrastructure upgrades are. I am really pleased about it and the school has very much welcomed this investment from our government.

Another aspect that is greatly important to me as the member for Mill Park is that our government’s measures are very strong in delivering better hospitals and emergency services. The Northern Hospital has received \$162.7 million worth of vital upgrades. This will make a real difference to the people of Mill Park, who regularly use this hospital and rely on it. Northern Hospital services more than 365 000 people and the area has an expected growth rate of 51 per cent up to 2031, which will push the population past 550 000 people. This investment is strongly needed, after successive Liberal governments neglected the Northern Hospital after it opened in 1998. The investment will complete a seven-storey tower and add 96 new inpatient beds, three operating theatres and

more treatment rooms. There will also be more space for future expansion of cardiology services, cath labs and medical imaging.

I am also delighted that this budget goes beyond the areas that are really important locally to my community, and I want to talk about the broader portfolio responsibilities I have and how they are equally important to my community of Mill Park as they are to every other part of Victoria. As minister for the environment I was absolutely thrilled to see \$86 million and an extra \$20 million per year ongoing allocated to protecting Victoria's biodiversity. This funding will implement Victoria's new biodiversity plan, including funding for targeted on-the-ground biodiversity actions, native vegetation regulation reform, reporting marine environment targeted actions, and so much more.

Our youngest Victorians will also benefit from a larger budget — \$5.8 million in effect — to continue the kid's free policy for zoos and \$4.4 million to implement resource-smart programs for schools on sustainability and our environment. These are excellent initiatives and they are there to ensure that Victorians of all ages can play an important role in shaping our environment and its future. Fifty-four point six million dollars will improve our parks and reserves, so they can sustain and grow Victoria's regional visitor economies, improve the health of our ecosystems and conserve Aboriginal and historic cultural heritage. This includes a lot more great news, and our western suburbs and south-eastern suburbs will be very happy with this: \$20.5 million to deliver three new parks, one each in Cranbourne, Werribee and Kororoit Creek. This is fantastic news for our suburbs.

Our government has also committed \$25.4 million over four years from the Sustainability Fund to take decisive action and restore our position as a leader on climate change. Of this, \$12.8 million will deliver on our agenda for climate change action, delivering on our promises of Victoria's Climate Change Act 2010, amendments to which were recently passed by this Parliament. This includes very important work towards reaching our emissions reduction targets for 2020 through to 2050 and laying the foundations for successful adaptation and net zero emissions. This includes funding to develop Victoria's greenhouse gas inventory, supporting government departments to cut their office space emissions by 30 per cent below 2015 levels — a key commitment made as part of our TAKE2 climate change pledge program.

The budget also responds to our government's independent inquiry into the Environment Protection

Authority (EPA). There will be \$162.5 million over five years to deliver these landmark reforms in environmental protection that will protect Victoria's environment, livability and the health of every single Victorian. The budget means funding the reforms that are needed, as this inquiry has been the first comprehensive examination of the EPA since its inception in 1971.

There is \$65.6 million for the EPA's expanded functions and expertise, including in environmental public health, scientific leadership, land use planning, mining and emergency management. There is also \$19.3 million allocated for data and information provision to improve public access to information. It is an important measure to ensure the community of Victoria, business, industry and the community have transparent and easily accessible information. Funding these reforms means more officers on the ground, more investigations and, where necessary, more prosecutions, creating over 100 new roles within the EPA. Over 40 per cent of the new roles will be located across the EPA's regional offices.

The budget is also delivering \$30.4 million over four years from the Sustainability Fund to implement Victoria's waste and resource recovery planning framework. This initiative will increase the recovery rate for priority materials and reduce the amount of waste being landfilled. The funding includes \$15 million to fulfil our government's election commitment to ban e-waste from landfill. Another measure of the package is \$500 000 for waste energy policy development. All up, this funding will create about 490 new jobs in waste and resource recovery and 115 new construction jobs.

The budget also delivers \$309.4 million to fund 226 jobs to reduce bushfire risk, refurbish forest-based assets and protect our forests and wildlife through better compliance and enforcement. It is a package that continues an expanded program of bushfire mitigation on public land, improved forest access, firefighter safety and so much more; \$44 million will go towards roads, bridges and fire towers, with over \$30 million to significantly boost Victoria's forestry and wildlife compliance.

The government also understands our state's need for a secure, affordable and sustainable supply of energy for industry, businesses and homes. That is why we are investing \$122 million to help modernise our energy system and maintain an affordable energy market for all Victorians. We are working to assist businesses and households. We are funding a range of initiatives that will help Victorians to reduce their energy bills, including the home energy assist package to upgrade

the energy efficiency of over 3300 Victorian homes. We are investing \$38.6 million for renewable energy purchasing and \$9.5 million to power Victoria's tram fleet with solar energy. Our solar transport initiatives will deliver \$150 million in new capital investment and create over 300 new jobs in regional Victoria. Our energy efficiency initiatives will also support 432 new jobs in energy efficiency services and other Victorian industries. More broadly we are realising our commitment to increase renewable energy generation to 25 per cent by 2020 and 40 per cent by 2025. We will deliver up to \$9 billion in new capital expenditure and create 11 000 energy sector jobs.

We are also keeping up momentum, with \$25 million already announced to support large-scale energy storage initiatives across Victoria, creating jobs, enabling industry expansion, protecting affordability and maintaining the reliability of our energy grid. I am also pleased to see funding provided to support the implementation of key deliverables of the suburban development portfolio. This includes the establishment and operation of metropolitan partnerships and the development and delivery of five-year plans for jobs, services and infrastructure.

We are a government planning ahead for the growth of our suburbs, no matter where people live, unlike those opposite who left the suburbs behind, refusing to invest in new infrastructure and services where people actually lived and where they needed them. Our government is getting on with the job and delivering key infrastructure for all Victorians, key services for all Victorians and growing the jobs that people need.

Wherever you live, this is a budget that delivers the things that really matter to every single Victorian in their communities, in their workplaces and in their homes. I am absolutely proud that this budget ticks the boxes for every single member of the community. I commend this bill.

**Mr CRISP (Mildura)** — I rise to make my contribution on the budget. This budget taxes Victorians more but they get less, particularly if you are from the country. No matter where you live outside of the donut — that is, Geelong, Ballarat and Bendigo — there is not much to address the issues of the country in this budget.

The Andrews government is city-centric. The Premier promised Victoria no new taxes and yet we have two new taxes, both of which affect Mildura. The coal tax may be a long way from Mildura, but its impact is felt, particularly on electricity prices, which are rising. They are hurting people, they are hurting businesses.

Household power bills are a major cost-of-living pressure and they are not being addressed by this government.

The Uber tax — or a GP co-payment, as it has been called — is on every taxi ride. Every pensioner and person who needs to get around by taxi will pay this, whether they are going to and from the supermarket or to the doctor. They will pay \$2 a trip or \$4 a trip to go and from the doctor. This will impact on people's lives. The river towns all have the usual cross-border confusion, and cab drivers on both sides of the river are waiting for an answer: is the tax applicable to someone crossing the border or not? If so, which way?

The fire services levy is becoming a cash cow for the United Firefighters Union (UFU). This government is in the process of trashing the Country Fire Authority (CFA), which is one of the great volunteer services of the world. It has kept Victorians safe for 70 years and they do it all for respect, a payment Victorians have freely given for 70 years and which they still want to give. Such is the depth of feeling in the country that country people want the fire services levy to support the CFA as a volunteer organisation, not the UFU.

The tax on new cars will impact on vehicle businesses in Mildura. Again, it is a cross-border problem, particularly the proximity to South Australia. Those local businesses employing local people, ensuring local jobs — what is the government thinking about these cross-border issues? Again, they are going to bleed business out of Victoria. The only thing rising faster than taxes in Victoria is the crime rate and Mildura does not want to catch Melbourne's crime disease. There is much talk about extra police. Where are they for Mildura?

Then there are the new annual property valuations, which councils are not happy with. It is no surprise to us that local government are not happy with this. I have seen a number of documents suggesting that the Victorian government has ignored a number of agreements they had, in particular with the Australian Local Government Association, where the minister had signed an intergovernmental agreement on consultation, the Victorian state-local government agreement, which this government is a party to. This was also the issue they were given no warning of, and there was no consultation. Local government are unhappy with this budget because they have been left in limbo, trying to work out whether they need to make staff redundant, and ratepayers are left wondering what the impact will be on their rates. Will they go up?

Now we need to deal with the vacant home tax. Is a vacant farmhouse taxable if it has not been lived in for six months? Will seasonal worker accommodation on a farm — much of which is home-style, meaning it is vacant for six months between seasons — be taxed? The devil is in the detail and that detail is sadly wanting. This too will further alienate country people from the city-centric government.

What did we look for in Mildura? What we were looking for was some health services, as always. When we were in government we invested in purchasing the Mildura Base Hospital. We doubled the size of accident and emergency, and oncology, and created another birth suite double the size of the special care nursery. We brought mental health all under one roof as well as committing to a preventative and recovery care unit, which is being built now. The next thing we need are ward beds to cope with our growing population. Everything else is being choked up without the beds at the end of those front-end systems.

I have raised roads in this chamber before. The Robinvale-Hattah and Robinvale-Sea Lake roads are very important economic routes that have changed. I have raised this matter separately with the Minister for Roads and Road Safety in an adjournment matter.

But keeping our community safe is extremely important — the extra police, stopping the trashing of the CFA and CCTV are all important. The community of Merbein have made it clear that they want the Labor government to fulfil the promise it made in 2009, when it forced the merger of their schools into one to complete the new school.

On rail, during my time in government we established and funded the Murray Basin rail project. Rail infrastructure funding has had a lot of smoke and mirrors lately, and I will do my best to try to clear the air and break some of the mirrors around this funding. There are three funding mirrors and plenty of smoke, and I think only one of them is reliable. Let us look at the regional port of Melbourne dividend. There is \$970 million in that, and it is a once-in-a-lifetime opportunity to transform our transport infrastructure. As best as I can understand, budget paper 4, page 10, shows where some of that port dividend is going to come from and go to. There are a couple of objects there, and there is the tabulation in the book.

Gippsland rail is getting \$435 million. I think that is justifiable. However, the one that really sticks in my throat is the major periodic maintenance on regional rail, at \$288 million. You should not be taking a once-in-a-lifetime opportunity and spending it on

maintenance. It is not in the spirit of the port of Melbourne dividend. It is not consistent with so much of what was debated here, and it should not be for maintenance. Maintenance is another responsibility of this government. More trains are part of that as well — \$288 million. If we knew where they were and what they were going to do, that would be better. The Shepparton line gets \$33 million. That is understandable. Then sustaining the V/Line fleet gets \$12 million. The normal repairs on this should be a normal part of running the business, not taken out of our port dividend. The state government's regional rail revival, supposedly from the asset recycling from the sale of the port of Melbourne is, I think, another bucket of money.

Thanks to the Public Accounts and Estimates Committee (PAEC) briefing yesterday morning, we found out and have learnt from the Department of Treasury and Finance that the asset recycling comes in two parts: one when the estimate of the market sale for the value of the port is submitted and then a revised asset once it is sold. What we have learnt is that only \$877 million has been paid because they missed the paperwork deadline and lost regional Victoria \$600 million on missing that deadline. And what do you do? You blame the federal government. It made it quite clear when that asset recycling was to take place. Like a child throwing a tantrum, the Treasurer has just demanded the money. It appears the train has left — you missed it. I do not know why, I do not know how, but you missed it.

The next bucket of money for regional rail was announced in the federal budget. At least this is real money. The federal government want to have a say in where the money is spent, and who could blame them with this lot? At least they have specified some projects and made some room to move. But all the Victorian government has resorted to in the last few days is abuse, because they are the losers. And because they are the losers, we are the losers. We can be sure that this is a city-centric Labor government that cannot manage money, and country Victorians are the losers. You do not need a Venn diagram to figure this out. When you look at the intersection of all of these, there is buggar-all in the middle. And that makes us the losers.

The Murray Basin rail project is a project that is absolutely vital to support Mildura's growing economy. It is to upgrade and standardise the line to the port of Melbourne. The Nationals in government sold the Rural Finance Corporation of Victoria to pay for the Murray Basin rail project — sold one valuable asset to create another. The project was done and dusted long before the end of the federal asset recycling program.

Yesterday, under questioning, treasury revealed that the Victorian government had missed the deadline for qualifying for the asset recycling on the sale of the Rural Finance Corporation. I just think this is outrageous. How could this have happened? This was sold years ago. The uplift for that is around \$60 million. It could have paid for the level crossings.

In a news article in the *Sunraysia Daily* on 24 October 2015 titled 'Assets scheme key to upgrade', I raised the issue that negotiations on the Victorian scheme between the federal government and the state were yet to be finalised. But the reporter, Toni Brient, went on to ask the federal government what was happening. They said they were in discussions with the Victorian government for a schedule under the agreement. The Treasurer was interviewed and said in a statement that negotiations on asset recycling were continuing and that the state government intended to use part of the rural finance proceeds and bonus to fund the Murray Basin rail project — and you stuffed it up. I cannot believe it. I am just really, really angry about this because this is money that belongs in my electorate. We sold an asset to do this, and you messed it up.

All that stands in the way of a 24-hour freight return trip to Mildura, which is a vital economic instrument, is to get level crossings underway. The NorthWest Rail Alliance supports the level crossings, and the Mildura Rural City Council supports the crossings. The Rail Freight Alliance supports the crossings. Well, thank goodness for the feds. In their budget they put \$20 million extra into the Murray Basin rail project. Andrew Broad, the federal member for Mallee, says 'Boom time' in relation to the booms that are needed on that railway line to protect it.

There are 138 crossings between Mildura and Maryborough that need treatment because of a coroner's finding about an accident at Litchfield many years ago where visibility was an issue. What has to happen is that the trains have to slow to 50 kilometres an hour when they hit the crossing and cannot accelerate until after they have left a crossing that does not have lights and booms. There are 138 crossings. You can do the maths and work out that many of our freight trains over much of the route cannot accelerate to the 80 kilometres an hour that the Murray Basin rail project is going to deliver.

I just cannot comprehend this. The least that this government can do to make up for the embarrassment of its incompetence is to match the federal money, the \$20 million that the feds have put in. Failure to do so will show that they are neglecting the country and that they have contempt for country people. They are

ripping us off, and they are blaming others. On behalf of the Mildura electorate I say \$20 million is the absolute bare minimum you can deliver to make up for the embarrassment of not getting that asset recycling in. The port of Melbourne was one thing, but not to complete something that was sold under the previous government is just beyond belief. It beggars belief.

We have got a lazy government that has been a slowcoach in every respect, and it is trying to hide all this behind smoke and mirrors. It is not going to wash in the electorate of Mildura. It is not going to wash across country Victoria. This was a project that was going to transform us, and it has been parked by incompetence. That \$20 million is the least they owe the Murray Basin rail project, and it should be delivered.

**Ms KNIGHT (Wendouree)** — Across Ballarat this budget has been so well received. It has been a terrific budget for Ballarat because it actually makes real investments in the future health, education and economic wellbeing of our city. I would like to start with something that I am really proud of and something that is really close to my heart, and that is the Mount Rowan campus of Ballarat Secondary College. It is such a great school, with really brilliant teachers, a wonderful community and great kids, but it is no secret that the buildings and the facilities at this campus really are not great. But the Andrews government is investing in the school and investing in the kids, not only those who are going there today but the kids who will go there in the future.

I was so pleased to see in the budget \$9 million for Ballarat Secondary College. That will be \$3 million for the Woodmans Hill campus, which is in my colleague the member for Buninyong's electorate, and \$6 million for the Mount Rowan campus. That of course follows the first two budgets of the Andrews Labor government, which each provided \$3 million to the Mount Rowan campus. That is \$12 million from the Andrews government, and that is going to see this fantastic school pretty much completely rebuilt. It will include a new science, technology, engineering, arts and maths building, upgrades to classrooms and a new food technology space. Recognising that the appearance of a school and the school environment are really important in creating pride in a school and demonstrating value in education, landscaping and outdoor works will also be done to make sure that the site is really accessible to every student. This is really huge news for the community of Wendouree, but it is also big news for communities like Creswick and the families that send their kids to the Mount Rowan campus.

Investment in education is not something that is just happening in Wendouree; we have seen in this budget that it is happening right across regional Victoria. We saw the Treasurer set aside \$76 million to upgrade rural and regional schools to make sure that every kid gets the chance to succeed. That is funding that will see 59 schools across rural and regional Victoria modernised, upgraded or regenerated. More generally I was really happy to see \$84.1 million in this budget to improve principal and teacher capacity. It is so important that we do support the terrific teachers that we have in government schools, who do a great job and who want to deliver the best education they can to our kids. I think it is really important that they are supported.

I just want to turn to mental health services and talk about the budget's investment in Ballarat. On Monday we had the Minister for Mental Health in Ballarat to announce the location of a drug rehabilitation facility in Ballarat, which is such an important investment in my community. As we are seeing across Victoria, drugs are taking a terrible toll on individuals and, of course, on families. Having rehab beds in our community is a big deal for those battling against addiction. Like most people, I know people who really require that service. On top of that, the minister also talked about the \$8.3 million prevention and recovery care mental health service to be based in Ballarat, also as part of the budget. That provides an important additional level of care, not only to those who experience mental health issues and need that assistance but also to their loved ones.

A really exciting project of the Andrews government is the Ballarat station precinct. I cannot talk enough about this. This is a great project. We saw in a previous budget an investment of \$25 million, so that will see the precinct completely changed and turned into a major transport hub that Ballarat needs and deserves. It also attracted some private investment — \$44 million from the Pellicano Group — and that is also a terrific injection into our local economy. The redevelopment includes an upgrade to the heritage goods shed and will feature a state-of-the-art convention and events centre, a Quest Apartments hotel, shops, restaurants and a new public plaza. In this budget we saw \$5 million provided for a bus interchange. That will help towards the transport hub that is part of the project, and we also saw some funding to put an additional 100 car parks on the multilevel car park there. This is really great news for Ballarat but also for the tourists who will come into Ballarat. We are delivering on our promise to create the new bus interchange, and that additional parking will bring the number of car parks to 405. Those car parks in the multilevel car park will have improved lighting. There will be CCTV, and it will mean that commuters will not

have to struggle and trudge through the muddy gravel to get from the car park to the station.

I have spoken about a few of those great initiatives, but I think the cherry on the cake, if you like, is the biggest news in Ballarat, and that is without doubt the new Ballarat GovHub. This purpose-built hub for government activity in Ballarat will bring together 400 staff from existing locations in Ballarat, with 600 positions that will be new to our city. The GovHub will be constructed adjacent to the civic hall and will create up to 500 jobs in construction. This is huge news for Ballarat. The new GovHub will include employees from a number of departments and agencies such as the Department of Education and Training; the Department of Justice and Regulation; the Department of Economic Development, Jobs, Transport and Resources; Consumer Affairs Victoria; the Department of Environment, Land, Water and Planning; the State Revenue Office; VicRoads; and Services Victoria.

The editorial in the Ballarat *Courier* of Friday, 5 May, has it exactly right when it says:

The bigger plan here is to make an integrated government services hub that serves the whole region if not the state. The focus on technology and innovation in the specialisation of the hub then has further benefits in establishing a pool of expertise and a reputation for the city. The idea has considerable weight in a country looking to decentralise.

This kind of skills agglomeration can deliver real and ongoing benefits to a region well beyond the initial investment.

As we have seen in Geelong — the member for Lara is in the chamber and I am sure he will agree with me — with first the Transport Accident Commission, then WorkSafe and the national disability insurance scheme (NDIS), industry specialisation absolutely matters. Geelong has developed a specialisation and grown highly skilled jobs in the region to support an industry specialisation in no-fault insurance. Ballarat has such an opportunity with this announcement — an opportunity to build on our city's technology and innovation strengths. This announcement is about much more than 600 new jobs to our city. It is about jobs that provide a clustering of skills in our city — a clustering that delivers much greater potential than a single government entity.

I am excited about what this means for Ballarat's future. I quote from the Premier's media release of 4 May:

As part of the project, the Labor government will work with the city council to improve CBD car parking and offset the losses of parking at the civic hall site. This includes providing

\$2 million towards the city council's *CBD Parking Action Plan*. This will allow the council to commence delivery of at least 1000 nearby car parking spaces.

This project will bring new public service positions to our city, building on our local economic strengths; create jobs in construction; get something substantial happening at the civic hall site and boost car parking. It is great news for Ballarat all round. And as members would expect, this announcement has been greeted with great excitement by a whole range of people. It has been variously described as 'hugely significant' by the CEO of the Committee for Ballarat, Melanie Robertson, and as 'transformational' by Commerce Ballarat.

But I am not sure which front page headline in the Ballarat *Courier* is the most positive about this initiative. It could be 'CBD transformation — budget win for city's heart' on Wednesday, 3 May, or it could be 'Service hub to lead CBD boom' on Friday, 5 May. Either way, members will understand the excitement in Ballarat at this great Andrews government initiative funded through the 2017–18 budget.

While Ballarat is my focus, and the interests of the people of Wendouree my passion, the Andrews Labor government is looking after all parts of regional Victoria. A GovHub, similar to the one in Ballarat, will be set up in the Latrobe Valley, bringing 150 government jobs to the region, and planning kicking off for a third GovHub in Bendigo. These great initiatives are also part of this 2017–18 budget.

The Andrews government's third budget is great for Ballarat, but it does have a history behind it. It builds on previous budget announcements made by the Andrews Labor government. It builds on the massive \$25 million to turn the Ballarat station precinct from a gravel car park into a centre of activity by adding 100 car parks to the already planned multilevel car park and it delivers on our promise to build a new bus interchange, making Ballarat station a true transport hub in our city. This budget funds Ballarat Secondary College to complete the rebuild of the Mount Rowan campus, building on the \$6 million that was provided in previous budgets. It provides \$8.3 million for a prevention and recovery care mental health service that follows the Andrews government's investment in a new catheterisation lab currently under construction at Ballarat Base Hospital. It funds a major urban regeneration project with the GovHub that will turn a derelict part of our city into a centre of jobs and innovation. This of course follows the station precinct development that will similarly transform the physical fabric of our city.

But it all comes back to jobs of course. Because of this budget there will be 600 state government positions new to Ballarat at the GovHub and 500 jobs in construction. This follows the jobs created in upgrading the Eureka Stadium, the just-completed C.E. Brown Reserve change rooms and the more than 100 jobs that will come through construction at the station precinct. There is no doubt that all these jobs will be great for Ballarat and will build on the success that the Andrews Labor government has had in reducing the unemployment rate in my region. The successes come about by creating an environment in which private sector investment is attracted to the regions. This budget makes great changes to encourage jobs and population growth in regional Victoria.

First home owner grants will encourage housing construction outside Melbourne, and a payroll tax regimen that will make payroll tax in regional Victoria the lowest in the nation. Both these initiatives will be great for jobs. In fact when the Premier was announcing the GovHub, he told the story that he had been somewhere the night before and had spoken to a businessperson from Ballarat who said that a back-of-the-envelope estimation suggests they will save \$40 000 in payroll tax and they would use that to employ another person. You can expect those stories to be replicated right across the region. I am particularly pleased about that initiative.

Jobs have always been my highest priority and they have always been the Andrews government's highest priority. The proof is in the pudding. With this budget, and with previous budgets of the Andrews Labor government, we see initiatives that will boost jobs growth. For that I want to thank the Premier, and I also want to thank and congratulate the Treasurer on this budget. I particularly thank them both on behalf of the people of Wendouree for the amazing initiatives that have been funded which are going to take our city from strength to strength.

**Mr T. SMITH (Kew)** — It is my pleasure to speak on the budget this year. I was not given the opportunity to speak on it last year because of the bizarre and haphazard way the Labor Party, and particularly the Leader of the House, runs this place. The Leader of the House decided, for reasons best known to herself and unbeknown in most Westminster parliaments, that the house would sit for one day last week to have the budget presented and then we would disappear for the rest of the week. Then in a cynical, shameless and juvenile ploy, the Labor Party decided that it would have Parliament sit this week and allow us to have our address-in-reply this week, which is totally against the traditions in this place. Quite frankly, it was pathetic,

juvenile and totally unnecessary, but that is what they decided to do to try to crowd out our budget reply with the federal budget.

The problem that Labor has found this week is that its budget has been completely ignored because the member for Melton is still here asking questions. The member for Melton has completely stolen the oxygen from Labor's third budget. Labor's third budget has been hijacked by the two thieves who still sit in this house — the members for Tarneit and Melton. These two crooks have rorted \$200 000 from taxpayers, and this has ruined the selling of Labor's budget.

**Mr Riordan** interjected.

**Mr T. SMITH** — There are a number of things that could be built with \$200 000, member for Polwarth. My electorate got absolutely nothing in this budget. We could have done with \$200 000 to address a whole host of different issues. But, quite frankly, the fact that the member for Melton got up in question time and asked a question yesterday, bringing the house down, having the member for Bass ejected for simply suggesting to the Speaker that he should be throwing out the rorting crook, the member for Melton, and not himself —

**Mr Howard** interjected.

**Mr T. SMITH** — The fellow over there who thinks what the member for Melton did was simply a minor misdemeanour —

*Honourable members interjecting.*

**Mr T. SMITH** — A parking fine indeed! I am completely shocked that the member for Buninyong thinks that it is a minor misdemeanour — a minor misdemeanour to rort \$200 000 from the taxpayer! The output for the Parliament is missing \$200 000 because the member for Tarneit ran off with \$37 000; he packed off down to Queenscliff to put his feet up. Meanwhile, the member for Ocean Grove went off to live in a caravan park. He charged \$174 000 for the privilege. He has a couple of houses in Melton that he could have flogged off to pay back his \$174 000 worth of rorts. He chose not to do that. He could have flogged off the property he owns in St Kilda that apparently is too small but, I would imagine, is actually worth quite a lot of money. Or he could have done what the rest of us do when we have to pay back a lot of money instantaneously — that is, take out a loan. He chose not to do that.

He has now got this bizarre payment plan with the Parliament that the Premier pretends not to know anything about. It is simply unbelievable that this bloke

has received millions of dollars over 25 years — 25 years in this place. He has received millions in wages, and when he leaves this Parliament he is going to receive millions in a state-funded pension for the rest of his days. That grub — that rorter, that crook, that thief — has no right to be here, and he should be evicted. He should be asked to leave if he will not pay the full amount back.

This budget is missing \$200 000 in rorted moneys that those members ought to have paid back immediately. It is beyond belief that those opposite jump up and down and carry on about those of us on this side of the house, who stand for truth and for justice and for honesty in the way that we deal with public money. And it is simply beyond belief that you still run a protection racket for these ghastly people. What have you been doing? You should throw these people out. You should join with us and have these people removed from Parliament or at the very least have them pay the money back in full. The fact that you do not, the fact that you are about to call a quorum on yourselves in my own budget speech, is utterly pathetic.

The smirk from the member for Mordialloc gives the game away, as per usual. Shame on you, sir, and shame on the Labor Party for their grubby, underhanded tactics in not even allowing the coalition to give their budget reply in the week that the budget was delivered because you were too scared about hearing about poor old Don and Telmo. Well, guess what? They ruined your budget week this week. You have had nothing in terms of media coverage. You have been swallowed up by the federal budget —

**The ACTING SPEAKER (Ms Thomson)** — Order! Through the Chair, please.

**Mr T. SMITH** — Through the Chair indeed, Acting Speaker. Whilst we are talking about crooks, I am going to move on to the Country Fire Authority (CFA). The government still has not come to a conclusion about what to do with Peter Marshall. Peter Marshall is still coming in and out of 1 Treasury Place, pulling the strings and telling people what they can and cannot do. Peter Marshall is this great force within the government who is compelling them to do things that are possibly illegal and possibly against the values and wishes of 60 000 volunteers. It is quite unbelievable that we still do not have a resolution to this dispute that Daniel Andrew said was fixed a year ago. A year ago he said, 'It needed to be fixed, and I fixed it'. Well, it is not fixed. It still continues to fester and to create disharmony and discord amongst rural communities around our state.

Why has it not been fixed? Because, quite frankly, the government does not have the guts to tell Peter Marshall, ‘You are not getting what you want’. They are still playing around with this bully, this thug, this grub of an individual. They will not tell him no. They are going to give him his vetoes, and they are going to give him all the bizarre and frankly unfathomable things that this man wants with the CFA. He wants to take control of the CFA, control of the operations of the greatest volunteer force that this state knows — the CFA, which has protected lives and property for 70 years.

The fact is that the government still will not answer questions in this place. Minister Merlino and Premier Andrews are still incapable of answering questions in this place about what exactly they are trying to do. We are hearing about Simon Crean being brought in at the last minute to desperately try and resolve this disaster for the government — a disaster that has festered for over a year. The key point is that we do not know what Simon Crean was paid, but he joins a long list of people, like Greg Sword or indeed Tony Bates or Chris Eccles, or goodness knows who else, who have been dragged in at the last moment. Apparently Ian Ross made a bit of a cameo at some point there last year.

Why can these people not get a result for the people of Victoria? Because they are trying to negotiate with a bully and a thug who, for example, will not even allow his members to take part in a review of gender diversity in the fire services. That is the sort of individual we are dealing with. Labor will not defend this. Labor are running a mile from this, but they have to deal with this because the simple question that has never been answered is: what does Peter Marshall have on the Premier? That is the key point here that no-one has answered, and in the fullness of time whatever this man has on the Premier of Victoria will be revealed.

In my electorate of Kew we got nothing — not a cracker. We could have done with \$200 000 for any number of playground upgrades and the like in local schools and local parks. It is a nasty, divisive, typically class war budget from the Labor Party. In my electorate the crime rate is escalating out of control. It has increased by 25 per cent since Labor was first elected in 2014. The state crime rate has increased by 20 per cent since Labor was first elected in 2014. The simple fact is that the government was so slow to move, so slow to respond. You pretended it was not an issue or it was not an issue that you wanted to talk about because it was not on Mr McLindon’s grid. That grid said that you could only speak about health, education, public transport and jobs.

Well, you forgot about law and order, and look what happened. A crime wave developed that you did not respond to — a crime tsunami which has seen lives and property ruined around our state like never before. It requires the strong leadership of the Liberal and National parties to return to the Treasury bench in order for law and order and respect for the rule of law to be restored in this state. It needs it desperately. Hopefully next November we will have that opportunity to restore law and order and good government to this state, because under Labor you are always going to get an approach that is soft on crime and soft on the causes of crime.

In my electorate police numbers have been cut. There has been no investment in Boroondara police station. In the time that I was the mayor or a councillor at the City of Stonnington, or even in my role as the member for Kew, I never witnessed such a number of constituents as the number who are coming to me currently saying that they are genuinely scared. They are scared of living in Melbourne! This is Melbourne, for God’s sake; it is not Johannesburg, and it has been turned into Johannesburg because of the policies of this government.

Again in my electorate we wanted money for Guide Dogs Victoria, a very good cause. It does enormous good throughout our society.

**Mr Riordan** — \$200 000 for them.

**Mr T. SMITH** — We could have had \$200 000 for Guide Dogs Victoria, but the members for Melton and Tarneit rorted that. They thieved it and took it down to the beach. We wanted money for schools like Kew Primary School and Kew East Primary School, which desperately need new upgrades to infrastructure. But we got none of that because this is an unpleasant government, a government that is divisive and that is obsessed with the class war politics of yesteryear. Of course they were never going to give anything to Kew; of course they were not. Why would they bother? They do not govern for all of us; they govern for a select few — their few — not for the whole of Victoria and not in the interests of the whole state. But it is disappointing when there are such massive issues to deal with.

The government seems to be obsessed with the niche concerns of a cosseted urban elite. The coal royalty rise that has occurred, along with the other massive tax rises, has ensured that we have lost 22 per cent of our energy grid. We have lost Hazelwood; Hazelwood has closed down under this government. That is a complete catastrophe for our state, a catastrophe for energy security and a catastrophe for cost-of-living issues.

People's energy bills will go through the roof, mark my words, over the next year because of the lack of baseload power and security. I cannot believe that the government simply stood by and allowed 22 per cent of our coal-fired power generation to evaporate overnight.

Governments need to show leadership on those important issues, and this government, simply for ideological reasons, stood by and watched that great power station, that great beacon of our history go. Part of the great legacy of Sir John Monash was building the Latrobe Valley to ensure that this state had a cheap source of power to build our manufacturing industries, the sorts of manufacturing industries that were generated right across our state as a result of the farsighted policies of the Hamer government, which decentralised Victoria like no other government had done before. It brought industries such as Mars to Ballarat and to Wodonga.

**Mr Riordan** — Alcoa.

**Mr T. SMITH** — Alcoa, indeed, thank you, member for Polwarth.

We know that this government does not have a population policy. It has no plans to decentralise our population from Melbourne — 77 per cent of our population lives in Melbourne and 92 per cent of annual arrivals come to Melbourne. We have no plan in this budget to decentralise our growth throughout our state.

The regional rail announcement some weeks ago by the Premier was a total fraud in the sense that he announced \$1.4 billion without having any ability whatsoever to pay for it. Why would you do such a cynical thing? Because you know you do not have a population plan. You have no idea how to decentralise the population in our state, which is so crucial to improving the livability of Melbourne. Labor does not have a plan to improve Melbourne's livability, and we do. We have a plan that is farsighted and forward thinking. We have been going around Victoria over the last six months speaking to communities across our state — in Wodonga, Shepparton, Mildura, Cranbourne and Geelong — and we will be going to many other places over the next six months. We have been listening to people about how we can take the pressure off Melbourne and grow country Victoria.

Regional transport interlinkages are very, very important. It is not going to be the only aspect of this, but announcing faux transport plans two weeks before the federal budget to try to verbal the federal transport minister into doing something is no way to govern. It is no way to provide leadership for our state. It is no way

to solve the big issues that are facing Victorians. It is another cynical ploy by a cynical government that did not even allow the opposition to respond to its budget in the week it was delivered. It was an outrageous set of cynical political decisions that it will be condemned for long from this time.

**Mr DIMOPOULOS** (Oakleigh) — It gives me great pleasure to speak on the Appropriations (2017–2018) Bill 2017. To paraphrase something Teddy Roosevelt said at the turn of the last century, 'Every time the honourable member opens his mouth' — and I mean the honourable member for Kew — 'he subtracts from the sum total of human wisdom'. The fact that members of the Public Accounts and Estimates Committee will have to listen to him for the next 55 hours over the next two and a half weeks fills me with dread.

I am not surprised that the member for Kew and all his other colleagues talk about everything but the budget, because if I were in their shoes, I would be embarrassed to talk about the Andrews budget. It is a profoundly well-accepted budget. In fact I have lost count of all the articles that the Treasurer read out from the media about how well commended this budget has been across the business community, across community sporting groups and across the whole Victorian community.

Then you have got post-truth politics in action in this chamber like I have never seen them before, with the member for Kew saying that there is no media. Honestly, if he had one ethical bone in his body, he would be taking those media articles that the Treasurer, the Premier and all of us have referred to and saying, 'Maybe I am actually fibbing just a bit'. I understand the notion of stretching the truth in politics, but those on the other side — and I will get to the member for Mount Waverley later in my contribution — have just gone beyond a joke to the point where they are doing themselves and the whole political class a disservice.

Nonetheless my contribution is not just about this budget. It is primarily about this budget, but this budget has to be seen within the context of not just this one but the two budgets before it and the one next to it, because you do not build a fair society, as the Premier has said, with one budget. You do not build a better society with one budget; you build it by forming a relationship with the community, with Victorians, and building budget after budget after budget with changes to society. That is what this government is doing. We are changing society every single day. No clearer is that evident than in the area of the prevention of family violence. We are changing society.

We did not set out to hoodwink people by making some election promises that we would never deliver just to get into office. We did the hard yards from the very, very beginning. This budget, like the two before it, is an investment in the Victorian community. When he was the Leader of the Opposition the now Premier rallied the team and did the hard policy yards. Acting Speaker Thomson, you were a part of that team, as was the Minister for Tourism and Major Events, who is at the table. I was not, but the team did an amazing job. It took a defeat in 2010 — and I have said this before in this chamber — and consolidated under the leadership of the Premier. It went around Victoria with its Labor Listens tour — —

**Ms Graley** interjected.

**Mr DIMOPOULOS** — Labor Cares tour, I thank the member for Narre Warren South. It did a stellar job. It did an incredible job in meeting with average Victorians. We heard the member for Kew talk about meeting with Victorians over the last six months. Whoopee! It was about time.

That Labor team, led by the now Premier, met with a whole range of people. It met with women and children around Victoria, in their living rooms and in town halls, and found out their needs. It found out about the enormous impacts of family violence. If you do not listen, you do not hear the things at the top end of town. That team was in the living rooms of Victorians, listening to the painful cries of women and children around family violence.

The Labor team met with apprentices and came up with innovative solutions to help apprentices retain their apprenticeships through, for example, initiatives like half-price registration and through funding TAFEs. These are really articulated and well-reasoned policies that come from speaking to people and listening to people. The other side do not accept that. They do not do that work.

That team, led by the now Premier, talked to average Victorians about the impact of the ambulance dispute. Do you remember that on the back of all the ambulances it said, 'Resolve the ambulance dispute'? They actually sat and listened to people. They talked to regional Victorians about isolation and the lack of infrastructure. They talked to everyday Victorians about the environment. That is why we have the boldest targets on renewable energy of any state and the commonwealth. They talked to average Victorians and parents with kids with special needs about the impact that mainstream schooling has on their children. They talked to parents with kids — —

**Ms Thomas** interjected.

**Mr DIMOPOULOS** — Absolutely, it was proper policy development, as the member for Macedon said. They talked to parents with children who are desperate for medical marijuana so that they can see some positive healing for their children. They talked to principals and teachers about their schools. They talked to outer suburban communities about their lack of infrastructure and then responded with aggregate road projects and tendering, as the Premier and the Treasurer announced months ago in the west, and I know that will be coming in other areas of Melbourne. They talked to victims of crime about the impact of the justice system and the enormous mess that the previous government left us with, a 44 per cent recidivism rate. They talked to average Victorians about the impact of those bail laws that failed us that were developed by the Baillieu-Napthine governments. In response we developed proper bail laws, developed proper resourcing for police. Everyday Victorians mattered in our consultations.

Of course one of the flagships of that Labor opposition, that team led by the now Premier, was they talked to average Victorians about the congestion and level crossings and the number of deaths at those level crossings, and in response developed the policy to rid this state of 50 level crossings. I could go on in a whole range of areas: rental laws, first home buyers. This is a government that did not wake up one day and think, 'Oh, we've got the Treasury benches, let's put a budget together that's going to get us through'. No. This is a government that started its evolution years before we had access to the Treasury benches. It started its evolution in opposition and did the hard yards under the current Premier.

This is a story of building a government that has longevity, not the story of building a political campaign. We came to office with an agenda, an incredible and powerful agenda driven by people and the aspirations of average Victorians. Budgets are not a shopping list. It is not good enough going around the community and just adding up the sum total of what they are after because anyone could do that; any monkey could do that. A proper budget and the ones we have delivered so far are about applying the aspirations of Victorians, together with values, intellect and prioritisation, and ending up with a quality budget.

I bet those on the other side, in the privacy of their own offices, are thinking, 'How on earth do they do it?' — referring to us — 'How do they do it? How do they get it so right? They fund social policy. They fund \$2 billion in police. They have flagship programs like

level crossings and family violence, yet they have lower debt than we had. How do they do it?'

They must be so upset about that because they were once the economic managers. We have lower debt now than we did under them. We have higher growth than we did under them. We have higher employment by a long shot than we did under them.

**Mr Pearson** — Two hundred thousand jobs.

**Mr DIMOPOULOS** — That is right, 200 000 jobs, member for Essendon. And they think to themselves, 'We can't get a break. They not only cover off aspirations of Victorians, they do it economically responsibly'. Because that is Labor.

What is the alternative? Politics is about choices. No-one is going to have the perfect government, although this is as close to a perfect government I reckon as you could get. In Victoria at the moment the choices are clear. You have the Andrews Labor government or you have the hapless, angry, shouty Leader of the Opposition and his ragtag — whatever the term is — team. Or potentially in a horror scenario you could have a Greens bastardised government. The fact that the Greens vote with the Liberal-National Party coalition in the upper house more than they vote with Labor is testament to that association.

But you know we do not have to go too far in judging the opposition because they were in government four years ago. Most of them on the other side were in government four years ago, and what did they do? They were a basket case. I have referred to an article by Josh Gordon in the past in this place. Josh Gordon in the *Age* a few months ago said that the Liberal government back then were backending their important work like infrastructure projects. Others would have read the same article. Effectively it was all about political cycles and when best to do things to get a political benefit. That is no way to run a government, and it is definitely no way to run a state. According to the article, and I quote:

The challenge, so the thinking went, was to change the shape of the bell by extending the upswing, delaying the point at which the peak was reached, and slowing the eventual rate of decline.

In this, the former coalition government failed abysmally. If you charted its political trajectory, the bell shape would be tremendously skewed towards the start of the cycle, with a peak immediately after the 2010 election, followed by a tail of decline lasting almost four years ...

That is a political strategy and a disastrous one, whereas we did not have a political strategy. We had a strategy to build longevity in a progressive Labor government, and

that is what the team did in opposition and that is what the team that I am proud to be a member of now does.

There is an enormous amount in this budget for my community, an enormous amount: \$10 million for Oakleigh station, \$4 million for Huntingdale station, \$7.6 million for the bus interchange, \$10 million for the Alexander theatre redevelopment at Monash University, \$1.5 million for Carnegie Primary School and \$3.5 million for Hughesdale Primary School. That is not because we favour Labor seats. The member for Kew did not do any work to get anything for the guide dogs or for the Kew primary schools; he did no work. Not once did he meet with the Minister for Education and lobby. Not once did he bring the principals in here and lobby — not once.

Of course I have mentioned family violence, and there is \$1.9 billion allocated, and the further level crossings we are doing. Before I come back to those, I do want to just address the absolutely horrendous untruths perpetuated today in a contribution in this place by the member for Mount Waverley. I have got to say this man must be living in an alternate reality. I just do not understand it. The stuff he was coming out with — I wish I had the transcript here — was absolutely atrocious. Mendacious is a very light term to use in relation to him. He must be living in a world where they did not lose the election — Dennis Napthine is still the Premier — because I just cannot understand where he is coming from. To be really frank, the member for Mount Waverley has all the hallmarks of Donald Trump.

Worse perhaps, even disregarding the low bar that Donald has set on integrity and truthfulness, the member for Mount Waverley spoke about police stations in my community. Let us go to the facts. This goes to integrity of political leadership. It goes to the voting public in the future when they will judge him and his team for the absolute rubbish perpetuated in this place by them.

In 2014 hundreds of thousands of dollars was spent by the Napthine Liberal government through Victoria Police to investigate the closure of four police stations in my community. That is a fact, a fact that I put in a press release in August 2014 when I was a candidate. Quoting from that press release:

Reports have indicated that the police stations planned to close in our area include Oakleigh, Mount Waverley, Glen Waverley and Clayton.

That was in 2014 when they were in power. The member for Mount Waverley got up today and said 'that was our plan' — he absolutely said that today in this chamber. How could that be our plan when we

were not in power? But do not take my word for it. An article in the *Age* on 11 August 2014 — who was in power on 11 August 2014 but the Napthine government? — said, ‘Four key police stations may close’. Who was in government? They were. I remember I was out at the Oakleigh police station at the time with the shadow minister for police then, who is now obviously a minister in our government, guaranteeing all those stations.

I do not recall seeing the member for Mount Waverley at all. But he gets up here now in opposition claiming that was our idea. He also made the ridiculous comment that ‘we did the heavy lifting when it came to police’ during his term, referring to a \$27.5 million upgrade of the police academy. Okay, fantastic: a \$27.5 million upgrade. How does that compare to \$2 billion worth of investment? Heavy lifting? This is why people get sick of politics. That kind of absolute rubbish and those kind of lies do nothing to serve him or the political class.

These are the facts. Under the last government — the Napthine government — \$113 million was cut from police funding. That is a fact. Go back to the budget books — there was almost 500 staff cuts to Victoria Police, stations were closed — —

**Mr Eren** — Shame!

**Mr DIMOPOULOS** — An absolute shame — and there was no funding for even one additional police officer. I do not mean filling casual vacancies; I mean additional to the staffing profile. Not one.

Let us also go to the Monash region that the member referred to. Between 2011 and 2014, under the Liberal government, frontline police numbers in Monash dropped a whopping 23 per cent. Heavy lifting? No, I do not think so. Yes, 23 per cent — that is a fact from Victoria Police’s own statistics. That is not me saying it; that is Victoria Police saying it. And it was not just Monash. There were over 20 police service areas that suffered cuts to police of over 20 per cent.

But here is another fact: under this government we have already increased frontline police in Monash. We are reversing the damage. But do not worry, there is even more to come. The member also referred to Murrumbeena station in his contribution. I do not know whether the member is aware that it was under a government that his party led that Victoria Police closed Murrumbeena station twice. They closed it first and Steve Bracks’s administration had to open it, then they closed it again when they were last in government and we had to reopen it.

I might remind the member for Mount Waverley that the last time the Liberals — and I have said this before and those opposite were in horror, a sort of feigned indignation — that the last time the Liberals funded additional police in Victoria was as far back as 1982. I think the member for Mount Waverley might have been five or six then. I note the member has also been referring to statements from a private member of the Labor Party. He keeps saying senior Labor figures said this, that and the other. If I held every Liberal Party member to account for what they said and made it opposition policy — —

*Honourable members interjecting.*

**Mr DIMOPOULOS** — Do you know what? I have got more to come. I have got a lot more private statements from Liberal Party members that I will just assume is Liberal Party policy. Those are the basic politics that people are sick of. You cannot do anything to escape a fantastic, popular budget, so you resort to awful, degrading tactics. You will pay for those come the next election, because people will not vote for you.

**Mr BATTIN** (Gembrook) — I rise to speak on the Appropriation (2017–2018) Bill 2017. When you think about it, for the electorate of Gembrook it is nothing short of a joke to have a growth corridor from Berwick through to Pakenham totally ignored by this government and to have the Country Fire Authority (CFA) service — which those on the other side speak so proudly about funding — have a funding cut in this budget. They have cut the funding to the CFA. At the same time they have failed to put in this budget or talk about their real plans for the future of the CFA, and I will start with that.

We talk about the CFA and the future of the CFA. We have 35 integrated stations in this state. They are spread out around the urban growth areas, out in our regional areas and up to Mildura. At those stations there is a history of career and volunteer firefighters working together, side by side, over a long period of time. It is a very proud volunteer organisation, one that everyone should be proud of and should be proud to support, but this government is absolutely determined to destroy the very soul of the CFA. They want to go and push out volunteers from the stations that they have proudly built, such as at Pakenham, Lara, Mildura and Warnambool. Volunteers will no longer be allowed in those stations if those opposite get what they want from working continuously with the United Firefighters Union.

A second aspect of the budget — and I have been looking for this the whole way through, because I specifically remember one of our earlier questions to the

now Minister for Emergency Services about this — is presumptive legislation. Presumptive legislation is something that at the last election this side of the table committed to bringing in. We have all of the documents showing that we had it ready to go. But at the same time the Labor Party came out and said they would do it.

The now Deputy Premier went one step further. He spoke to his local captain so that he could get the local vote in his area and said, 'I will deliver presumptive legislation within 100 days'. Then he came out later and said, 'That's not true. I never said that'. Well, 10 stat decs from volunteer captains said the contrary. They said that he did say that. Then he called them liars. To add to that, if you go back and look over Labor's 2014 financial statement, it has presumptive rights for firefighters, but in 2015–16 there were none. So we have to assume that he knew that the 100 days statement was a lie.

In 2016–17 there was \$12.9 million. We were already \$12.9 million behind because there was nothing in the 2015–16 budget. You would think that, in all honesty, you would catch up in this budget. In this budget you would give \$13.3 million, plus the \$12.9 million, which would give you just over \$25 million. And how much is in this budget for presumptive legislation? It is a pretty easy answer, because it is the same as it was in 2015–16, which is zero. It was just another lie from the government to the volunteers in this state, and it is not acceptable.

When you go through the budget and look at the emergency management capability, you see that it is being cut by \$47 million. Those on the other side, who hold up the emergency services in praise, have cut \$47 million. The actual spend in the year prior was \$1.185 billion. It is now down to \$1.138 billion — a reduction of \$47 million. How does that affect firefighters? There is going to be less equipment, less trucks and less chance of responding properly to fires to protect our communities.

They are a long way behind on their stated outcomes, and one of those is the base capital fleet upgrade. Go back to last year's budget — 2016–17 — which said that this was going to be delivered on time and on budget. What we see now is \$4.215 million being taken away from vehicle purchases. In this budget there is a reduction of \$4.215 million, and they have made it even worse — they have extended it by 12 months. They have reduced the cash for this program and have delayed it by another 12 months. Therefore people waiting for truck deliveries at CFA stations are going to have to wait longer. The fleets at some of these CFAs are getting well and truly too old. Cardinia CFA has

one of the oldest fleets of the whole state and is now going to have to wait longer to get pumpers and tankers, which are the very vehicles that are first on the road to protect Victorians.

One of the worst parts of this budget is the volunteer numbers. Although this is not a financial part of the budget, the budget states what the expectation of government is in terms of volunteer firefighters. We know where this government is heading with firefighters. You only need to look at their target of 43 000 firefighters and the reality that their outcome is only going to be 39 206. That puts them at 3800 volunteers short. They are out there disrespecting volunteers and speaking down about volunteers, and today we saw the member for Lara come out and call one of our volunteers a liar for the way he confronted those opposite and said that he cannot wait to get real firefighters in Lara. That shows the respect they have for volunteers.

So why would we expect Victorians to stand up for this government and volunteer for the best volunteer organisation in the world? Why would we expect them to come on board, to help out our state when we need them the most and to make sure we have firefighters in the future? I can tell you now that from our side of government we would commit to that. We would make sure that our volunteers are protected and respected into the future. We would make sure that the stations they have proudly built and been involved with for so long can remain and that volunteers and career firefighters can work side by side to make sure that the future of surge capacity across our state is guaranteed forever.

Onto another shadow portfolio of mine, which is the environment. There is a statement that came out recently from the Australian Council of Recycling (ACOR) president, Grant Musgrove. Normally you would say that he would not be siding with us too often. He is a former Labor member from Queensland, a well-respected Labor member from Queensland, and he is now the chair of the national body ACOR. He said:

It's a national disgrace with only \$20 million earmarked to be returned to industry and local government over the next four years, compared to hundreds of millions of dollars in other states.

He is talking about the Sustainability Fund. He is talking about a fund of half a billion dollars that is sitting there and holding up the bottom line for those opposite, while it is the idea of local councils that it be invested back into our local communities, back into making sure that the future of our recycling industry is secure. It would mean we would have the technology to make sure that we are not just putting that recycling

back into landfill later on, but we would get the best out of it.

There are programs like those run by Outlook, and I went with the minister at the table, the Minister for Energy, Environment and Climate Change, to the opening of an e-waste facility that was funded by the last government. Obviously this government has had the pleasure of working with them to get that facility in motion. That e-waste program is designed for TVs et cetera. Instead of going through a machine — which results in 40 per cent going into landfill — this will be hand deconstructed and the material from it will be passed on. About 96 per cent of it will no longer end up in landfill. The best part about it is that out of the 25 staff at that facility, about 20 will be people with disabilities. It will give them an opportunity to be part of the workforce. They are all paid at or above the award wage by Outlook, without government support, because they believe every person should have an opportunity to be part of their community. It is fantastic to be part of a workplace, and it is good for your self-esteem. I am so proud of Outlook, which is a local organisation in my electorate. I think they do a magnificent job.

I was very pleased to hear the minister talk about the zoos program, which is very important. The zoos program was started by the Liberal-Nationals government, and obviously Labor has decided to continue it. We were a bit worried it was going to go at one stage. It ensures that our young people have access to zoos in Victoria. Obviously we have got three of the best zoos in the world. The program provides access for children during public holidays and school holidays. It is a cost-of-living thing, but it is about ensuring our kids have got opportunities for education and expanding those education needs.

I refer to the Parks Victoria Infrastructure Fund. We find it interesting that after 77 per cent of the entire fund was allocated to the Twelve Apostles collapsed toilet infrastructure, which has been an issue down there for a while and is in a state of disrepair, the upgrade for the Twelve Apostles has been moved from the projects needing work list — with the money there — to the finalised projects list. I know that the member for South Barwon will be interested in this, as will the member for Polwarth. That has gone into the finalised projects, but just this week a tender has been put out for the job to start. We are trying to work out which part of the budget is incorrect, because it says the money has now been allocated and the project is finished, yet they have only just gone out to tender and have not actually appointed anyone to do the job.

A few questions need to be answered about the Great Ocean Road. The Great Ocean Road is an icon. We need to make sure we have got the facilities down there for people who visit the area, making sure that in providing those facilities we protect the environment. I know the South Barwon electorate is at the start of the Great Ocean Road, so the Great Ocean Road is important to areas within the member's electorate, areas such as Anglesea. Tourism supports a lot of those communities down there, but a recent report has said that the money spent in the region is disappointing. When tourists are visiting the area they can be spending under 50 cents on average per busload, and that is disappointing for those communities. The idea of these tourism icons is that they can support the community and they can support jobs, so we want to make sure we can work with that.

The final topic to do with that region concerns simplifying what is happening with the management et cetera, particularly with the Great Ocean Road Coast Committee (GORCC). This government has forced this through and allowed it to be forced through.

**Mr Katos** interjected.

**Mr BATTIN** — Exactly, it has swept it under the carpet. There is a fantastic organisation that has run a family caravan park down there for 21 years. They have built it up from a 2-star caravan park to being one of the best 4.5-star camping places not just in our state, but in fact it is one of the best in Australia and has received awards for being one of the best camping places. The community down there knows how important it is. It puts millions of dollars back into the local economy, and that supports jobs and growth, and it has supported the environment. But what have they got in return? A government that has dictated that they can no longer run it.

A tender process was run for the park, but just days before the announcement about who was going to win the tender, the tender process was ended and the government took over the park itself. It got all the information from the tenders. It saw how much money it could make, and then it went in and took over that park itself so that it can pocket the money, money that would have gone back into the community. I guarantee that we will be talking about this park in this house in the future — when the park has gone downhill and when the government cannot run the park anymore because it has totally and utterly stuffed up a family caravan park which was great for tourism in that area. That is going to be very disappointing.

I had better refer to my electorate. I have not left a lot of time for my electorate for the reason that there is not really a lot to talk about from this budget. There is nearly nothing to talk about for my area in this budget. We have seen delays with funding for the Casey Hospital yet again. The planning still is not up to date. Yet at the same time as the announcement of the public hospital upgrades we had an announcement by the St John of God hospital, which is fully privately funded. The planning for those hospitals was announced at about the same time. One of them still has not started and has not got the planning finished. That is the one operated by the Andrews government. The other one, which is St John of God, is nearly complete and will be opened later this year with 250 beds on board. That is what we should be seeing with Casey.

The next matter I will talk about is youth suicide, an issue on which I do not want to be too political. I do not think anyone in this house would say I have not been passionate about this matter in my time in this chamber. After working in Victoria Police and seeing the effect of mental health on young people, it was one of the reasons I decided to put my hand up to become a member of Parliament. I notice the member for Dandenong is in the chamber. The member for Dandenong and I visited Operation Newstart, a program with young people getting a genuine opportunity to build the self-esteem and skills to give life a real go. When you face challenges in life, sometimes all that is needed is someone who will back you up and help you to find resources and support networks.

I know a lot of people would have read a little story on Facebook — and I do not know whether it is true or not — about a young person who was walking along thinking of taking their own life when someone smiled at them. That was the difference. Someone had given them a smile, and it made them think that someone cared — and do you know what? Sometimes all these young people are looking for is someone who cares.

Berwick College, which is out in the Casey growth corridor, has had issues with youth suicide over a period of time, and all we asked for was \$1 million — \$1 million to build a mental health facility that would have other educational outcomes and support, including family violence, financial stress and mental health support. There were to be a whole range of things that covered general care. It is very disappointing. Kerri Bolch is the principal out there, and she does such a wonderful job. She works with the other principals in the area, because they know they need to face this as a community. She came on board and said that although

it would be on the school property, she understood that the facility would have to be available for other people. She knows that. St John of God was willing to come on board, and all we were asking this government for was \$1 million, something I have asked for the whole time I have been in this place.

The plan for this facility was originally brought to us just before we lost government, during that cluster period of late 2013 to 2014. We committed to it, and I guarantee it would have been built by now if we had been re-elected. I will beg for it continuously. We need this facility. I would not even care if it was called the James Merlino mental health facility, although perhaps not the Daniel Andrews mental health facility. All I want is the mental health facility that Berwick students thoroughly deserve.

**Debate adjourned on motion of Ms HALFPENNY (Thomastown).**

**Debate adjourned until later this day.**

**MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017**

*Second reading*

**Debate resumed from 10 May; motion of Mr NOONAN (Minister for Resources).**

**Read second time.**

*Consideration in detail*

**Clauses 1 to 4 agreed to.**

**Clause 5**

**Mr SOUTHWICK (Caulfield)** — My first question is in regard to the objectives of the commissioner. The question is: will the Latrobe Valley mine rehabilitation commissioner only provide advice on rehabilitation strategies for Latrobe Valley mines? If so, why are mines such as the Anglesea coalmine excluded, particularly when we have a mine at the moment going through that rehabilitation process? Why is the focus just on the Latrobe Valley?

**Mr NOONAN (Minister for Resources)** — I thank the member for Caulfield for his question. To go to the objectives of the commissioner's function, and just to take it back one step, the member will be aware that the

role of the commissioner really came about as a recommendation of the reopened component of the Hazelwood mine fire inquiry, where there were a number of unanswered questions particularly about the rehabilitation of the three mine voids.

The reopened 2015–16 inquiry was in particular asked to consider the rehabilitation of the future of the region in relation to the three big mines. Obviously a lot of evidence came before it and a lot of consideration was taken in relation to the reopened inquiry. That then led to a clear recommendation — recommendation 15 — that Victoria needed a coordinating body for mine rehabilitation in the Latrobe Valley and also a comprehensive strategy in relation to rehabilitation across that particular region. So the establishment of the Latrobe Valley mine rehabilitation commissioner is really about looking at the development of the regional rehabilitation strategy for the valley. In terms of the clear objectives, they are looking to provide a level of assurance to the community, the government, the stakeholders and the Latrobe Valley coalmine licensees about the planning and rehabilitation of the coalmine land as well as the development and implementation of the regional rehabilitation strategy.

I would like to reassure the member that one of the clear objectives is about community participation, which I think is very important, having visited the region on many occasions. There is a lot of interest in engagement or participation in relation to the future of the coalmines. Obviously it is also to promote effective and consistent rehabilitation. So clearly the sole focus of this particular commissioner is in relation to the Latrobe Valley.

**Mr NORTHE** (Morwell) — Minister, just in respect to clause 5 and new sections 84AF, on the appointment, and 84AG, on remuneration, would you be able to advise when it is likely that the appointment of a commissioner will be made, and in terms of remuneration, has that been set out as part of the advertising for this position?

**Mr NOONAN** (Minister for Resources) — The member's question went to the commissioner's pay and their appointment period, and I thank the member for his question. I can inform the member that the commissioner will be an EO2 appointment. Being a former minister, he would probably be somewhat, but not absolutely, familiar with the bands in the public service. I can give him some assistance in relation to that. That band in the public service extends from \$202 000 through to \$324 000 based on the suitability of the candidate and their experience. In terms of the

appointment, we are in the process of seeking a suitable candidate — subject to the passage of this particular legislation of course — and we would expect to make an appointment and have that person in place by June this year.

**Mr SOUTHWICK** (Caulfield) — Given that the coal policy, which currently has not been released, will impact the function of the proposed commissioner, why is there still no coal policy from this government a year after it was promised?

**Mr NOONAN** (Minister for Resources) — I will correct the member. It is not a year late. I accept that the coal policy, as committed to by the previous minister, was due for release by the end of the last calendar year. In fact the development of that policy is in its final stages and is due for release shortly. Notwithstanding that, the appointment to create a new function — which comes as a clear recommendation of the commission's report, one that the government committed to as part of reopening this inquiry — is an important function in the context of the rehabilitation strategy and of the advisory group that has been established. So sitting separate to that is an important function and, some might argue, might be made even more important, given the decision of Engie to close Hazelwood.

**Mr SOUTHWICK** (Caulfield) (*By leave*) — Minister, will you guarantee that the commissioner will not be tasked with shutting down the remaining Latrobe Valley power stations and mines?

**Mr NOONAN** (Minister for Resources) — The commissioner will have no function of that type.

**Mr NORTHE** (Morwell) — Minister, just in relation to clause 5 and new section 84AE, the objectives of the commissioner, and in particular new section 84AE(b), where it talks about the participation of the community and stakeholders around the implementation of the regional rehabilitation strategy, my understanding is that the Latrobe Valley Mine Rehabilitation Advisory Committee has been established. Are you able to advise how many members form part of that committee and any associated costs?

**Mr NOONAN** (Minister for Resources) — The question goes to the advisory committee. The member is right: it has been established, and I am pleased to inform the member that in fact the committee has met. I have had the opportunity to address those committee members, which is good. I think the member's question went to the constitution?

**Mr NORTHE** (Morwell) — How many members and any associated costs.

**Mr NOONAN** (Minister for Resources) — I might check on costs, but the member may in fact be familiar with Susan Lloyd, who has been appointed as the chairperson. If my memory serves me right, Susan is a former councillor in the region, so she is a person well versed. In terms of the rest of the committee, I can inform that we have a Mr Roland Davies representing the Latrobe Valley community.

We have representatives from each of the mine operators: Engie, AGL and EnergyAustralia. We have a representative from Latrobe City Council, Phil Stone. Again, the member might be familiar with Phil. I know he would certainly be familiar with councillor Graeme Middlemiss, who is also a member. We have representatives from a number of the water authorities such as Southern Rural Water and Gippsland Water as well as Joanne Brunt, who is representing the Aboriginal community in the region.

I can also advise that Tim Delaney is representing the Gippsland Trades and Labour Council, which really goes to the representation of the many workers there. There are clearly a number of representatives from my department as well, the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) and the Department of Environment, Land, Water and Planning (DELWP). If the member would not mind, I will just check on the issue of the expense or cost.

I can advise the member that probably the only real expense in relation to the functioning of the committee relates to some sitting fees which were in line with those that would be experienced across government. So a group comes together and, for example, Ms Lloyd would be eligible for a sitting fee for that particular meeting, which is in the hundreds of dollars. It is not in the tens of thousands of dollars.

Obviously the work that we do in relation to the regional rehabilitation strategy comes, really, in terms of a totality budget. For the member's benefit, we have committed \$12.6 million to the regional rehabilitation strategy. So if the member is looking at where an appropriation might sit for this type of work, then that should give you some guidance, I hope.

**Mr NORTHE** (Morwell) (*By leave*) — Clause 5 has a new section, 84AN, with the heading 'Staff to be provided'. I wonder if you are able to provide some additional information on how many staff may be provided under the jurisdiction of the commissioner.

Will there be a local weighting system to ensure that local people have the opportunity to work under the office of the commissioner? I also ask about the locality — if it has been identified for that office. I also give you a fourth question within that context on an announcement from the government about a government hub. Will this form part of the recent announcement of the government hub for Latrobe Valley?

**Mr NOONAN** (Minister for Resources) — I thank the member. He had about three or four goes. I think I got most of them down: he asked about support staff, where they will be located, and I think about a weighting towards local people and where they would be physically located. I think I have got those parts.

So it is envisaged that the commissioner will in the first instance probably require the assistance of a single VPS5 full-time staff. For the minister's benefit, the salary band for VPS5 staff is about \$90 000 to \$110 000. Beyond that, I think what we will do is provide additional resources from the department on request. It is a new role, obviously, so I think it is important to bed down the role, but I think you would initially look at the commissioner's role plus at least one. So I think that probably acquits the staff question. Initially the commissioner will be located at the Latrobe Valley Authority, which the member would be familiar with.

In relation to the GovHub, I think the member would be aware that part of the announcement I made on the day when I came down to Morwell was to in fact move the headquarters of our Earth Resources Regulation from Melbourne to the region, which I think is a very good thing. I think bringing that expertise to the region where there is significant work that will need to be done is a smart thing. I think that through attrition what you would likely find then is that the roles are more likely to be filled by people who live in the region, which I think is a good thing.

But certainly I can inform the member that in relation to the function and ongoing role of the earth commissioner and any additional staff that they will need in the first instance — as I said, there will be at least one. Our intention is absolutely to ensure that these positions are local positions. I think that will be important and should send important messages to local residents in the community.

**Mr PESUTTO** (Hawthorn) — My question for the minister is in relation to section 84AL on page 10. What is the definition of strategic auditing, and will this

preclude companies from getting on with the business of mine rehabilitation?

**Mr NOONAN** (Minister for Resources) — I thank the member for his question. The question goes to the function in relation to auditing. I think probably by way of introductory remark I would make the comment, by way of response, that there are ongoing rehabilitation functions that each of the operators are required to do as part of their work plans, and from time to time they are subject to variation. Indeed, for example, Engie is the subject of a work plan variation because they brought forward, essentially, their plans around closure. So when we talk about strategic auditing and the definition, really what we are talking about is bringing a level of expertise to the table in terms of providing confidence to both me as minister and the community in relation to that ongoing work that will be required. Again, these are long run — over a number of decades — so if you know this area well and that they are very big pits, there is a level of rehabilitation that goes on. Indeed the commissioner will be able to provide some level of confidence, obviously, around the auditing of that work on top of the work that is done already by the Earth Resources Regulator and indeed by the Parliament.

**Mr SOUTHWICK** (Caulfield) (*By leave*) — Just following on from the last question and the response you gave, Minister, given the expertise that this commissioner now has and the work of the strategic advice that they will be providing, I just take you back to your answer regarding not including Anglesea as part of the mine rehabilitation. Given the fact that the government is expending these dollars to set up a commission with that level of expertise, why in fact would you not be using that level of expertise to assist with the rehabilitation at Anglesea?

**Mr NOONAN** (Minister for Resources) — I thank the member for their question. Quite plainly, we want the focus to be on the Latrobe Valley.

**Mr NORTHE** (Morwell) (*By leave*) — Minister, just going back to the appointment of the commissioner, it must be said that in recent times there have been some appointments through the Latrobe Valley Authority that have raised some eyebrows about the independence or the relationship with political parties of certain persons. Are you able to guarantee independence with the appointment of the commissioner?

**Mr NOONAN** (Minister for Resources) — I certainly guarantee the independence of the

commissioner. Again I make the point that this is a big role. The previous member asked, ‘Why not Anglesea?’. It is because there is a very big role in the Latrobe Valley. If you look at the functions that the commissioner will have — I am happy just to step through the functions in some detail — to be monitoring and auditing Latrobe Valley licensees’ rehabilitation activities and to also have to, as part of that function, engage and coordinate with the Victorian community, other stakeholders, public sector bodies and, as I said, the Latrobe Valley licensees. That is a big function, and you do want to bring, absolutely, independence into that. The role of the commissioner will also be one that I would expect to give advice and make recommendations to me as the minister on a range of things.

Obviously there is the regional rehabilitation strategy. Again, the member will be aware that there were significant gaps identified during the course of the inquiry in relation to information that needed to be gathered to inform that regional rehabilitation strategy for the first time. But beyond that, there are possible changes to the regulatory framework for coalmine land. On any outcomes, if you like, in relation to the engagement with the community I will be seeking advice and, again, recommendations from the commissioner on — for example, planning for the monitoring and completion of the rehabilitation of coalmine land, including plans for monitoring and maintenance once the rehabilitation is actually complete, or any other investigations I might in fact refer to the minister based on conversations or correspondence I might receive.

The member will know from being a minister that you do in fact receive a bit of correspondence around this, and we see some patterns there. You may seek to use a commissioner such as this to actually go out and add a level of scrutiny that is not there at the moment. It will be a very important role. It will be a role, clearly, to which you want to bring a high level of expertise. I think I understand where the member is going in terms of their questions. I understand that when we make an appointment following the recruitment process, yes, that person will come under a level of scrutiny because it is an important role, and they need to have the skills and experience in relation to an appointment like this because they have got a big job to do.

**Mr SOUTHWICK** (Caulfield) (*By leave*) — Taking you back to division 3, new section 84AL, the functions of the commissioner include looking at the future purpose of the land in terms of the rehabilitation, some of which, obviously, is very much from a safety

perspective. Given that there is, particularly with the likes of Hazelwood and the closure of that station, the possibility of that land and that site being used for other purposes, what role will the commission have in determining the future purpose of that particular land? Again, following on from that, how would you see the coal policy fitting into that going forward? Thirdly, when are we likely to see the actual coal policy released?

**Mr NOONAN** (Minister for Resources) — Another three questions, thank you very much. Clearly there is a lot of work to do in relation to the establishment of a regional rehabilitation strategy. That is the purpose of both the commissioner's role and the advisory group that I stepped the member for Morwell through. You are absolutely right: the role of the strategy will be to establish a safe, sustainable and of course stable land form for the Latrobe Valley coalmine voids and surrounding areas. There will be a number of components to that. Firstly, there will need to be, as I mentioned previously, investigations to address any knowledge gaps relating to mine rehabilitation. Again the component parts of this are around fire mitigation, geotechnical stability, hydrogeology and water availability at a regional level. These are not insignificant questions that will need to be resolved.

There will also be, right through that, a need to work very closely with the community and with the operators of the coalmines to understand the findings of their own investigations as they do them. Then obviously there will be the development of that regional rehabilitation strategy to guide the regional planning for those mine operations — rehabilitation, mine closure and then the post-closure stage.

The role of the commissioner is not essentially to provide, if you like, policy advice over coal policy generally — the uses of coal — which I think is where the member was going. That essentially is a function of government. Again, to go to the member's earlier question which went here, in relation to coal policy I say to the member that I know there is a lot of interest there. I recognise that our brown coal deposits do remain a significant public asset, and they are deserving of significant consideration for the future. I will say to the member that coal will remain an important source of our power needs for some time to come. That is very clear. However, when you do have major energy companies such as AGL and of course Engie saying that they will not be investing in new coal-fired power stations, what you have to do is make some considerations about the future. Again, we are in the final stages of development of that policy, but that is not something the commissioner will have a role in. Of

course the member would like me to put a date down in *Hansard*. I am not going to do that, but I reassure the member that we are in the final stages.

**Mr NORTHE** (Morwell) — In respect of clause 5, new section 84AZM talks about the regional rehabilitation strategy. As you would be aware, Minister, there have already been rehabilitation plans put in place by the mine owners. I just wonder how the regional rehabilitation strategy might interact with current rehabilitation plans. Would the strategy take precedence or does it have any legal standing over current rehabilitation plans and therefore would it require current mine owners to amend their existing rehabilitation plans?

**Mr NOONAN** (Minister for Resources) — Again I thank the member for his question. I realise that in the community he represents there will be a lot of interest in this. If I just go back to an earlier answer in relation to this, I think what we have to acknowledge is that the inquiry did highlight a number of technical uncertainties about regional viability and the consequences of things such as using water to fill the mine voids. The member is right: each of the mine operators has an indicative idea about what they would like to do in the future. But if I just think about conversations with Engie, for example, it will be quite some time, as the member knows, before they actually determine what a mine closure plan looks like for Hazelwood. I think that is in part because there is a lot of significant analysis — technical work — they must do.

I want to reassure the member that our earth resources regulator, our department, is working with Engie, and you would expect that work would carry on in relation to the rehabilitation strategy across the board. This is a very big piece of work, and that is why we have committed \$12.6 million to it — because we have to do our own work with a level of independence as well. Ultimately what we want to do is ensure that we have a very healthy environment left in the decades to come that is fit for future use and does support potential regional opportunities as well but also creates a place the communities of the Latrobe Valley and Victoria do value. That vision needs to be supported by a delivery framework, and of course it needs to be designed in consultation with the community and mine operators or owners. It is not really designed to be a piece of work that would just simply overwrite anything that they may have done or may have by way of a vision for their own mine currently.

**Mr SOUTHWICK** (Caulfield) — Minister, I take you to new section 84AR. Given that the only limitations

the commissioner will have in relation to entering and inspecting coalmine land, including in this bill, are that it must be done during business hours and that residential premises are excluded, are there safeguards in place to prevent disruptions to Victoria's power generation while such visits or inspections take place?

**Mr NOONAN** (Minister for Resources) — Again I thank the member for his question. I understand that when you create a commissioner and you create powers for that commissioner it is important that there are safeguards in relation to what those powers can be used for. In relation to investigating matters referred by the minister, the commissioner will have the power to, as the member said, enter and inspect coalmine land or adjacent land without consent — that is a significant power; compel Latrobe Valley licensees to produce documents or other things; and require a public sector body to provide documents or other things as well.

I think the end part of the member's question was really about energy supply and security. If I could just draw a parallel to the work that the government did in relation to the ongoing AGL dispute, where there were potential issues around energy security the government took all necessary options available to it in relation to intervening in that to essentially ensure that there were no issues in relation to energy security. I really cannot see any situation where the role of this particular commissioner would in any way impact on security of energy for the state by way of using entry powers.

**Mr NORTHE** (Morwell) — Minister, new section 84AZM talks about preparing a regional rehabilitation strategy, and subsections (a) and (b) also talk about safety, stability and sustainability of not only the coalmine land but any adjacent land. Will the commissioner have any role in or responsibility around the determination of land use? For example, there are significant tracts of land in and around the Latrobe Valley that currently have coal overlays over them. Will the commissioner have any role in reviewing those tracts of land that currently have coal overlays over them and their future use?

**Mr NOONAN** (Minister for Resources) — I might just seek some advice on that. To the member's question about adjacent lands, I think the best way I can answer that is to really talk about the immediate surroundings. We are talking about perhaps hundreds of metres away from the mine void, as opposed to large tracts of land that might be currently subject to a coal overlay from a planning point of view. For the benefit again of the member and the community, we are really talking about the immediate surrounds rather than great parcels of land that might be subject to those overlays currently.

**Mr NORTHE** (Morwell) (*By leave*) — Minister, just further to the question, the question was related to whether the commissioner would have a role in determining if a coal overlay might exist even to that adjacent land or not. Or is that really through the planning department and others?

**Mr NOONAN** (Minister for Resources) — To answer the member's question, I would not envisage that as a scenario where the commissioner would have a role. That would probably go more to a question of policy around land use and land use planning generally.

**The DEPUTY SPEAKER** — Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

**Clause agreed to; clauses 6 to 11 agreed to.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017**

*Second reading*

**Debate resumed from earlier this day; motion of  
Ms ALLAN (Minister for Public Transport).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017**

*Second reading*

**Debate resumed from 2 May; motion of  
Mr PAKULA (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**APPROPRIATION (2017–2018) BILL 2017**

*Second reading*

**Debate resumed from earlier this day; motion of Mr PALLAS (Treasurer).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**Business interrupted under sessional orders.**

**ADJOURNMENT**

**The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

**Calvary Health Care Bethlehem**

**Mr SOUTHWICK** (Caulfield) — (12 655) The matter I wish to raise is for the Minister for Planning, and the action I seek is for the minister to call in the application to put a stop to the overdevelopment of Caulfield, in particular the planning application for Bethlehem hospital. Almost 300 residents in my electorate have objected to the proposed 19-storey high-rise complex in Caulfield South. If it was approved, it would be the tallest building in Glen Eira — in fact, larger than what we would have at Monash University in Caulfield East. The Calvary Health Care Bethlehem building would include construction of a hospital, retirement village, residential aged-care facility, a 90-space childcare centre and 190 car parks.

Bethlehem hospital community action group organiser Kevin Cope has said that developers are using a loophole to allow the building to be higher than the surrounding residential area because it was considered an aged-care precinct. The Bethlehem hospital community action group has over 400 members, and the group believes that there will be very little hospital element in this, and in fact the Bethlehem hospital is

using that loophole. The group is concerned about the proposed building's shadowing, overlooking, visual bulk, car parking and increase in traffic through the area.

Glen Eira mayor Mary Delahunty has publicly called on the Minister for Planning to call in the application, and it was rejected in council. The application is now at VCAT, and I seek that the minister call in this application, which is causing lots of grief to many residents in the area. As I said, this will be a huge overdevelopment in Caulfield.

Certainly aged care and hospital care is something that is very important to us, but we need to have something sensible. This is not a sensible development and we really need the minister to step in and to ensure that this development does not go ahead, as it will cause a whole lot of grief for residents — as stated, overshadowing, visual bulk and increased traffic through the area — and it is absolutely not suitable for this area of the Caulfield electorate.

**Narre Warren police**

**Ms GRALEY** (Narre Warren South) — (12 656) My adjournment matter is for the Minister for Police and concerns our brave and hardworking police. The action I seek is that the minister visit my electorate to meet with our local police officers, including the newest recruits. I know that our community was thrilled to learn that a significant number of the 300 new police officers that are set to hit our streets in Victoria will be destined for the Casey police service area. These new police officers will ensure a much more visible and stronger police presence on our streets, more proactive patrols and will deliver more resources to stop crime from happening in the first place.

This is just the beginning, because it is part of our community safety statement, which is backed by a record \$2 billion investment, which will see a further 2729 new police officers as well as 100 more protective services officers. We have already seen \$700 000 in direct youth crime prevention investment in our community, and that is going along pretty well at the moment. We are looking at very innovative ways of dealing with our youth crime issue. We also have a tremendous grant of \$250 000 from the Public Safety Infrastructure Fund to improve safety around the Narre Warren Village.

Quite simply we are getting on with the job of providing the support and services that our extraordinary police officers need to keep our communities safe. I really look forward to the minister

coming out to the electorate and meeting the police officers and the new recruits. I would just like to put on the record my thanks for all the fine work our police officers do.

### **Gelantipy Road, East Gippsland**

**Mr T. BULL** (Gippsland East) — (12 657) My adjournment is to the Minister for Roads and Road Safety, and the action I seek is for the minister to bring forward funding and works planned for Gelantipy Road. In November last year, through a constituency question, I asked the minister whether he was aware of works that needed to be completed in the vicinity of the 115-kilometre marker on Gelantipy Road, where the 100-kilometre-an-hour speed limit was reduced to 80 kilometres as a result of the condition of the road. In the minister's response he advised that to protect road users a speed limit of 80 kilometres an hour has been imposed until the works can be completed.

When seeking more information my office was informed that \$300 000 had been allocated for rehabilitation works. While I am pleased the minister has recognised the need for these works to take place I am advised that they will not be completed until 2018. As this speed limit reduction has been in place for 12 months and given local residents will have to wait a further year for the works to take place, I ask the minister to ensure that the repairs will in fact be completed in 2017.

### **Coburg North railway line fencing**

**Ms BLANDTHORN** (Pascoe Vale) — (12 658) My adjournment matter is for the Minister for Public Transport. The action I seek is that the minister request the relevant authorities to provide an update on the installation of fencing along the section of the Upfield railway line which is adjacent to Ararat Avenue in Coburg North.

In recent times Coburg North residents have contacted my office to voice their concerns over safety in the railway corridor and in particular along the railway line, which is adjacent to Ararat Avenue. In particular the residents hold concerns over the absence of fencing along this particular section of the railway line and the safety hazards that may arise from the absence of fencing on what is essentially ground that is level with the road. Local residents have advised that the absence of fencing encourages pedestrians to use this section as a crossing point to access the local Merlynston village precinct. They have also advised that on one occasion this resulted in an elderly lady attempting to cross the line with a trolley and her trolley becoming stuck in the

tracks. A person had to come to her aid on that occasion, but it was a close call.

Local residents have also advised that there are a number of small children who live in this area and that the absence of fencing presents a substantial threat to their safety. Local residents have attempted to put plants along the railway line to discourage people from accessing the railway line at this point, but the temptation to cross is too great and it is proving very dangerous. I thank in particular Avril and Adrian for bringing this matter to my attention, and I ask the minister to request an update from the relevant authorities.

### **Brighton electorate infrastructure**

**Ms ASHER** (Brighton) — (12 659) The issue I have is for the Minister for Planning, and I want to refer him to *Victoria's 30-Year Infrastructure Strategy*, dated December 2016. The action I am seeking of him is to rule out the parts of the strategy to which I am about to refer. I refer the minister initially to page 43, where Infrastructure Victoria delineates its top three requests to government. The first request states:

Increasing densities in established areas and around employment centres to make better use of ... infrastructure.

I go on to refer specifically as it relates to my electorate to page 123, where Infrastructure Victoria states, 'Promote urban consolidation to enable people to live closer to jobs, public transport and the central city', which sounds fine on the face of it. However, when one reads the detail of this it says:

Intensify medium-density housing development in established areas of Melbourne and regional cities, such as Geelong, Ballarat and Bendigo ...

It then goes on to say that this should be completed within zero to five years. The document goes on to refer specifically to the Sandringham line and says that this development:

... should focus initially on Melbourne's inner and middle ring eastern and southern suburbs, in particular within walkable catchments to train stations ...

It then goes on to mention the Sandringham line. I am calling on the minister to, of course, rule that out. I can advise the minister that there is significant concern within the electorate of Brighton about overdevelopment. I note what the member for Caulfield said today. In fact there was a very large public meeting recently on this matter. The government's changes to residential zones are already causing significant concerns within the electorate of Brighton, and I call on the minister to rule out this appalling and retrograde proposal.

### **Carrum electorate bus services**

**Ms KILKENNY** (Carrum) — (12 660) My adjournment matter is for the Minister for Public Transport. The action I seek is for the minister to provide funding for a bus service that will enable my constituents in Carrum Downs and Sandhurst to get to and from Carrum railway station. Following on from my very well attended bus forum, which the minister kindly attended, I recently surveyed residents in Carrum Downs and Sandhurst about local bus services in the area. I received hundreds and hundreds of completed surveys, as well as emails, from local residents wanting a bus service to Carrum railway station. They have spoken loud and clear, and I want to thank them for their advocacy and their commitment and support for public transport.

I heard from many students, and parents of students, who want a bus service so they can get to TAFE or university or to their part-time jobs. Older residents told me they want a bus service to the railway station so they can get to the shops, medical appointments and the city. So many others who commute to the city by train told me that they would love a bus service so that they do not have to try to find a car park at Carrum station.

The former Liberal government neglected public transport services in Carrum Downs and Sandhurst and ignored and dismissed all those residents who rely on public transport. Unlike those opposite, I believe in public transport, and I want to deliver a bus service for my constituents that will make their lives easier, give them independence and flexibility and save them money. I ask the minister to fund a bus service so that my constituents in Carrum Downs and Sandhurst can get to Carrum railway station. My community and I look forward to the minister's response.

### **Sandringham electorate schools zoning**

**Mr THOMPSON** (Sandringham) — (12 661) I wish to raise an important matter on behalf of Sandringham electorate residents who live within the Pennydale precinct, which is bounded broadly by Jack Road, Bay Road, the railway line and Park Road in the Sandringham electorate.

My adjournment debate matter is directed to the attention of the Minister for Education. The action I seek is for the minister or his representative to meet with local families and local school leaders, being Debbie Chaves, the new principal of Beaumaris Secondary College, and the principal of Sandringham College, Amy Porter, with a view to discussing the best zoning outcomes for families within the region. Under a

landmark educational reform in 1988 the then government built one school across three sites, with the closure of another site, the former Hampton High School site.

One objective of this reform was to provide breadth of curriculum, and numerous families within the Pennydale precinct are keen to access a school, which many parents regard as being part of their local community. They have enrolled their children at Cheltenham Primary School and Beaumaris North Primary School, and they would like to access a new school in Beaumaris. In broader terms, it is also important that the curriculum options available to local parents be outlined to local families so that the educational pathways being offered at prospective campuses will meet their learning aptitudes and the academic study, vocational education and training, or Victorian certificate of applied learning horizons of local students.

To reiterate, the action I seek is for the minister or his representative to meet with local community members and both local school principals in the district so that there can be a clear understanding of the catchment zone and the academic programs being offered within all local schools. I would also add Mentone Girls' Secondary College to the list of local high schools that provide different academic courses and programs. Local students should have the best courses and also the best facilities available to them for their secondary school journeys.

### **Mordialloc bypass**

**Mr RICHARDSON** (Mordialloc) — (12 662) My adjournment matter this evening is for the Minister for Roads and Road Safety, and the action I seek is for the minister to detail to my community the consultation process that will take place on the newly announced Mordialloc bypass. Of course the Mordialloc bypass has been a road reserve that has been talked about for 50 years. In the 2017–18 Victorian budget the Andrews Labor government committed \$300 million to this vital project.

Traffic continues to grow in our community, with the City of Kingston slated to grow by 15 per cent over the coming 10 years. There is more pressure on our local roads — on Springvale Road, Wells Road, White Street, Lower Dandenong Road, Boundary Road, Governor Road, Centre Dandenong Road and of course the Nepean Highway. To address some of these concerns, we need a system-wide, transport-wide approach. That is, by removing level crossings. That is, by investing in projects like the Melbourne Metro rail,

which will be so fundamental to our community and benefit the Frankston train line.

The missing link in our community is the Mordialloc bypass, and I was so proud when the Premier announced that this would be a key pillar in our road agenda for the 2017–18 budget and that the funding would be delivered. It goes without saying that this project has been politicised for many years. Political parties of both persuasions have talked about doing something about this but never has there been a budget allocation for this project. Well, that ended this year, with the Andrews Labor government committing \$300 million towards this important process.

There is a lot of work to do. Significant environmental assets line this corridor. It connects to the south-eastern green wedge as well, and so we need to do all the necessary environmental approvals to make sure that this project is sensitive to those residents and the environmental needs of our community. I am looking forward to that process getting underway and consulting with my community on how to make this project the best it can possibly be. In conclusion, I ask the Minister for Roads and Road Safety to detail to my community the consultation process that will occur for this very important project, the Mordialloc bypass.

### **Colombo Street, Mitcham, parking**

**Ms RYALL** (Ringwood) — (12 663) My adjournment request is to the Minister for Public Transport, so I appreciate that she is in the chamber and hopefully we can get a speedy result to my request. The action I seek is that the minister direct Public Transport Victoria to temporarily provide two parking spaces adjacent to Colombo Street, opposite the Boom Gate Cafe in Mitcham, to enable some short-term parking while the City of Whitehorse undertakes the full-road reconstruction of Station Street, Mitcham, between Whitehorse Road and Colombo Street.

This is the third and final stage of works around the shopping precinct of Mitcham since we removed the Mitcham Road level crossing, and it is important for traders to be able to continue to service their customers during this time and for customers to be able to frequent those traders. The works are expected to continue on through to August, and that creates a significant impact on those local traders, with no short-term parking available for their customers during this period. The use of those two car parks during this time will go some way to providing relief for this temporary inconvenience. The two car parks, I understand, are separated by kerb outsiders. I would appreciate a result

for both the community that frequents these shops and these traders, and also the traders themselves.

### **Macedon electorate schools**

**Ms THOMAS** (Macedon) — (12 664) The adjournment matter I wish to raise is for the Minister for Education, and the action I seek is that the minister visit schools in my electorate to hear for himself what an incredible difference this year's budget will make to them and their students. Students and teachers in Macedon are glad to hear that more than \$2.7 million has been allocated across six of our schools in this year's budget. That is \$2.7 million which will go to modernising our educational facilities. This brings to more than \$35 million the investment by the Andrews Labor government into schools in my community.

The budget has seen an increase of \$1.6 million in new funding for Gisborne Primary School; \$472 000 for Mount Macedon Primary School; \$281 000 for Taradale Primary School — a school, I might add, that those on the other side wanted to close down; \$221 000 for Elphinstone Primary School; while Bolinda Primary School will receive \$90 000 and Darraweit Guim Primary School will receive \$64 000. I have had many opportunities over the last week to get the big novelty cheque out, and I can tell you that I have been very well received. I have had so many hugs and kisses this week; it has really been fantastic. I am sure when the Minister for Education joins me in Macedon he will be able to share in some of that love.

### **Responses**

**Ms ALLAN** (Minister for Public Transport) — The member for Ringwood raised a matter regarding the possibility of two car parks that are currently part of the Mitcham station precinct being potentially used as parking spaces for the small businesses in and around the area whilst some roadworks are being undertaken by the Whitehorse council. I am happy to ask Public Transport Victoria (PTV) to have a look at that. I understand the need to make sure that whilst there is disruption going on with transport infrastructure works, an issue we are well familiar with in the public transport portfolio, there is access to the local small businesses. I will ask PTV to look at that and provide a response.

The member for Pascoe Vale raised a matter regarding fencing along the Upfield line, around Ararat Avenue, Coburg. The member for Pascoe Vale has quite rightly identified some of the safety issues and problems that are occurring in this part of the Upfield line corridor. We certainly do take safety very, very seriously. An operating rail environment is indeed a very dangerous

place and people should not take risks. I am not suggesting that people are taking risks in this part of the area, but we always need to be vigilant to make sure we are minimising the risk around an operating rail environment. I will be pleased to ask the relevant authorities to examine how we can prioritise fencing in this area, as the member has suggested. I would like to thank her for her ongoing and significant advocacy on a whole range of public transport issues in her community. She represents well the electorate of Pascoe Vale.

The other matter that has been raised for my attention this evening is from the member for Carrum, another terrific advocate for improved public transport services in her community. Just as a little aside, it is great to see that this year's budget provided funding for the reallocation of the stabling at Carrum as part of that broader precinct development that is going on, spurred, of course, by the level crossing removals in those areas. The member for Carrum referred to the bus forum she held, I think it was back in 2015, which I was very pleased to attend, and indeed it was a well-attended event. There was very much a keen desire from the local community to talk about improving the bus services because they are very much relied on in that local area.

The member for Carrum has also underscored the point that, sadly, the former government did not do enough in this area, so I am pleased to advise the member that a new bus service to connect residents to Carrum station will be funded. She should be congratulated for her advocacy on behalf of the members of her local community. She does a terrific job, and I look forward to continuing to work with her as we look at how we can further consult with the community on implementing the route and making sure that it meets the needs of the residents in this area.

The remaining seven members raised matters for the attention of various ministers, and they will be referred to those ministers for their attention and response.

**The SPEAKER** — Order! The house is now adjourned.

**House adjourned 5.25 p.m. until Wednesday, 24 May.**