

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Wednesday, 22 March 2017**

**(Extract from book 4)**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

## **The ministry**

(from 10 November 2016)

Premier . . . . .	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services . . . . .	The Hon. J. A. Merlino, MP
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Minister for Families and Children, and Minister for Youth Affairs . . . . .	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water . . . . .	The Hon. L. M. Neville, MP
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Minister for Agriculture and Minister for Regional Development . . . . .	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence . . . . .	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs . . . . .	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections . . . . .	The Hon. G. A. Tierney, MLC
Minister for Planning . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Ms M. Thomas, MP

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

**Speaker:**

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

The Hon. TELMO LANGUILLER (to 25 February 2017)

**Deputy Speaker:**

Ms J. MAREE EDWARDS (from 7 March 2017)

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

**Acting Speakers:**

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

**Leader of the Parliamentary Labor Party and Premier:**

The Hon. D. M. ANDREWS

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier:**

The Hon. J. A. MERLINO

**Leader of the Parliamentary Liberal Party and Leader of the Opposition:**

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

**Leader of The Nationals:**

The Hon. P. L. WALSH

**Deputy Leader of The Nationals:**

Ms S. RYAN

**Heads of parliamentary departments**

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

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn <sup>2</sup>	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent <sup>3</sup>	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio <sup>4</sup>	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma <sup>1</sup>	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David <sup>5</sup>	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard <sup>6</sup>	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian <sup>7</sup>	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Owens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

<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** — Mr Clark, Mr Hibbins and Ms Ryall.

## 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*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto. (*Council*): Ms Bath and Mr Dalla-Riva.

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**Wednesday, 22 March 2017**

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

**CRIMES LEGISLATION AMENDMENT  
(PUBLIC ORDER) BILL 2017**

*Introduction and first reading*

**Mr PAKULA (Attorney-General)** — I move:

That I have leave to bring in a bill for an act to amend the Summary Offences Act 1966, the Control of Weapons Act 1990 and the Crimes Act 1958 to provide Victoria Police with appropriate powers to deal with disturbances of public order and for other purposes.

**Mr PESUTTO (Hawthorn)** — I seek an explanation for the reinstatement of the move-on laws bill.

**Mr PAKULA (Attorney-General)** — The explanation to the member for Hawthorn is that the government is not reinstating the former government's failed move-on laws, which were designed to do no more than to use the power of the state to interfere with workers trying to better their lives.

**Motion agreed to.**

**Read first time.**

**PETITIONS**

**Following petitions presented to house:**

**Foster Primary School**

To the Legislative Assembly of Victoria:

The petition of residents of Foster draws to the attention of the house the need for additional funding to complete the rebuild of the Foster Primary School.

The current Foster Primary School, which was built in 1965, is in a poor state of repair and plans to rebuild must be included in next year's budget.

The petitioners therefore request that the Legislative Assembly of Victoria calls on Premier Daniel Andrews to fund the completion of the Foster Primary School rebuild project as a matter of priority.

**By Mr D. O'BRIEN (Gippsland South)  
(1089 signatures).**

**Main Street, Mornington, pedestrian crossing**

To the Legislative Assembly of Victoria:

The petition of residents of the electorate of Mornington draws to the attention of the house the lack of suitable

pedestrian crossing on Main Street, Mornington, between Nepean Highway and Cromwell Street.

The petitioners therefore request that the Legislative Assembly of Victoria authorise VicRoads to remedy this situation by installing a proper crosswalk within this section.

**By Mr MORRIS (Mornington) (256 signatures).**

**Hazelwood power station**

To the Legislative Assembly of Victoria:

The petition of the residents of the Latrobe Valley community draws the attention of the house to the matter of Hazelwood power station closing at the end of March 2017.

Hundreds of workers, contractors, businesses and families will be impacted, with unemployment expected to rise significantly in a region that already has high unemployment. Energy prices in Victoria will rise by more than 10 per cent for many consumers, whilst the loss of substantial baseload power means that Victoria will likely need to import electricity on critical days.

Whilst the Labor Party has had a policy to close Hazelwood since 2010 it said it would do so over a period of time. This is now not the case and thousands of locals face an uncertain future. There are no plans to replace critically important baseload energy generation in the Latrobe Valley once Hazelwood power station closes.

Daniel Andrews also imposed an additional \$252 million of taxes on Latrobe Valley generators in its 2016–17 budget and said it would not make a difference to the companies or consumers. Well, Premier, you are wrong. Hazelwood is closing its doors with hundreds of jobs to be lost and prices are going through the roof.

The petitioners request the Legislative Assembly of Victoria to call upon the Premier of Victoria to at least honour his party's initial commitment to close Hazelwood power station gradually over a period of time whilst advancing new baseload energy solutions, to urgently adopt a pooled redundancy scheme for Hazelwood workers impacted by the station's closure and to support Latrobe Valley workers by retaining and creating local jobs for local people.

**By Mr NORTHE (Morwell) (1801 signatures).**

**Rosebud land rezoning**

To the Legislative Assembly of Victoria:

The petition of the residents of the electorate of Nepean draws to the attention of the house:

1. the amendment to rezone the Melbourne Water land located at 181–83 Jetty Road, 14 Cook Avenue, 318 Bayview Road and Herman Street Reserve, Rosebud, which is currently zoned as public use, to residential zone 1A and allow higher density urban development;
2. we ask that the house reject the amendment to rezone the Melbourne Water land specified in order to maintain the land for public use. This is to ensure the community can continue to utilise and

enjoy it for recreational purposes, to preserve the character of the existing neighbourhood, for its environmental values and to ensure open spaces for all to enjoy.

**By Mr DIXON (Nepean) (89 signatures).**

### **Gaffney–Sussex streets intersection, Coburg**

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house road safety matters at the intersection of Gaffney Street and Sussex Street in Coburg. This intersection is an increasingly busy thoroughfare for motorists, cyclists and pedestrians. The installation of traffic lights at this intersection (including pedestrian-operated crossings) would make the precinct safer and facilitate smoother traffic flow.

The petitioners therefore request that the Legislative Assembly of Victoria ensure state government agencies work with local government agencies and relevant service providers to install traffic lights at the intersection to make the precinct safer for pedestrians, cyclists and motorists.

**By Ms BLANDTHORN (Pascoe Vale)  
(16 signatures).**

### **Heywood speed limits and signage**

To the Legislative Assembly of Victoria:

The petition of the residents and road users of Heywood draws to the attention of the house that road users in Heywood are concerned that the current 60-kilometre speed limit through the town centre and inadequate warning at intersections are putting drivers at risk. There is a significant amount of heavy vehicle movements on the roads at Heywood leading to the port of Portland. A tourist was lucky enough to escape injury following a collision with a truck in February. The petitioners therefore request that the Legislative Assembly of Victoria urge the Minister for Roads and Road Safety, Luke Donnellan, to approve a 40-kilometre speed limit in Edgar Street through the town centre and improved signage at the Mount Clay Road intersection with Edgar Street.

**By Ms BRITNELL (South-West Coast)  
(627 signatures).**

**Tabled.**

**Ordered that petition presented by honourable member for Nepean be considered next day on motion of Mr DIXON (Nepean).**

**Ordered that petition presented by honourable member for South-West Coast be considered next day on motion of Ms BRITNELL (South-West Coast).**

**Ordered that petition presented by honourable member for Pascoe Vale be considered next day on motion of Ms BLANDTHORN (Pascoe Vale).**

**Ordered that petition presented by honourable member for Mornington be considered next day on motion of Mr MORRIS (Mornington).**

**Ordered that petition presented by honourable member for Morwell be considered next day on motion of Mr NORTHE (Morwell).**

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

## **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE**

### **Probationary driving age**

**Mr HOWARD (Buninyong) presented report, together with appendices, extracts from proceedings, minority report and transcripts of evidence.**

**Tabled.**

**Ordered that report, appendices, extracts from proceedings and minority report be published.**

## **DOCUMENTS**

**Tabled by Clerk:**

Auditor-General:

Effectiveness of the Environmental Effects Statement Process — Ordered to be published

Managing Victoria's Planning System for Land Use and Development — Ordered to be published.

## **PARLIAMENTARY BUDGET OFFICER BILL 2016**

*Council's amendments*

**Returned from Council with message relating to amendments.**

**Ordered to be considered later this day.**

## **MEMBERS STATEMENTS**

### **Joan Kirner Women's and Children's Hospital**

**Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation)** — I was delighted to see the installation of two cranes on the site of the Joan Kirner Women's and Children's Hospital on Monday. This is such an important project for the people of

Kororoit. The construction of the hospital will service the needs of maternity and paediatric care for people in my electorate. It will result in women being able to give birth closer to home and children being able to get to a dedicated local hospital in times of need. With the number of births at Sunshine Hospital expected to exceed 7000 by 2026, construction of the project is critical. The installation of two cranes at the site is an important milestone which signifies the beginning of construction on the main structure.

Children at the local Jackson School and patients in the paediatric ward of Sunshine Hospital were able to participate in a 'name the cranes' competition, with the names Big Billy and Betty being chosen for the two cranes. Children from the local community also made some beautiful paintings to commemorate the launch of the project. This signifies another important step towards the construction of the Joan Kirner Women's and Children's Hospital. It is such an important project for Melbourne's west, and I thank the Premier and the Minister for Health for their dedication to this project.

### **Holi festival**

**Ms KAIROUZ** — On another matter, I would like to congratulate the local Indian community in Kororoit for their recent celebration of the Holi festival. The festival of colours is an important time to celebrate the triumph of good over evil. It is a time to renew relationships and bridge social divides. It was wonderful to see such a colourful example of multiculturalism in our fantastic state and particularly in my electorate.

### **Victorian transport and forestry industries review**

**Mr CLARK** (Box Hill) — The Andrews government is currently undertaking a secretive review of Victoria's owner-drivers and forestry contractors laws. There is widespread concern in the industry that this review is simply a sham to arrive at a predetermined outcome of attempting to impose Road Safety Remuneration Tribunal (RSRT) type laws on owner-drivers in Victoria in order to send them broke, drive them out of business and force them to become employees of transport companies, thereby delivering the Transport Workers Union a huge increase in members and revenue, and votes and power within the Labor Party.

This review was set up by the Minister for Industrial Relations in November last year. It is an in-house review on a major public policy issue being undertaken not by an external expert or body, as previous reviews

have been, but by Industrial Relations Victoria, a branch of the minister's own department. The review has called for submissions, with a closing date of January this year, but none of the submissions have been published on the departmental website, nor has anything else except the terms of reference.

The minister's media release announcing the inquiry expressly claimed that economic pressures were forcing some drivers into unsafe practices and criticised the Turnbull government's abolition of the Road Safety Remuneration Tribunal. The minister said this despite her own Victorian inquiry into the labour hire industry and insecure work recommending that any new transport industry rates or cost schedules or codes should be primarily facilitative and not mandatory. Making false arguments that some action is needed for safety reasons is one of the stock-in-trade tools of union officials seeking to disguise their grabs for power or other abuses of office.

Independent reviews of the RSRT model laws have found that setting minimum rates is an ineffective and costly way to attempt to improve safety — changes to national heavy vehicle laws and other direct targeting of unsafe practices are far more effective to prevent accidents and save lives — and I call on the minister to rule this out.

### **Castlemaine to Maldon walking and cycling trail**

**Ms EDWARDS** (Bendigo West) — On Saturday I was pleased to officially open the Castlemaine to Maldon walking and cycling trail, giving visitors yet another reason to head to Victoria's historic goldfields region. The trail runs from Castlemaine to Maldon station and runs parallel to the heritage Victorian Goldfields Railway, which attracts tourists and train enthusiasts from all over. The trail runs for 17.7 kilometres along the railway corridor, connecting Mount Alexander shire's two largest towns and contributing to the shire's popular walking and cycling network.

By improving the tourist offerings in the goldfields region, more people will come to stay in local towns, spending money in local businesses and helping to boost the economy. The trail will also enhance the Victorian Goldfields Railway's ability to create new and exciting events, such as the Race the Train competition, which will help to attract even more people to the region. This year the competition is to be held in November.

### Castlemaine State Festival

**Ms EDWARDS** — I was also thrilled to attend the opening night of the Castlemaine State Festival on Friday night. I was joined by the Minister for Creative Industries. Castlemaine State Festival began in 1976 through the vision of Berek Segan, AM, OBE. It has grown to become Australia's flagship regional arts festival. The festival preceded any other Victorian arts festival and has been unique in its scope and diversity and in its impact on the social and cultural fabric of the Mount Alexander shire and environs.

This is the last festival for its director, Martin Paten, who has overseen the last five festivals and who has been an integral part of the festival's success over that time. In fact his name has become synonymous with the Castlemaine State Festival. Many people in the community participated in the opening, including students from Castlemaine Secondary College and the Castlemaine Circus. It was fantastic to see the community and visitors turn out for the opening night extravaganza.

### Latrobe Valley employment

**Mr NORTHE** (Morwell) — We are now only nine days from the closure of the Hazelwood power station — nine days till the loss of hundreds of jobs and massive uncertainty for many workers, contractors, service providers and their families. This government stands condemned for its policy and budget decisions that have contributed to this outrageous decision. We all know Labor wants Hazelwood to close — that is what they have been saying for seven years, yet at the same time they cry crocodile tears.

If this government had genuinely cared, they would not have lumped Latrobe Valley generators with an extra \$252 million in taxes just last year, and they would close Hazelwood gradually, like they promised. More than 3100 people have signed and supported petitions calling for, at the very least, a gradual closure of Hazelwood, and despite the Premier saying he would fight for every Victorian job, that apparently does not apply to workers, contractors and service providers of Hazelwood.

The Hazelwood closure comes at a time when under this government the unemployment rate for Latrobe city has risen from 7.3 per cent in December 2014 to 11.2 per cent in December 2016 — a rise of more than 50 per cent. When you abolish a number of local-specific economic development and community-related programs, along with having polices to close a local business that employs thousands

of people directly and indirectly, and then tax businesses in that same industry hundreds of millions of dollars, is it really any surprise to see unemployment rise so dramatically in the Latrobe Valley? The scary part is that these figures are before Hazelwood has even closed, in addition to the hundreds of jobs at risk in the timber industry across the Latrobe Valley and the Gippsland region.

### Calder Freeway

**Ms HUTCHINS** (Minister for Local Government) — Tragedy struck in my electorate last Friday, 17 March, when a tip truck and dog collided with four other cars. In fact the truck drove straight over the top of one car on the inbound section of the Calder Freeway near Kings Road and Taylors Road. Kari-Pekka Maunus, a 49-year-old family man and father of six, had his life taken away way too early. The family are now struggling to come to terms with this tragedy.

Ironically on the same day I had a meeting scheduled and met with the Calder Action Group to talk about the importance of investing in the safety and expansion of the Calder Freeway. The action group is comprised of passionate residents along the Calder Freeway, including many from my electorate. Currently Calder Park Drive intersects directly with the Calder Freeway, with just a small merging lane. Unfortunately much traffic backs up along there. A new overpass is urgently needed to improve safety and address the area's rapid growth.

The Calder Freeway is a vital link between Melbourne and Bendigo, and it supports many daily commuters going to and from work between Melbourne and Bendigo. In Sydenham we have a lot of road projects underway, but this is one that we need to turn our focus to. Historically projects of this size receive both state and federal funding. It would be great if the federal government could get on board with building this.

### Port Fairy Folk Festival

**Ms BRITNELL** (South-West Coast) — Congratulations to the hardworking committee and volunteers who helped make the Port Fairy Folk Festival a huge success over the long weekend. The seaside village was a hive of activity as an estimated 30 000 people spent the weekend listening to a vast array of entertainment on offer. The Folkie, as it is commonly known, has grown from humble beginnings on the back of a truck in a local park to a multi-stage event, an internationally renowned festival. It is a self-sustaining model, and it is run largely on the power of volunteers. The best part of the festival is the way it

gives back to the local community. The festival committee makes donations to the hospital and other groups, while schools, sporting clubs, community groups and service clubs all chip in over the weekend and use the festival to raise money for their cause. Well done to president Bruce Leishman, program director Caroline Moore and all committee members and volunteers on another brilliant event.

### **Bridget Judd**

**Ms BRITNELL** — Congratulations also to ABC south-west Victoria journalist Bridget Judd, who was named the Melbourne Press Club's young journalist of the year at the Quill Awards on Friday night. Bridget runs a solo news bureau from the ABC's Warrnambool office but, despite the challenges of working alone, often breaks stories of national significance. She is always professional and capable, and Warrnambool and the south-west are lucky to have her as part of our community. Congratulations, Bridget.

### **South West Institute of TAFE**

**Ms BRITNELL** — Congratulations to the South West TAFE students who graduated last week. They studied a diverse range of subjects, including nursing and agriculture, areas which are important to our region and its growth. Well done to chairman Felicity Melican and CEO Mark Fidge on their good work.

### **Cath Jenkins**

**Ms BRITNELL** — Well done to south-west Victoria's Cath Jenkins, a local farmer who is a finalist in the Victorian Rural Women's Award today, of which I am also a proud recipient.

### **Geli**

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) — On Friday, 6 March, I had the pleasure of opening Geli's Australia-New Zealand headquarters in Melbourne. Geli is a San Francisco-based supplier of software and networking solutions for the energy storage industry. Geli's decision to set up its first office outside of the US right here in Victoria's capital is testament to the fantastic talent and technology that we have here in our state. We are going through a time of significant transition in our electricity sector, and now is absolutely the right time to team up with innovative companies that can work with us on building our renewable, affordable and reliable energy future.

As part of the Andrews Labor government's new energy technologies strategy, we are attracting

businesses like Geli. We have invested in Geli's establishment here with grants from the New Energy Jobs Fund and the investment attraction fund and assistance program totalling \$200 000. That is exactly what the \$20 million New Energy Jobs Fund is designed for: to power the job creation that comes with the most exciting new energy businesses.

From opportunities like this we welcome Geli to Melbourne. Our government is proud to be forging ahead in collaboration with companies like Geli to secure the renewable, affordable and reliable energy system that Victorians deserve. Companies are champing at the bit to come to our state. They know that this is an exciting time to invest in Victoria because they have the full backing of a government that knows where it wants to go.

### **Australia Day awards**

**Mr THOMPSON** (Sandringham) — I pay tribute to Mr Robert Bishop in recognition of his outstanding contribution to the bayside community over 35 years of volunteer service with the Victoria State Emergency Service. During his years of volunteering, Mr Bishop attended over 6000 requests for assistance. On one occasion as he headed off to work as a volunteer in his orange uniform, a neighbour actually thought that he was in paid employment.

I pay tribute to the Swimland Great Australia Day Swim, organised by the Rotary Club of Brighton, which was the 2017 community event of the year.

I pay tribute to Associate Professor Vicki Kotsirilos for her longstanding contribution to a range of environmental programs in Bayside City Council, and in particular her work with the Sandringham Foreshore Association that she founded.

I pay tribute to the Sandringham Yacht Club for its great work and for obtaining the level 3 clean marina accreditation.

I pay tribute to Mary Rimington, who was the City of Kingston Citizen of the Year. The Outstanding Citizen of the Year was Colin Anderson. Colin and his wife, Sue, have done outstanding work in supporting local sporting clubs, and in particular in more recent years the Cheltenham Football Club.

I pay tribute to the Dingley Village Community Association as the Community Group of the Year. I also acknowledge the great work undertaken by the Headspace Youth Advisory Committee, who were the City of Kingston Young Community Group of the Year.

### **Axieo**

**Mr EREN** (Minister for Tourism and Major Events) — Last Tuesday I was pleased to officially open the world-leading plastics manufacturing facility Axieo in my electorate of Lara. Axieo is a fine example of a new-generation manufacturing company that Victoria can be proud of. I am proud that our government worked with the company to help bring its plans to fruition and that we will continue to work with the company in its next stage of growth.

Victoria proudly has a reputation as home to world-class and diverse manufacturing businesses, and we work hard to achieve this status. Axieo's investment in Lara demonstrates the strength of Geelong's manufacturing sector and is a show of confidence in doing business in regional Victoria. I would like to congratulate chief executive officer Mr Sam Bastounas, chief operating officer Ms Jade Weiss and technical services manager Mr Neil Whelan of Axieo for the hard work they and their team put into this very important investment.

### **Wathaurong Glass & Arts**

**Mr EREN** — Last Friday I was lucky enough to visit Wathaurong Glass & Arts and also some culturally significant sites, including Wurdi Youang, in my electorate of Lara. I am very lucky to have such an abundance of culturally important Aboriginal history in my electorate. Thank you to Rod Jackson and his team at Wathaurong for hosting me and for the amazing work that they do around our community.

### **Corio Little Athletics**

**Mr EREN** — I would also like to thank Corio Little Athletics president Kelvin Gray for inviting me to attend the club's championship day last Saturday. I was honoured to meet with local athletic participants and present awards to the winners. Congratulations to Kelvin and the Corio Little Athletics team for running such a successful event for the athletics community in my electorate and surrounds and also for the countless hours they put in running the Corio Little Athletics club.

### **Regional and rural roads**

**Ms KEALY** (Lowan) — Funding cuts to country Victorian roads are taking their toll. On Sunday a terrible accident occurred on the Horsham-Lubeck Road, where a severely undulating road surface is being blamed for a single-vehicle tractor accident, where the bucket caught the tarmac, almost flipping the tractor, and the driver being taken to hospital. This accident

was directly linked to the terrible condition of roads under the city-centric Labor government. Enough is enough. Country people deserve safe roads. Labor must take responsibility for the drastic cuts to the country road budget and immediately inject urgently needed funds to return our roads to a safe state.

### **Hamilton Relay for Life**

**Ms KEALY** — It was a great privilege to open the Hamilton district Relay for Life. The outstanding community sport event raised over \$30 000 for vital cancer research. The Horsham event also achieved amazing support, raising over \$100 000. Thanks to all participants, sponsors and donors, and the fabulous organisers, who put in many hours to make this great event a success.

### **Project Platypus**

**Ms KEALY** — Project Platypus is a fantastic organisation providing vital support for a number of Landcare groups across the region. In late 2016 the Andrews Labor government promised to fund a 0.5 equivalent full-time local Landcare facilitator position. However, this funding has still not flowed for Project Platypus, putting local projects and grants at risk. According to Project Platypus this is undermining the intent of the grants and the Landcare system and ultimately the sustainability of our local environment. I urge the Minister for Energy, Environment and Climate Change to urgently release Landcare facilitator funding so that Project Platypus can continue its excellence in environmental sustainability.

### **Craig Munro**

**Ms KEALY** — I would like to acknowledge the fantastic work of Craig Munro in raising funds for Relay for Life. A keen member of the Groovy Peeps team, Craig shaved off his beard after 10 years of growth on his 10th wedding anniversary as a fundraiser for the event. Sadly Craig's beautiful wife passed away two years ago. Denise was a fabulous supporter of Relay for Life. She had been chair of the committee for a number of years and had been diagnosed with breast cancer. Thank you and well done to Craig and his family for their fantastic contribution to the community.

### **Lowan electorate crime**

**Ms KEALY** — Crime rates in country Victoria are skyrocketing under the Andrews Labor government. Crime in Hindmarsh shire has increased by 63 per cent, and Horsham has one of the highest crime rates in the

state. The Premier must immediately take action and make — —

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

### **TAFE funding**

**Mr DIMOPOULOS** (Oakleigh) — I had the opportunity last week to see the results of this government's action on skills, training and jobs in major infrastructure projects across Victoria. Last Wednesday I joined the Minister for Training and Skills at Holmesglen TAFE's Chadstone campus to announce \$12 million in funding from the Stronger TAFE Fund. We all know what happened during the time of the last government: TAFEs were closing, courses were cut, staff were sacked and the training sector was in turmoil — a terrible record for those opposite. We are fixing this because it is what good governments do.

### **Level crossings**

**Mr DIMOPOULOS** — The Minister for Training and Skills and I later joined the Minister for Industry and Employment at Carnegie station, where our level crossing works are well underway, to meet some of the apprentices filling the 743 new positions that have been created in just the first year of this government's major projects skills guarantee. The total number of apprentices expected to work on just the Caulfield–Dandenong crossing removal project is 200. So far this skills guarantee applies to 15 major projects and is expected to rise to 38 projects.

On Thursday I paid a visit to the precast yard in Pakenham, which is an amazing operation. This is a massive factory specifically producing sections for the new railway line in my community that will mean the removal of many dangerous and time-wasting level crossings. We are removing nine crossings on the Cranbourne-Pakenham line. Instead of closing this train line, which is the busiest in Melbourne, for months and months on end to dig a big trench — as proposed by those opposite for this line — we have got an operation where much of the work is done off site and transported in. That is good for the community and good for jobs in Victoria.

I thank the ministers for taking the time to visit my community, and I look forward to seeing even more skilled employment resulting from this government's initiatives in training and major projects.

### **Brian Fraser**

**Mr TILLEY** (Benambra) — This morning I would like to speak about Brian Fraser, who was born in 1935 on the property at which he would spend a lifetime — Heatherlie in the Tallangatta Valley. Sadly, back in January, Brian passed away peacefully at Heatherlie. Brian always had time for a chat and to provide advice — quite often solicited, sometimes not — on a range of issues faced by farmers and regional communities. His lifetime of knowledge and experience will be sadly missed by a community that benefited enormously from his community spirit and drive.

He was the president of Tallangatta Primary School and Tallangatta High School; he was recognised as a Paul Harris fellow for his work with the Tallangatta Rotary Club; he was with the Country Fire Authority for over 60 years, including more than 20 years as group officer; he was the district Victorian Farmers Federation president; he was the original director with the Australian Wool Network; he chaired a national wild dog summit — and this list only touches on a lot of the things Brian, with his family's support, was able to achieve for his community. His community service was a family affair, and a lot of us in the chamber know his wife, Mary, well. She was a Towong shire councillor from 1997 until she retired at the recent local government elections, and she was awarded an Order of Australia Medal in 2012.

### **Heather Mutimer Women's Honour Roll**

**Ms THOMAS** (Macedon) — Congratulations once again to Hepburn Shire Council for hosting a fabulous International Women's Day reception and for inviting me along to join with the Governor in recognising the work of four local women who have been inducted into the shire's Heather Mutimer Women's Honour Roll. For over 40 years Trentham identity Kit Manning has contributed immensely to her community through a focus on local football, netball and the Trentham Mechanics Institute and with an eye for nurturing the skills of local women and improving the status of women. Congratulations, Kit, on recognition that is very well deserved.

A posthumous award was made for Elsie Miller and accepted by her daughter Marj Green. Elsie dedicated many years of her life to the Daylesford Ladies Benevolent Society, which supplies the needs of disadvantaged women in the community by providing them with food, clothing and other necessities. Elsie was also a fervent supporter of the Mothers Union and the local girl guides support group, as well as the Red Cross.

The two other inductees are well known in this place. One is Candy Broad, who was recognised for her leadership in securing women's reproductive rights and her work securing the ALP's affirmative action policy, the result of which is here in this place for all to see — and what a contrast that is to those on the other side, the Liberal Party. Another who was recognised is also a Labor woman, Jenny Beacham, who is a leading figure in the fight for gender equality in our state. Her efforts around women's education in rural and regional areas are particularly renowned.

I also congratulate Antigone Jonas and Chloe Leonard — —

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

### Poowong East Danish Celebration

**Mr BLACKWOOD** (Narracan) — I had the pleasure of attending the 140-year anniversary of Danish settlement of the Poowong East area last Saturday. In 1877, 12 Danes became the pioneers of the Poowong East settlement, and some of their third, fourth and fifth-generation descendants continue to gather for meetings in the community hall. Congratulations must go to Robert Monk and Carol Olsen and their committee for their planning and hard work, which underpinned the huge success of the celebration.

### Heyfield timber mill

**Mr BLACKWOOD** — Yesterday the Parliament was surrounded by log trucks supported by large numbers of timber workers and their families from Gippsland. The protest was very well organised, professional and respectful as it delivered a message of despair at the failure of the Andrews government to secure supply for the Heyfield mill. Of course this protest was conducted in stark contrast to the protest actions of militant green groups, who invade the workplace of legitimate forest workers, compromising their safety and undermining their income.

This type of action is supported by gumnut fairies like the member for Melbourne, who continue to propagate lies about the timber industry. The Victorian native forest industry is not logging old growth. It only has access to 6 per cent of the public native forest estate, and only 0.3 per cent per year is harvested on a minimum rotation of 80 years. The Leadbeater's possum is not critically endangered. Surveys have found over 560 colonies in recent times, yet 12.5 hectares per colony is taken away from industry.

The Premier now needs to act to return this area back to production and give Australian Sustainable Hardwoods 135 000 cubic metres per year, making their business viable and the broader industry more sustainable.

### Geelong Trades Hall Labour Day dinner

**Ms COUZENS** (Geelong) — On Friday night the Geelong Trades Hall held its Labour Day dinner, one of the largest annual union events that celebrate and honour the unionists before us. The Labour Day dinner was an opportunity to acknowledge the Woman Trade Unionist of the Year, Anne Morrison, and pay tribute to a great woman unionist, the late Elwyn Young. I want to congratulate the new Geelong Trades Hall secretary, Colin Vernon, for his work and commitment to working people in Geelong and for making the dinner such a success. I want to also congratulate and acknowledge the hard work of Nada Iskra and Jackie Kriz, who also made the dinner a great success.

### Nancy Riley

**Ms COUZENS** — On another matter, I acknowledge the passing of Nancy Riley, who was a salt-of-the-earth woman and life member of the ALP. Nancy was a woman who cared about the disadvantaged and working people of Geelong. Her strong passion and commitment to Geelong Trades Hall, her community and the ALP will be sadly missed. Condolences to Dick and family. Vale, Nancy Riley.

### Pako Festa

**Ms COUZENS** — Pakington Street in Geelong West was alive with vibrant communities representing countries around the world during the recent Pako Festa, which is proudly supported by the Andrews government. I want to congratulate Diversitat, in particular Luisa LaFornara, CEO Michael Martinez and the team for their hard work and longstanding commitment in bringing together this amazing event. It celebrates diversity and multiculturalism and is a great opportunity to celebrate Geelong's vibrant community and embrace one another in unity, friendship and harmony.

### Walk for Johnno

**Ms COUZENS** — On Saturday I will be participating in the Walk for Johnno, a fundraising event for the Heart Foundation. I congratulate Rebecca Spencer for organising this event in honour of her late father, who passed away suddenly from a heart attack.

### Highvale Secondary College

**Mr ANGUS** (Forest Hill) — I recently had the great pleasure of attending a Highvale Secondary College assembly to present leadership badges to the school, house and music captains, student representative council members and debating club members. I congratulate all the school leaders on their important appointments and wish them, their fellow students, school principal Mr Ian Watkins, the school staff and the entire school community well for the 2017 year.

### Crossway LifeCare

**Mr ANGUS** — Last Sunday afternoon I was delighted to attend the opening of the new Crossway LifeCare and admin centre, located in East Burwood in my electorate of Forest Hill. It was a wonderful occasion and a pleasure to hear from various speakers, including LifeCare client Sam, who recounted the assistance that he and his family had received from LifeCare. Led by Pastor Dale Stephenson and chief operating officer Gail Thannhauser, Crossway LifeCare plays a vital role in our local community, providing counselling, assistance and care to residents experiencing tough times. I congratulate and thank everyone involved in this project, in particular all the Crossway and LifeCare staff and volunteers, who give generously of their time and resources to support this great work.

### Holy Saviour School

**Mr ANGUS** — I was very pleased to recently attend Holy Saviour School in my electorate of Forest Hill to speak to the year 5 and 6 students about the function and role of government, how laws are made and my role in the local community. It was a great time together, and the students had a wide range of interesting and probing questions, which I was pleased to answer. My thanks to principal Annie Herbison and the staff and students for having me along for a visit.

### Clean Up Australia Day

**Mr ANGUS** — On Sunday, 5 March, I was pleased once again to organise a local site for Clean Up Australia Day at the Lookout Trail Park in Vermont South. As always, it was a very successful time resulting in a surprising amount of rubbish being collected and the area being left in pristine condition. My sincere thanks go to all the volunteers who came along and assisted in this most worthwhile exercise.

### Noel and Melisa Nealon

**Mr ANGUS** — The Vermont South shopping centre recently said goodbye to its longest serving tenants, Mister Fixit's Noel and Melisa Nealon. After around 30 years, they have moved their business closer to home. I wish them well for the future in their new location and thank them for their friendly service to our community over all those years.

### *Social Enterprise Strategy*

**Mr HOWARD** (Buninyong) — Last week I was pleased to join with the member for Wendouree at Ballarat Regional Industries (BRI) to launch the Victorian government's *Social Enterprise Strategy*. The work at Ballarat Regional Industries is a prime example of a social enterprise where people with disabilities are empowered by being provided with skills training and employment. This is at the core of the social benefit that BRI provides to this community by stopping people from falling through the cracks with an important investment in their lives.

With over 5000 social enterprises operating across the state, of which 260 are in Ballarat, it is important that these enterprises are appropriately resourced and supported so they can continue to provide employment opportunities for disadvantaged groups and other benefits to our communities. The new *Social Enterprise Strategy* is supported by \$5 million in funding from the Andrews government and seeks to address some of the barriers and opportunities the sector encounters so that social enterprises can grow and continue with their great work into the future.

### Buninyong electorate volunteers

**Mr HOWARD** — Over the past few weeks I have hosted community barbecues in Ballan, Buninyong and Elaine, where I met with many community members, including the Buninyong and Ballan men's shed groups. Both of these groups do a great job supporting their communities, undertaking great projects to assist local schools and the community. I was also pleased to see that there is some excellent work happening at Elaine Cricket Club, with local volunteers currently upgrading the clubrooms. I would like to thank Kevin Healey from Ballan Men's Shed, Bill Jolly from Buninyong Men's Shed and Shane Dunne from Elaine Cricket Club for their assistance and their tireless —

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

### Glen Eira Neighbourhood Watch

**Mr SOUTHWICK** (Caulfield) — Crime statistics released last week indicate that crime figures are well and truly up and out of control here in Victoria. The same can be said of Glen Eira in my electorate. Data released by the Crime Statistics Agency Victoria shows that crime is up by 17.2 per cent overall. Over the last two years we have seen a crime tsunami engulfing Glen Eira, with offences up by 43.1 per cent. Assault has increased by 45.5 per cent, property damage is up by 21.6 per cent, theft is up by 8.2 per cent, drug dealing and trafficking has increased by 83.7 per cent and robbery is up by 90.6 per cent. The Premier is doing nothing to fix this problem.

What we have done in Caulfield is set up a Neighbourhood Watch group. I have worked with acting CEO Geoff Kloot to get this group together. I want to thank him for the work that he has done in helping our citizens in Caulfield. I would also like to thank Ester and Sam Lewin, Deb Thomas, Michael Hain, Anthony Hain, Peter King, Michael Zinger and Daniel Weil, who have put up their hands to be part of this Neighbourhood Watch group. It will be a digital group that will look at helping people in the community to understand some of the issues and the crime wave that is engulfing us. Most importantly we need more police. We need another divisional van. One divisional van for 150 000 residents is not good enough. The Premier needs to act and he needs to act now.

### Racial discrimination legislation

**Ms THOMSON** (Footscray) — I rise to express my outrage along with many multicultural communities at the decision by the Turnbull government to water down section 18C of the Racial Discrimination Act 1975. I received a copy of a press release from the Jewish Community Council of Victoria on behalf of 18 organisations. I want to read some of what that press release says:

The Turnbull government's decision to pursue the watering down of protections against racial vilification is utterly shameful and at odds with the principles of multicultural Australia.

...

We will oppose this latest attempt to amend section 18C with all the energy and resources at our collective disposal.

...

Racial and religious vilification violates the dignity of Australians, inhibits their ability to participate in Australian communal life, and severely damages the social fabric, which

is the indispensable bedrock on which are built our freedoms and civil liberties.

To do this on Harmony Day is an insult to all those communities who have contributed to making this state and this country the great state and country they are.

As a member of the Jewish community I am proud that my community is speaking out against 18C. As I understand it, the Leader of the Opposition has indicated to these communities that he is opposed to the changes to 18C. Talk to the *Herald Sun*, Leader of the Opposition! Make it very public — —

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

### Ron Bassett

**Ms GREEN** (Yan Yean) — Today Ron Bassett's family and friends will gather for his funeral at St John's church in Malvern East to say goodbye. I will be with them in spirit. His friend Andrew Ramsey could not have summed it up better on Facebook yesterday. He said:

It is with a very heavy heart I post the death of my close friend Ron Bassett. He did more for skiing at Mount Hotham than most. I will miss him greatly, at Lorne, on the snow, at the MCC. I enjoyed some of the finest wine I have ever consumed with him.

Ron was a passionate skier and prime mover in the development of Mount Hotham Alpine Resort. His company opened the last lifted ski terrain on the mountain and was also instrumental in opening the Mount Hotham airport. Andrew described him as a generous and loyal friend. Sincere condolences to his beautiful wife, Nancy; his children, Andrew, Sam, Laura, Ali and Richie. Andrew said:

May every day start with fresh tracks. Vale Ronnie.

I met Ron in 2000, along with his beautiful wife, Nancy, with Richie a babe in arms. Two years later he attended my first fundraiser, and Steve Bracks was surprised to see him that side of the Yarra. He was a good bloke and great fun. He will be missed greatly — on the snow and at the surf.

### STATEMENTS ON REPORTS

#### Law Reform, Road and Community Safety Committee: probationary driving age

**Mr HOWARD** (Buninyong) — I am pleased to speak on the report of the Law Reform, Road and Community Safety Committee, which I chair. The report that has been released today relates to the

committee inquiry into lowering the probationary driving age in Victoria to 17. At the outset I would like to thank all members of the committee for their great effort in working through the submissions and the broad-ranging inquiry that we undertook over the last year. I would also like to commend the executive of the committee: Yuki Simmonds, the executive officer; Natalie Lilford, research officer; John Aliferis, also a research officer with us for part of the time; Christianne Andonovski, the administrative officer; and Andrew Homer and Sarah Terry, who also played roles assisting the committee during this time.

As the report name implies, the committee looked at the issue of whether the probationary driving age in Victoria should be lowered to 17. The main force behind this issue was that across the state, particularly in regional areas, there are many people who are aged 17 who face challenges in getting to employment and educational and training opportunities. The inquiry also recognised that in other states across Australia the probationary driving age is either 17 or lower, as in the Northern Territory.

The committee heard from many peak bodies and many individuals, and it held public hearings not only in Melbourne but in many centres across regional Victoria, including at Wodonga, Ballarat and Warrnambool. I thank all those who made submissions to the inquiry to assist in our deliberations.

A majority of the committee recommended that the probationary driving age be lowered to 17, a decision that was not agreed with by the whole committee. Three of the seven members of the committee, including me, took a different view. We believe that we should not lower the probationary driving age to 17 as an overall position, that it is a blunt instrument that need not be applied. We also heard that there was no clear evidence to support the case that there would be greater employment opportunities for 17-year-olds if they did have their licence. When we looked at other states of Australia where the licensing age is 17, there was no reduction in unemployment figures for people in the 17 to 18-year-old age group.

But most significantly, from my point of view and the point of view of the other two who supported the minority position, we heard from a broad range of groups, including of course VicRoads, RACV, the Transport Accident Commission, Victoria Police and centres including the Centre for Accident Research and Road Safety Queensland, Monash Institute of Transport Studies, the Australasian College of Road Safety, the Australian Driver Trainers Association (Victoria), Transport and Road Safety Research at the University

of New South Wales and the Royal Australasian College of Surgeons, who all recommended against lowering the driving age from 18 to 17 because they believed there would be an increase in road trauma for both young drivers and the community if the probationary driving age was lowered. In the minority position we felt that we could not overlook that, despite some of the modelling that was presented by VicRoads.

We questioned the figures that they put forward but we accepted overall that it would be inappropriate to lower the driving age overall. What the committee did agree on overall, though, was that there should be a genuine exemption system offered to 17-year-olds who could show just cause why they should have the opportunity to get their licence before they become 18. They could show that they have either employment or training opportunities that they would not be able to attend without having their licence. We would also expect that they should be able to complete their 120 hours driver training. I should say that there are a number of other recommendations in the report to improve driver safety in the training area and in regard to probationary drivers. So I commend both the reports, and I trust that the government will consider the reports seriously and come back with some good responses.

### **Electoral Matters Committee: conduct of 2014 Victorian state election**

**Ms ASHER** (Brighton) — I wish to make some commentary in relation to the inquiry into the conduct of the 2014 Victorian state election by the Electoral Matters Committee. I wish to make some observations in relation to early voting, both in the general election and in the by-elections that have been taking place over the last couple of parliaments.

For the record — and obviously this is outlined in the report — early voting in person was available at 100 early voting centres throughout Victoria, one for each electorate; also at both airports; and there were some additional early voting centres in Melbourne and in some country areas. On top of that there were 1106 mobile early voting centres, in nursing homes and the like, and there were 11 interstate and 32 overseas early voting centres. Of course the public does like the convenience of early voting, and they have shown that by the numbers of votes recorded. Quite importantly, the committee heard from a number of people about the importance of voting at around about the same time. The following observation was made in the report by the committee on page 27:

With 26 per cent of Victorian electors voting in person before election day over the 2014 Victorian state election, this trend

has several implications for Victoria's electoral administration, electoral processes and democratic traditions.

I am sure all political parties are still grappling with that at the moment. At table 3.1 it is shown that there are some extraordinarily high incidences of early voting: in Bass it was over 45 per cent of voters; in Bendigo East, over 43 per cent; in my own electorate of Brighton, at 31.82 per cent, it was very low; in Mildura, over 41 per cent; in Niddrie, over 43 per cent of voters voted prior to the election — in early voting, not including postal; in Ovens Valley, over 46 per cent; in South Barwon, over 42 per cent; in South-West Coast, 49 per cent plus; in St Albans, over 40 per cent; in Sunbury, over 40 per cent; and in Wendouree, over 41 per cent. So they are very, very high figures in certain electorates.

I wish to move on now to the by-elections, because the committee made a very important recommendation in relation to the length of the period of early voting at by-elections. Page 32 reports that at the Gippsland South by-election there was a 30.3 per cent early voting figure; in Polwarth it was 20.1 per cent, which is low; and in South-West Coast it was 48.7 per cent, which is a very, very high figure.

It is interesting to see the length of the early voting period in Victorian elections of recent times. The committee, at page 35, reports that for the Melbourne by-election of 2012 the early voting period was four weeks; in Lyndhurst in 2013 it was four weeks; in Polwarth in 2015 it was four weeks; and in South-West Coast it was four weeks. A number of people made very negative comments about that four-week period. I think probably the most vocal was Mr Roy Reekie, who ran as an Independent in South-West Coast and was previously the Labor candidate for many, many years in that particular electorate. He made a number of negative comments, as did booth workers and indeed candidates in relation to this four-week period. The committee went on to say at recommendation 2 on page 37:

The committee recommends that section 63 of the Electoral Act 2002 (Victoria) be amended to specify that the maximum allowable period for early voting at a Victorian by-election be two weeks.

There is no doubt that a four-week period places great strain on electors and campaign workers and the like, and I was very pleased to see in the government response to the Electoral Matters Committee report that the government supported the recommendation — not supported in principle but supported the recommendation. The government went on to say, and I quote the government response:

... this legislative reform would ensure that voters in by-elections are given a reasonable period of up to two weeks to cast an early vote, promote consistency with the practice for early voting in state elections, and reduce the impact of lengthy early voting periods on campaign resources.

I was very, very pleased to see the government's positive response to that recommendation, which I think is an important one. I look forward to changes to the Electoral Act 2002 — possibly this year the government would be able to advise us perhaps — and in particular I look forward to seeing this change in that reform package.

### **Public Accounts and Estimates Committee: budget estimates 2016–17**

**Mr McGUIRE** (Broadmeadows) — I refer to the Public Accounts and Estimates Committee's inquiry into the budget estimates for 2016–17, particularly in relation to the contribution by the Minister for Industry and Employment, who referred to how working in a coordinated fashion presents an opportunity to drive strategic advantage from that collaboration across economic portfolios within government.

I want to continue my contribution on this subject and its importance, particularly not just for the Victorian government but also as to how this can be employed in direct connection with the Australian government. This is critical to drive economic development. The importance is that nowhere is the impact of globalisation and mechanisation more acutely felt than in Broadmeadows, which has reached a tipping point, struggling with deindustrialisation in a time of terror. To create opportunity out of adversity we have to understand how globalisation can be harnessed, because it has evolved. It is being led by knowledge, not just trade. Knowledge is crossing borders and transforming the world. This is why we must change the political system to adapt to this new reality.

About a decade ago I helped bring Silicon Valley to Broadmeadows, where Microsoft, Intel and Cisco Systems established the world's second ideas lab. The one-term coalition government cut the funding, and my argument is that this would not happen in marginal or safely held coalition seats. This is the critical proposition about the way the political system is being gamed and must change. I want to acknowledge the Minister for Small Business, Innovation and Trade for bringing Silicon Valley's globally renowned accelerator program 500 Startups to establish its Australian headquarters in Victoria after securing a funding grant from LaunchVic, the Andrews Labor government's \$60 million start-up fund.

This is an important proposition because 500 Melbourne will help accelerate at least 40 of Australia's best start-ups over the next two years as well as providing access to their global network and other Silicon Valley venture capitalists. This is the proposition that we must understand and move on, and I am arguing that this needs to be bipartisan because we need to get the Australian government to actually realise what is going on in these communities and what is happening.

I was disappointed to receive a letter from Greg Hunt, the former federal Minister for Industry, Innovation and Science. The house will understand that his replacement was the fourth minister in as many years. Mr Hunt acknowledges that the automotive passenger vehicle manufacturing sector has been in transition since 2013. He realises that there are difficulties for Australian workers and communities during this period, but he still does not want to address the critical issue that I raised by identifying and revealing an unspent \$1.324 billion in the Automotive Transformation Scheme and how this can be reinvested at least in part in Broadmeadows, where it is needed most.

I remind the house that the convergence of two coalition governments left unemployment in Broadmeadows at 26.4 per cent and youth unemployment at more than 40 per cent. This is the critical issue that we need to address — the systemic problems — instead of arguing across the chamber. I am trying to go to the critical issues that need to be addressed, because here is the offer that Broadmeadows has on the table at the moment. I have identified these propositions. The Land 400 vehicle decision will be up in the next year as well in regard to what can be done, and instead we get an offer for a \$29 million detention centre for people who have been convicted of serious crimes, some of whom may be convicted child sex abusers, drug traffickers or members of outlaw bikie gangs.

The submission that was put before the federal parliamentary inquiry from the Department of Immigration and Border Protection even had the suggestion that there were no heritage issues regarding this location. Here are the heritage issues: this is the site of the Maygar Barracks. Leslie Maygar won a Victoria Cross in the Boer War. This is where the diggers, the light horsemen and the Victoria Cross winners were trained and dispatched to fight at Gallipoli. Then, with the ebb and flow of history, this community stepped up when the biggest crisis that Australia faced was to populate or perish. This is where wave upon wave of postwar migrants arrived and underwrote prosperity for generations. That is just one part of the heritage.

We are in the countdown to Anzac Day. These values will be upheld. It is the same for the Western Front, Villers-Bretonneux and right through some of the most amazing, nation-defining battles. This is the only offer we have got on the table from the federal government. I am calling on the Prime Minister of Australia to rethink this situation. It is unsustainable, and it needs to be fixed.

### **Public Accounts and Estimates Committee: budget estimates 2016–17**

**Mr D. O'BRIEN** (Gippsland South) — I am also pleased to rise to speak on committee reports and on the report on the 2016–17 budget estimates process. I want to go to the issue of revenue with respect to the Department of Environment, Land, Water and Planning, referred to on page 220 of the report. This area includes, of course, funding for forest management. The revenue to the government also includes revenue delivered by VicForests, the state-owned timber company which delivers revenue to the government and has in fact delivered revenue in the last three years in terms of a profit.

I want to talk about the Heyfield timber mill and the disgraceful situation we currently find ourselves in where a Labor government, the supposed friend of the worker, the one-time party that would stand up for jobs in country areas and city areas, or wherever, is bending over backwards to accommodate the Greens and to secure Greens preferences. As a result we are seeing the closure of the Heyfield Australian Sustainable Hardwoods (ASH) timber mill and the loss of 260 jobs.

I want to take up some of the things that the Premier said to this chamber yesterday. I believe the Premier misled the chamber. At one point he said that the former Treasurer sat on the contract between VicForests and ASH for over 12 months. That is an absolute mistruth. The background to this is that VicForests and ASH signed a contract with each other for supply of timber on 30 October 2014. That contract included a minimum of 140 000 cubic metres and a maximum of 155 000 cubic metres to be delivered from 2017 onwards. That was signed on Thursday, 30 October. We went into caretaker mode on Tuesday, 4 November. That left a mere two full business days for that to go to government, and very clearly it did not get to the Treasurer for ratification at the time.

As an aside I might add that we know what Labor's view is on contracts signed just before an election year. The Premier himself has said that they are not worth the paper they are written on, so why would it matter? We of course would have signed that contract had we been returned to government. The Leader of the Opposition

has committed that we would provide the timber to ASH to make sure that this mill keeps going.

This government has had two years to sign that contract. I pick up a comment the Premier made this morning in the *Age*. It was reported in the *Age* this morning that he urges the owners to engage with the government in a ‘meaningful way’. This is the Premier of a government that has refused to meet with the owners of the mill for the last two years. They have refused any request to meet with the owners of the mill to discuss this important contract. Now we have 260 jobs at threat.

I note that in the gallery we have one of the great campaigners for the mill to remain open, Anthony Wilkes. It is great to see you here, Wilkesie, and it is an absolute tragedy that you and your colleagues had to be here yesterday to protest for your jobs.

For two years the government refused to act. Then we had the threat to close in January this year when the company said the offer of 80 000, 60 000 and 60 000 cubic metres over the next three years was not sufficient to keep the mill operating. It is not surprising. If you take away half of the timber supply of a particular mill, then very obviously it is going to have an impact on the viability of the business. So the government scrambled. Suddenly we had an issue: ‘We need to try and fix this’. We had the Special Minister of State brought in to chair a task force to fix it. They worked for seven weeks. The company gave them a couple of extensions. They said, ‘We’re prepared to hold on if there is light at the end of the tunnel’. And what did the government come back with? The government came back with exactly the same offer — 80 000, 60 000 and 60 000 — and then for good measure and for a bit of spin threw in, ‘Oh, we’ll also give you a \$5 million subsidy’. It was a subsidy the company did not want. The company simply wanted the timber.

Then, very obviously, as of Thursday night last week, it became clear to the government and to many around that the offer that had been made was not sufficient and that the mill owners would have to close the mill and would announce that. So what did the Premier do? The Premier came out on Thursday night and dropped a story to the *Herald Sun* saying, we will buy the mill. Talk about spin! It was a classic piece of Labor spin because of course it diverted the attention of the media to that issue rather than to the fact that the mill was closing.

We hear constantly from the Premier that the timber is not there. That is wrong. The timber is there. I go quickly now to the Premier’s comments:

We will fully make good on our commitment to do whatever we have to do to keep this business and these jobs going. We’re not having this mill close.

He said that on Channel 7 news on Friday night. Well, Premier, deliver the timber and this mill will not close, because in the words of Doug McDonough, who was also on 7 News: ‘What a joke!’.

### **Public Accounts and Estimates Committee: budget estimates 2016–17**

**Mr PEARSON** (Essendon) — I am delighted to make a contribution also on the 2016–17 budget estimates report by the Public Accounts and Estimates Committee. I would like to draw the house’s attention to pages 26 and 27, chapter 2.7, entitled ‘Exports’. In relation to this chapter of the report, evidence provided by the Department of Treasury and Finance revealed that as a result of the decline in commodity prices that led to the end of the mining boom in early 2013, the Australian dollar depreciated by around 30 per cent against the US dollar. I am quoting the Department of Treasury and Finance:

This has boosted production in trade-exposed industries and will continue to boost domestic spending over the forward estimates.

The wonderful thing about having a floating exchange rate is that, as the mining boom came off the boil in Western Australia and Queensland, it enabled Victoria’s exports to increase significantly as a result. The latest data available indicated that Victoria’s exports were worth \$39.5 billion. That was in 2014–15, and that is roughly two-thirds of the size of the state’s budget. We are talking about the significant contribution that a number of the smaller industries play in relation to Victoria. The biggest single export industry for Victoria is food and fibre. International education is also a major contributor, as is tourism. I think what this report shows is that Victoria is making great inroads in becoming a quality provider of a small number of niche services. An example of that would be food and fibre.

In terms of China, which is our largest market, there is a recognition that Victoria produces very high quality produce, which is quite attractive to many people in China. In particular, if we look at where we see the future of the Asia-Pacific region going, we are looking at around about 3 billion people joining the middle class by about 2030 in this region. That means that as people in China or Indonesia or Vietnam comfortably become ensconced in the middle class, they are more likely to want to try to buy quality products and goods from Australia.

The days of Australia or Victoria hiding behind a tariff wall and trying to produce T-shirts to compete with Asia are thankfully, mercifully, over. Instead now we can take our role in the region as being a quality provider of goods and services — goods in terms of food and fibre and services in relation to international education and tourism. Indeed I think we need to think about what role medical tourism will be able to play in the next 10 to 15 years, because we have got an outstanding public hospital system here and we have a very good private hospital system. We are very good at providing good-quality health care. It would seem to me that as people start to acquire more wealth in the region they will want to make sure that they can get the best quality care available. That then leads us to be able to provide very good quality of care.

Interestingly, there is a hospital in India — its name escapes me — that is one of the most efficient hospitals at performing hip replacements. The reason for that is because the volume of hip replacements is so great they are able to bring down the unit cost price to very low levels. We will never get that volume here in Australia for specific operations, but I think we would be good at more of those very niche sorts of operations, which would stand us out compared to other countries.

It is interesting that about 15 years ago New Zealand was Victoria's single largest trading partner, and how that has changed. China now represents 33.4 per cent of the total international expenditure in Victoria, and that is more than the next six markets combined, being New Zealand at 6.6 per cent, the UK at 6.5 per cent, Malaysia at 5.4 per cent, Singapore at 4.9 per cent, the USA at 4.5 per cent and India at 4.1 per cent. Clearly we are in good shape to meet the challenges of rising affluence in the Asia-Pacific region. We have got an outstanding economic strategy — —

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

### **Public Accounts and Estimates Committee: budget estimates 2016–17**

**Ms SHEED** (Shepparton) — I am pleased to be able to make a contribution, and I seek to speak on the Public Accounts and Estimates Committee report on the 2016–17 budget estimates of May 2016. In doing so I seek to draw attention to the particular presentation made by the Minister for Education and the questions answered by him on that occasion. The minister in his opening statement drew attention to the fact that the government came to power on a promise that it would make Victoria the education state. The minister went on

to detail the expenditure included in the budget in relation to capital and meeting its Gonski requirements.

It was a budget that addressed a wide range of educational issues, including funding for infrastructure projects at a number of secondary schools in regional Victoria. Schools in the Shepparton district, I can say from information provided to me by the minister's office, have received a total of \$1.95 million as part of their planned maintenance program since 2014. In addition to this Congupna Primary School, Waaia-Yalca South Primary School and Zeerust Primary School received a total of \$350 000 in capital funding in 2016–17, and that was through the School Pride and Sports Fund.

While it has been pleasing to see this investment in my electorate, I must say that I have looked at the NAPLAN results just released for our four secondary colleges. In Shepparton and Mooroopna alone, each of these schools is performing substantially below the national average in both reading and numeracy. Parents are leaving the state secondary education system in our area on a continuing basis, and in the meantime our private schools are bursting at the seams. Enrolments have fallen at Mooroopna Secondary College from 772 in 2008 to 374 last year and to less this year. McGuire College enrolments have fallen from 735 in 2008 to 490 in 2016, and enrolments at Shepparton High School have fallen from 904 in 2008 to 670 in 2016, and they are continuing to fall.

In a grievance debate contribution in this Parliament last year I spoke of the disparity between educational outcomes for students in metropolitan and regional areas. The Auditor-General's report of April 2014 entitled *Access to Education for Rural Students* really talked about what most of us who live in regional Victoria know, and that is that rural populations in Victoria suffer from a disproportionate level of disadvantage. It found that students from rural Victoria represent about 30 per cent of the total school population, but far fewer of those students go on to attend university or even to study at a certificate IV level or above, as compared with the figures for those in metropolitan areas. The Auditor-General's report also found that rural students are behind their metropolitan peers on academic achievement, attendance, senior secondary school completion and connectedness with their school.

These are all ingredients that we are seeing in our Shepparton and Mooroopna secondary colleges at the moment, and I am very concerned about it. There is a disparity that should not be tolerated. I have been studying the issue for some time, and I am convinced

that steps can be taken both by government and by our community to address what is now clearly a very unsatisfactory situation that our colleges are in.

The latest reports from two major international assessments of student learning, the Programme for International Student Assessment (PISA) and Trends in International Mathematics and Science Study, back up with many statistics, including the fact that educational disadvantage is a significant problem across the whole of Australia. If Victoria is to be the education state, as the minister states, as it is referred to in that report, then there is a great deal of work that needs to be done in addressing the problems in my own electorate, and it is something that is very important to me and also to members of the community, who are now speaking openly about this problem.

There are those who argue that some of these assessment systems are not reliable. They criticise NAPLAN and they often criticise others, but PISA is an international comparative study of student achievement directed by the Organisation for Economic Co-operation and Development, and it measures how well 15-year-olds, who are nearing the end of the compulsory schooling, are prepared to use their — —

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

## NATURAL GAS RESOURCES

**Mr NOONAN** (Minister for Resources) — I move:

That this house —

- (1) condemns the Prime Minister for:
  - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
  - (b) making false claims about Victoria's natural gas resources;
- (2) requests the commonwealth to join us in funding geoscientific and consultative work on conventional gas.

Two weeks ago the government very successfully passed the Resources Legislation Amendment (Fracking Ban) Bill 2016, and it is with great pride that we can, I think across this house, claim very clearly that fracking is now banned in the state of Victoria. This in every way was landmark legislation, the first of its kind in Australia, and importantly it passed the upper house on the voices. Its passage was obviously very warmly welcomed, particularly by those farmers and community representatives who had travelled great distances across

Victoria and had campaigned for many years to see this moment come. They travelled to the Parliament, and they were here for the entire debate in this house and they were here for the entire debate in the upper house. For them, it was about protecting their land, about protecting their farms and about protecting their livelihoods. Ultimately it was about providing certainty.

Those people did not miss a word of the debate in this house or the other house, so it was really terrific to be able to join them in Queen's Hall in the minutes that followed the passage of that bill through the upper house, and clearly during that period there was a bit of an outpouring of emotion. A long fight had basically come to a conclusion, so there was happiness, relief and jubilation. But among some there was some disbelief that the day would come when the Victorian Parliament would in fact pass law.

As I looked around Queen's Hall a couple of weeks back, I realised that our government had done something very good. We had delivered on the will of the people, and we had ended the uncertainty. This was no more evident than it was during a conversation I had with Trevor Flint. Trevor is known to many people in this place — many people. Together with his wife, Di, they hosted more than 20 politicians at their farm in Seaspray. In fact when I visited their farm in July last year, they made it clear to me that I was politician number 23 who had visited their farm. My response to them was simply this: 'I hope there won't be a 24th'. The reason I said that is because they had waited too long. They had waited too long for certainty.

But what I understood with Trevor and Di was that they represented the ordinary faces of this campaign. They are not the political types. They are not what we would understand to be radical in their views. They are just decent, hardworking farmers who care very deeply about their land, care very deeply about their environment and obviously care very deeply about their farm. In every way they are just sensible people. Those that have met Trevor will know that he is a pretty big bloke. When I first met him he was pretty agitated, to say the least. I think he was agitated because he was sick and tired of pleading his case against fracking and unconventional gas in particular. So when the bill passed the upper house a couple of weeks ago, I was certainly thrilled to be able to offer my congratulations to Trevor and Di, and for once — just once — Trevor was lost for words. What he did have clearly were tears in his eyes. His face said it all: we are relieved.

Since that bill passed the Victorian Parliament, again on the voices, what we have had from the Prime Minister is attack after attack in relation to our fracking ban bill.

He has absolutely refused to accept the will of this Victorian Parliament, and the bipartisan support, I should say, in relation to the issue of fracking and unconventional gas. He has refused to accept the importance of the food and fibre sector to the Victorian economy. He does not seem to understand that this is a sector that employs about 190 000 hardworking Victorians, and he does not seem to get that it is one of our biggest export markets — it accounts for about \$12 billion annually in exports. Fundamentally he just does not get this simple notion that country people have shared with me: that the environment and the quality of the environment is the economy in so many communities. Anything that jeopardises the environment in country regions jeopardises the economy. He just does not get it, but the Victorian government will not put that at risk.

Talking about risk, I have to make some comments in relation to the Victorian coalition and onshore gas. On fracking, they have been very good and very straight. On conventional gas, they have moved. During the course of the debate in the lower house a good number of speakers tried to claim that the fracking ban was their own and the extension of the conventional gas moratorium was their own. There were many contributions. I want to read just a couple into this debate. I am pleased that the member for Caulfield is here because I know he will make a contribution. He made a very spirited contribution in the original debate; I was here for it and probably gave him a bit of a razz at times. He said this:

Yes, we were the ones. We were the side that put the moratorium in place. We believed in a 2020 moratorium ...

That was his contribution. The member for South Barwon said:

As far as conventional gas goes, we made it very clear at the by-elections in the seat of Polwarth and the seat of South-West Coast that we would support the extension of the moratorium until June 2020.

The member for Lowan said:

In 2015 we strongly supported and called for an extension of the moratorium.

The member for Mornington said:

So too is the extension of the moratorium to 2020. Again the coalition have been leaders in this field. We announced our position on 28 September 2015, and our view remains unchanged.

They are a collection of what was said during that debate. But something obviously happened after the bill passed this house on its way to the upper house. It was

a bit of a flip-flop, a bit of a backflip, and then finally it was revealed that the coalition had changed their position. I wonder whether those members would have made all of those very straight comments in the debate in this house before the bill went to the upper house, because during the course of that debate in the upper house they clearly tried to water down the bill. They sought to remove the moratorium on onshore conventional gas. They did that by consulting no-one, which is their form. They were sneaky and underhanded, which should come as no shock to the member for Burwood, who is sneaky and underhanded — that is what you are.

**Mr Watt** interjected.

**The DEPUTY SPEAKER** — Order! The member for Burwood. Please do not interject unless you are in your own space.

**Mr NOONAN** — The Nationals got rolled in their coalition party room and none of them are here for the debate on this motion. None of them are here because they got rolled on this, as they always do. The member for Caulfield knows it; he knows that The Nationals got rolled on this.

Victorians cannot trust the coalition not to reverse their position again, and that might even go to the issue of fracking. They will always be beholden to their colleagues in Canberra. They will also be beholden to none other than Peter Reith, the great champion of fracking. The member for Caulfield knows that too.

This takes me to the Prime Minister's very false claims about Victoria's natural gas resources. Last week the Prime Minister claimed that there are enormous amounts of gas onshore that can be accessed using conventional means. The Prime Minister needs to get his facts right. There was a very extensive parliamentary inquiry in 2015 that found no evidence of significant reserves of conventional gas. I turn to page 25 of the report on that because it is important that some of these facts go into *Hansard* during this debate. Here we go:

There has been significant exploration for onshore conventional gas reserves in Victoria since the 1950s. No conventional gas has been found in the Gippsland region. In 1959, conventional gas was discovered near the Port Campbell township in the onshore Otway Basin. Dr Goldie Divko states that exploratory wells were then drilled across the onshore Otway Basin in the 1960s. From the late 1970s until 2006 (particularly between 1986 and 2006) the Port Campbell embayment was an active onshore gas producing region, until the discovered commercially viable gas was depleted.

There is a whole chapter in the parliamentary inquiry's report on this issue. I challenge those opposite to read that chapter again because that is where the facts are.

Members opposite will know that in the last term of government they got their mate Peter Reith to do a gas market task force piece of work. It is a very interesting read — it is available publicly — and it makes some very clear comments in relation to the potential or prospectivity, if you like, of known or unknown reserves. This is what the report says on page 20:

The commercial potential of onshore gas is currently unknown in Victoria ...

And it went on:

There is currently no production, commercial reserves or identified reserves of unconventional gas in Victoria.

That is what Peter Reith said in 2013. Despite the baseless claims of the Prime Minister, there are currently no proved or probable reserves of onshore gas in Victoria. There has been a great deal of exploration in Gippsland and the Otways — there has been a great deal of exploration, as I said, going back to the 1950s — but Victoria currently produces enough gas to supply our needs through the production in the Bass Strait. New gas resources are also being brought online from Victoria's nearshore waters. I think that our nearshore waters provide a great opportunity for Victoria. Origin, through this project near Port Campbell — which is about 30 kilometres east of Warrnambool, and I have been there — has been bringing new gas using extended reach technology since about August last year.

**Mr Southwick** — Offshore to onshore.

**Mr NOONAN** — Offshore to onshore, and that was a specific exemption in the legislation. It is a very important opportunity for Victoria. Cooper Energy has also announced a takeover of the Sole gas project and plans to bring 25 petajoules of gas to Victoria between 2019 and a further 20 petajoules in 2020. The issue of gas prices is not about supply; it is about demand. The rise of three massive liquefied natural gas (LNG) projects in Queensland has caused a significant disruption to Australia's east coast market — in fact arguably it is the biggest disruption to the issue of gas in our country's history. By using up our domestic reserves of gas, the LNG projects are causing a significant increase in gas prices for Victorian industry. Allowing fracking, as the Prime Minister would like to see, in Victoria will not decrease prices; the gas will just simply be sent north within the grid.

We know the federal Liberals have never supported Victorian industry and never will. We only have to look to the auto industry in relation to their form when it comes to supporting the Victorian industry. They should stop playing politics with Victorian jobs. They should stop playing politics with Victorian industry and jobs. It is time to get to the facts.

**Mr Southwick** interjected.

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

**Mr NOONAN** — It is time to get to the facts — the real facts — in relation to the moratorium and the need for geoscientific work. Over the moratorium period to 2020 we will undertake a series of extensive geoscientific studies to better understand the risks, the benefits and the impacts of onshore conventional gas development. That will be very important work. That will actually give us a picture of what gas there is and if the benefits stack up.

These studies will be overseen by the lead scientist along with a panel comprising industry, farmers, local government and the community. We will work with communities on this issue and we want to work with the federal government on this issue. We have already allocated \$10 million to get this work started, and I have written to the federal Minister for Resources and Northern Australia, Matthew Canavan. I travelled to Canberra to see the minister to talk to him about this being an opportunity for the state and the commonwealth to work together. I have got to say that the federal resources minister seemed to be open to this opportunity, and I am still optimistic that we can find some sort of positive landing on working together in relation to this particular work, but we will not be able to work together whilst the Prime Minister continues to play politics on this issue.

We have to work out very clearly what the facts are in relation to onshore gas reserves. We have to take the community with us on this. The Prime Minister and his colleagues would do well to go and meet with people like Trevor and Di Flint and with others to talk to them about the issues of onshore gas instead of pushing a line that you can buy farmers off by fattening up a royalty, because farmers are too smart for that. Farmers actually understand that the underground water aquifer system connects them all up. It is not about buying off one farmer. That will simply pit one farmer against their neighbour. That is bad for regional communities. I implore the Prime Minister and his colleagues in Canberra to stop the barbs back to Victoria and to come and work with us. They should get real about this particular issue. They should understand that farmers

care very deeply about their land and that they will not be bought off.

Importantly, with my final contribution on this, they should respect our ban on fracking, respect the will of this Parliament, respect the bipartisan support currently across this chamber in relation to unconventional gas and, most importantly, respect the Victorian community.

**Mr SOUTHWICK** (Caulfield) — What a hopeless contribution from the minister — an absolutely hopeless contribution. This minister thinks that he is standing up for jobs and standing up for industry. He ought to be ashamed to even show his face in this Parliament.

*Honourable members interjecting.*

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

**Mr SOUTHWICK** — In nine days Hazelwood closes, thanks to this minister, who has done absolutely nothing to save Hazelwood and those jobs. We also see the workers in Heyfield. What have you done for them? You have done absolutely nothing for those jobs. For this minister to come before this house today to say that he is the minister for jobs and he is the minister for industry and that he is saving jobs and he is standing up for jobs is an absolute disgrace. Minister, you should hang your head in shame. You have done nothing for those jobs. When Hazelwood turns out the lights, it will be your head that has responsibility for that.

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister, without the assistance of the Attorney-General.

**Mr SOUTHWICK** — It is your responsibility, and we will all remember what you have done for those jobs at Hazelwood. What the minister has put before the house today, what the minister is doing, is a complete diversion. It is a complete diversion because he is closing down industry, he is about to turn the lights off at Hazelwood, he has no plan for energy security in Victoria and he has no plan for soaring prices that businesses and households are all experiencing thanks to his hopeless can-do-nothing government. This government thinks that they have got a plan when it comes to the future.

*Honourable members interjecting.*

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

**Mr SOUTHWICK** — Those opposite are going to use a diversion and blame the feds for their mistakes and blame the feds for their problems. which they are taking absolutely no responsibility for.

**Business interrupted under sessional orders.**

## QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

### Member for Tarneit

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. The Parliament's Audit Committee has found the member for Tarneit only ever had an intention to live in Queenscliff; he never actually made it his home. Under both state and federal law, it is a criminal offence to claim that your electoral enrolment is where you intend to live instead of actually where you do live. Premier, is it not a fact that your Labor MP, the member for Tarneit, has broken the law as well as rorting taxpayers more than \$37 000?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. Yet again he seems somewhat confused about the role of members in this place. While it is not a pronouncement of guilt or innocence — that is a matter for others — he answered his own question in the very first words he uttered, and that is that he alleges the Audit Committee found certain things. The President in the other place, the chairman of that committee, has this morning advised that he will release that Audit Committee report — tomorrow, I believe.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Kew!

**Mr ANDREWS** — The rather confused Leader of the Opposition ought to wait until then, when we can see all of that report. That is the appropriate way that we should proceed.

### *Supplementary question*

**Mr GUY** (Leader of the Opposition) — Premier, it is also a criminal offence to lie on a statutory declaration, in this case a stat dec signed by the member for Tarneit to receive a second residence allowance. With the Audit Committee report now squarely pointing to both electoral fraud and perjury through false statutory declarations, when will you finally stop the protection racket for this crook and call in the police?

**Mr ANDREWS** (Premier) — I really do not know. I do not think that the — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Deputy Leader of the Opposition has been warned.

**Mr ANDREWS** — Thank you very much, Speaker. It would seem that the Leader of the Opposition did not listen to the answer to the substantive question, and that is that — —

*Honourable members interjecting.*

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

**Mr ANDREWS** — They can shout as much as they want, but the fact is the Audit Committee report is being tabled tomorrow. Unless the Leader of the Opposition has seen that report, then he is in no position to lecture anybody about its contents. He simply is not. The bluff and the bluster and all the noise from those opposite does not change the fact that the report has not been released, and it will be released tomorrow. That concludes my answer.

**Mr Guy** — On a point of order, Speaker, the Premier has not answered the question I asked of him, which was very clear and in relation to material that you yourself had read out to this chamber yesterday. It is not in an Audit Committee report for tomorrow. It was material that you read out yesterday. I ask you to get the Premier to have a written answer provided to this house on the question that he has failed to answer.

**The SPEAKER** — Order! The Premier has answered the question that was put to him.

### Ministers statements: Metro Tunnel

**Mr ANDREWS** (Premier) — I am very pleased to update the house on the fact that stage 1 of the Melbourne Metro project is now complete. All of the geotechnical work has been completed — 270 drill sites across the city, fully completed. We are not talking about this project; we are actually delivering it. Major construction will begin next month at City Square.

*Honourable members interjecting.*

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

**Mr ANDREWS** — That precinct will be closed off to the public for some years. That is the magnitude of the program of works that begins there in just a few weeks time. Beyond that, there will be work down along St Kilda Road proximate to the Shrine of Remembrance. There will be a range of other works

associated with this project rolled out progressively, month after month, as we deliver this project and the 4700 jobs that it represents.

The contrast between those who talked about infrastructure, those who talked about a plan to deliver a better public transport system, those who had four years and did nothing — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The house will come to order. The member for Eltham and the member for Macedon are warned.

**Mr ANDREWS** — That is 4700 jobs so that tens of thousands of extra Victorians can get to and from work in the morning and the evening using a world-class public transport system — 4700 jobs, work starts next month. We will get on and build it. While others keep talking about it, we will deliver this project and all the benefits that it stands for, because we get on with what we said we would do — delivering and putting people first.

### Member for Melton

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. The Audit Committee yesterday reported to this Parliament that the member for Melton's arrangement for his second residence allowance:

... may be construed as non-prudent, non-arm's length, potentially non-commercial (low 'rent'), and arguably opportunistic, designed to ensure continued enjoyment of the second residence allowance.

Premier, why are you protecting this man? Why will you not move to sack this rorting MP from this Parliament?

*Honourable members interjecting.*

**The SPEAKER** — Order! The members for Kew and Footscray are warned.

**Mr ANDREWS** (Premier) — I again direct the Leader of the Opposition to my earlier answer. The President in the other place has made it clear that the Audit Committee report will be provided tomorrow. The Leader of the Opposition, despite stamping his foot and getting all angry — —

*Honourable members interjecting.*

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

**Mr Guy** — On a point of order, Speaker, on relevance, it was a very simple question to the Premier: why is he protecting the member for Melton, and why will he not sack him from the Parliament? It is a simple question that he is not answering.

**Ms Allan** — On the point of order, Speaker, in his question the Leader of the Opposition referenced very clearly, for all of us to hear, that he was referring to the Audit Committee report. The Premier is providing information that therefore makes it relevant to the question that he was asked.

**The SPEAKER** — Order! The question did refer to the Audit Committee report, and I rule that the Premier was relevant to the question asked.

**Mr ANDREWS** — I reject each of the angry, ranting allegations of the Leader of the Opposition — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

### SUSPENSION OF MEMBER

#### Member for Warrandyte

**The SPEAKER** — Order! The member for Warrandyte will leave the chamber for 1 hour under standing order 124.

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

### QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

#### Member for Melton

**Questions and statements resumed.**

**Mr ANDREWS** (Premier) — The member for Warrandyte will be missed by all of us, I am sure — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I warn members that I will remove them from the chamber if they continue to shout across the chamber. The Premier.

**Mr ANDREWS** — I reject each of the assertions and claims made by the Leader of the Opposition in his angry little question, and I — —

**An honourable member** interjected.

**Mr ANDREWS** — Yes, that is right — an angry rant. I would again just refer him to the facts that he ought to keep — —

**Mr Gidley** — On a point of order, Speaker, the Premier is clearly debating the question. If the Premier hears no wrong, sees no wrong and says there is no wrong from his own paid-up Labor Party members, he should just sit down and stop wasting the Parliament's time.

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

**Mr ANDREWS** — Thank you for clearing that up — —

*Honourable members interjecting.*

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

**Mr ANDREWS** — The Leader of the Opposition has put forward a number of assertions and allegations. I reject those. That is the first point: I reject those. Secondly, I would remind him — —

**Mr T. Smith** interjected.

**Questions and statements interrupted.**

### SUSPENSION OF MEMBER

#### Member for Kew

**The SPEAKER** — Order! The member for Kew has been warned. He can leave the chamber for a period of 1 hour.

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

### QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

#### Member for Melton

**Questions and statements resumed.**

**Mr Guy** — On a point of order, Speaker, by way of relevance, the Premier says I have put forward a number of assertions. The only assertions in my question were assertions that you put into *Hansard* yesterday. My question is: why are you protecting this man? Why will you not remove him from the Parliament? There is no assertion in that. The Premier is casting aspersions on you, Speaker.

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

**Mr ANDREWS** (Premier) — The Audit Committee report will be provided tomorrow, and the Leader of the Opposition ought to simply wait for that report instead of pretending that he has read the report. Each of the assertions he has made about me in the question I reject outright.

**Mr Hodgett** — On a point of order, Speaker, I renew the Leader of the Opposition's point of order. He quoted from the Audit Committee report that you read in yesterday, and he asked a question about why the Premier is running a protective racket and why he will not sack this member. The Premier is debating that, and I would ask you to bring him back to answering a very simple question to a very simple man.

**Ms Allan** — It's very rude to speak of your Leader of the Opposition like that.

**The SPEAKER** — Order! On the point of order.

**Ms Allan** — Have you already ruled on the point of order, Speaker?

**The SPEAKER** — Order! No, I have not.

**Ms Allan** — On the point of order, Speaker, the Deputy Leader of the Liberal Party has in his point of order made it very clear why that point of order should be ruled out of order. He referenced the Audit Committee report that the Leader of the Opposition started his question with — —

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Ms Allan** — I appreciate there is some revisionism going on by those opposite. The question clearly started with a statement about the Audit Committee report. The Premier is addressing that matter, and he is entirely relevant to the question that was asked.

**The SPEAKER** — Order! The question did start with reference to the Audit Committee, and I think the Premier is therefore being relevant to the question that was asked. The Premier has concluded his answer.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — With the roting member for Melton claiming a \$37 000-a-year second residence allowance for a caravan on which he paid a maximum \$5200 a year and which clearly was not his true home, Premier, this is clearly a case of gaining

financial advantage by deception at taxpayers' expense. Premier, why will you not use your numbers in this house to force the member to pay the money back?

**Mr ANDREWS** (Premier) — The Leader of the Opposition ought to be well aware that Victoria Police are in fact looking at this matter, and it is totally inappropriate for me or anybody else to be commenting or acting ahead of that. That should be allowed to run its course without fear or favour. That is the appropriate way to go, and in relation to the findings of the audit report, we will simply wait for that audit report to be tabled tomorrow, as should the Leader of the Opposition.

### Ministers statements: Metro Tunnel

**Ms ALLAN** (Minister for Public Transport) — I am delighted to add further information to the house following the Premier's comment about how the Metro Tunnel project, that \$10.9 billion, 5000-job creating project, is about to get started next month. This morning the Premier and I were inspecting soil samples from the geotechnical investigations that have been underway. These soil samples included rocks that were up to 400 million years old. And if it were up to those opposite, this is a project that would have to wait another 400 million years before we would see it get underway. This geotech work is really important to understand the ground conditions along the alignment of this project. The only geotech work those opposite took on this project was to bury this project, and we have brought this project back to life and are getting started from next month. Speaker, I put to you, who in this Parliament would try to use this place to block this project?

*Honourable members interjecting.*

**The SPEAKER** — Order! Members on my right! The member for Clarinda will come to order.

**Mr Clark** — On a point of order, Speaker, the minister is now moving from advising the house to debating an issue. I ask you to bring her back to compliance with sessional orders.

**The SPEAKER** — Order! I draw the minister back to making a ministers statement.

**Ms ALLAN** — This is an absolutely vital project. We have seen in recent months attempts from both Liberals in Melbourne and Liberals in Canberra to try to block and stop this project: using Heritage Victoria to block the project, using court action to try to stop this project. The opposition has been trying to team up with its Liberal mates in Canberra. They are not content to dud us on our infrastructure funding, where we only receive 7 per cent of infrastructure funding from the

federal government, they are trying to stop the metro project once again. We resoundingly reject this approach. Thankfully for Victoria, this is a project that is going to be well underway from next month, forever delivering improved public transport services.

**Member for Tarneit**

**Mr GUY** (Leader of the Opposition) — My question is again to the Premier. Premier, if you are refusing to sack Labor MP the member for Tarneit or refer him to Victoria Police despite his epic rorting of the second residence allowance, will you guarantee to the constituents of Tarneit that the member will return to this Parliament and will not leave the country to avoid any potential criminal investigation?

**Mr ANDREWS** (Premier) — I would simply refer the Leader of the Opposition to the statements that the member for Tarneit has made about his hard work and support for his local community. I would expect that he will continue to do that work and continue to work — —

*Honourable members interjecting.*

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

**Mr ANDREWS** — You referred to ‘Mr Linguine’ yesterday, so your accuracy is not your highpoint. I would expect that the member for Tarneit, like all members in this place, would work hard for his community and be focused on that completely. As it stands, he is on medical leave and, as I am told, has provided the relevant documentation to support that, so do your best asking these questions — —

**Mr Pesutto** interjected.

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Hawthorn**

**The SPEAKER** — Order! The member for Hawthorn will leave the chamber for 1 hour for consistently interjecting and shouting across the chamber.

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

**QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

**Member for Tarneit**

**Questions and statements resumed.**

**Mr ANDREWS** (Premier) — The Leader of the Opposition can do his best asking these questions about someone who is on medical leave, with a medical certificate I might add. But my expectation, not just of the member for Tarneit but of every single one of us, is that we work hard every day for our local communities. That is what I think the member for Tarneit will continue to do, and that is what I would encourage him to do.

*Honourable members interjecting.*

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

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — The rorting Labor MP, the member for Tarneit, told the media that he ceased claiming the second residence allowance in November 2016, yet the Audit Committee report brief to this Parliament yesterday reported that he ceased claiming it in February this year. Can you confirm that the one and only reason that the member for Tarneit stopped claiming the second residence allowance is not because his circumstances changed but because he was caught out rorting the taxpayer?

**Mr ANDREWS** (Premier) — No, I cannot confirm that. No is the answer.

**Ministers statements: employment**

**Mr PALLAS** (Treasurer) — I rise to update the house on the ongoing strength of the Victorian labour market. Last week the Australian Bureau of Statistics confirmed that the Andrews government had created over 200 000 jobs since being elected.

Of those, 117 000 are full-time positions, in contrast with those opposite who created just 15 000 full-time jobs, and they did that during four years of mediocrity.

*Honourable members interjecting.*

**The SPEAKER** — Order! The shouting across the chamber will cease. I will not hesitate to remove members from the chamber without warning.

**Mr PALLAS** — Part-time jobs of course were a speciality of the previous government. They liked them

so much, they made the cabinet and the Premier part time. Recently, of course, we have also seen the ANZ Stateometer, which when released confirmed that Victoria is the only jurisdiction in the nation that is growing above trend and is accelerating.

*Honourable members interjecting.*

**Questions and statements interrupted.**

## SUSPENSION OF MEMBER

### Member for Ripon

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

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

## QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

### Ministers statements: employment

**Questions and statements resumed.**

**Mr PALLAS** (Treasurer) — We have created more jobs over the last year than the rest of the country combined. Even today, the Premier and the Minister for Public Transport were out announcing the imminent start of works on Melbourne Metro, which will accompany of course a public transport construction blitz right across Victoria.

Those opposite will be pleased to know that we have now delivered on their election commitment of 200 000 jobs. But we have done better than that: we did not do it in five years, like they promised, we have done it in two years. However, we have not yet been able to beat their other comment, their other commitment — to train a billion Victorians — but we have managed to reverse insidious cuts to TAFE.

### Duck season

**Mr HIBBINS** (Pahran) — My question is to the Premier. In the opening weekend of duck shooting season numerous threatened species, protected ducks and other waterbirds were killed, many of which were displayed outside your office. Premier, will you make this year's duck season the last ever in Victoria?

**Mr ANDREWS** (Premier) — Thanks very much, the member for Pahran. I thought he was not yet concluded his — —

*Honourable members interjecting.*

**Mr ANDREWS** — The member for Pahran has asked a serious question, and I would have thought the member for Malvern would at least allow him to listen to the answer if he is not interested in it.

I thank the member for Pahran for his question, and I would simply say to him that I know there are very strong views on this issue. There are some people for whom duck shooting is something that they involve themselves in; it is a big part of their life. Others are not so much interested in it; it is not something that they do. But we were very, very clear — I was very clear on behalf of our alternative government, and since the election of the government I have been very clear that we have no intention to change the longstanding practice in relation to a duck season based on the best advice and based on clearly understood rules.

As I said, I know that there are strong views on this, but I have been very clear that we have no intention to change those arrangements, and we will not be changing those arrangements, whether it be duck shooting or recreational shooting — hunting — in a broader context — —

*Honourable members interjecting.*

**The SPEAKER** — Order!

**Mr ANDREWS** — Well, in a broader context. It seems of no interest to those opposite that in a broader context supports many regional communities very strongly with economic activity and development and employment. That is not to diminish the views that others have on this sport, this legitimate recreational activity.

However, if the member for Pahran wants to draw to my attention any specific examples where he does not think the rules have been followed, I am happy to pass those on to the relevant minister and agency, and they can be followed up. But my views on this have been very clear, and they will remain clear: we have no intention of changing well-established practices that allow for duck shooting in our community.

### *Supplementary question*

**Mr HIBBINS** (Pahran) — Premier, given that there were a number of threatened species killed over last weekend means the rules are not being followed, and the abundance of waterbirds is the lowest on record — that is coming from the Game Management Authority itself. I am happy to furnish members with that particular document. What is the government going to

do now to prevent the further carnage that we saw over the weekend? What is the government going to do to prevent that occurring for the rest of the season?

**Mr ANDREWS** (Premier) — I thank the member for Prahran for his supplementary question. I would just draw him back to the fact of the matter, and that is that there is a proper process that makes judgements about conditions — seasonal conditions — and makes recommendations to the government about the type of season, bag limits, those sorts of issues. That is an appropriate set of arrangements.

If there are specific examples the member for Prahran wants to draw to my attention, and through me to the relevant minister where he does not think the rules have been followed, does not think the determinations have been given effect to properly on the ground, as it were, then he can provide that information to me, and I am more than happy to pass it on to the relevant minister.

I can again say — which was essentially my answer to the first question — I know people feel strongly about this, but as strongly as they feel, I am absolutely clear about what our government's intentions are, and there will not be any changes to these arrangements.

### Ministers statements: youth employment

**Mr NOONAN** (Minister for Industry and Employment) — Today I am very pleased to inform the house about how our record investment in infrastructure is creating new opportunities for young people to learn a trade and acquire new skills. I am very proud to inform the house today that more than 740 opportunities for apprentices, trainees and cadets have been created in just the first 12 months of the new Major Projects Skills Guarantee. This was an election commitment, and I am proud we are getting on with it, because what we are doing is creating opportunities for young people to get the work experience and set them up for a successful career in the future.

Last week I had the great pleasure, with the member for Oakleigh and the Minister for Training and Skills, to visit the Carnegie level crossing removal project. In fact when we were there we met some great young people, and among them was a young Aboriginal apprentice who was thrilled to have an opportunity to work on this level crossing removal project.

In all, the guarantee has been applied to 15 major projects, with a combined value of more than \$5 billion, and there are many, many more projects to come — infrastructure such as the Melbourne Metro project, the rest of the level crossings and countless school projects

as well. If you just look at the Caulfield to Dandenong line, there are 233 new opportunities for apprentices, trainees and cadets, and the Melbourne Metro project — more than 1000 trainees, apprentices and cadets will get a start on that particular project over the life of it.

What we will not do is we will not cut TAFE. We will not waste four years doing nothing. We will not waste four years doing nothing with no jobs program because we are proud to be providing opportunities for young people.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Burwood has been warned, and the member for Hastings is warned.

### Latrobe Valley employment

**Mr NORTHE** (Morwell) — My question is to the Minister for Industry and Employment — or as the Latrobe Valley knows him, the Minister for Unemployment, given unemployment has risen by more than — —

**The SPEAKER** — Order! I will ask the member to start his question again, referring to ministers by their correct title.

**Mr NORTHE** — My question is to the Minister for Industry and Employment. Given unemployment has risen by more than 50 per cent in two years in the Latrobe Valley, how many of Hazelwood's 750 workers and contractors will be unemployed on Saturday 1 April because you have failed to create for them the new jobs that you promised you would create?

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister for environment and members on my left will come to order.

**Mr NOONAN** (Minister for Industry and Employment) — I thank the member for his question. The one thing we will not do on this side is talk down his area. We will not talk down his area.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Gippsland South and the member for Gippsland East are warned.

**Mr NOONAN** — Let me put some facts into this question. Over the last 12 months there have been

7300 additional jobs created in the Latrobe, Gippsland region — 7300.

*Honourable members interjecting.*

**Mr Northe** — On a point of order, Speaker, in terms of relevance, the minister is — —

*Honourable members interjecting.*

**Mr Northe** — My question related to the Latrobe Valley and employment in the Latrobe Valley and the jobs that are going to be lost within the Latrobe Valley. People in the gallery who are here today from Heyfield and the Latrobe Valley do not want to hear generic figures. We want to know what is happening within the Latrobe Valley community.

**Ms Allan** — On the point of order, Speaker, the question related to employment, unemployment, jobs and job creation in the Latrobe Valley — —

*Honourable members interjecting.*

**Ms Allan** — That is what I was about to say, rocket scientists.

*Honourable members interjecting.*

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

**Ms Allan** — I was about to say, in the Latrobe Valley area, the minister in his introductory comments has gone exactly to those points. So I would suggest that rather than the grandstanding we are seeing from the National Party, the minister should be allowed to answer his question in a way that the chamber — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition will come to order. Order! The Leader of the Opposition.

**Ms Allan** — The minister should be allowed to answer a question in such a way that the house can hear the answer. If the member was genuine about the question, he would be genuine about hearing the answer from the minister.

**Mr Walsh** — Further on the point of order, Speaker, the leader of government business is trying to rewrite history in her — —

*Honourable members interjecting.*

**Mr Walsh** — You are. The question was very, very clear. It was about how many of the 750 workers who will lose their job at Hazelwood will actually be unemployed after the end of this week.

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Essendon is warned. The question referenced unemployment in the Latrobe Valley. I note the minister has some 2 minutes and 18 seconds left for his response. I ask him to come back to answering the question.

**Mr NOONAN** — Contrast 7300 additional jobs in the last 12 months with the 5500 jobs over four years under the previous government right across all of regional Victoria. Over the last 12 months more jobs were created in Gippsland and the Latrobe Valley than the previous government created across all of regional Victoria. They are the facts — over four years.

Let me talk about one very, very important initiative that this government has been focused on since the closure of Hazelwood, and that is the worker transition scheme. Many said it could never be done, but this government showed leadership. We engaged Simon Crean very early to have conversations between the unions — which the opposition would never do; it would never have conversations with the union — the Hazelwood workers and the other energy operators in the Latrobe Valley. I was very proud to stand with the Premier not two weeks ago — —

**Mr Northe** — On a point of order, Speaker, in terms of relevance, my question specifically asked how many new jobs there would be for the 750 Hazelwood workers and contractors on 1 April. The minister is failing to address the question as asked at all, and I ask you to bring him back to answering the question.

**Ms Allan** — On the point of order, Speaker, I ask you to rule the point of order out of order. I appreciate that the member for Morwell may not have been able to hear the minister's answer because of the noise coming from those opposite; however, the minister was very clearly outlining to the house a range of initiatives that have been put in place in recent months, including an announcement as recently as a week ago about supporting the workforce at Hazelwood through this period of time. If the member was genuine in his issue, he would be allowing the minister to continue to provide this important information to the house in silence.

**The SPEAKER** — Order! The minister was relevant to the question asked.

**Mr NOONAN** — This was an Australian first, the worker transfer scheme, and it was welcomed by the member for Morwell. We welcomed that good response. It was actually quoted in the *Latrobe Valley Express*. We welcomed it. What this will see is around 150 workers displaced from Hazelwood being able to transfer to Loy Yang A through an agreement with AGL. We also announced on that same day an in-principle agreement with Engie to see workers transferred to Loy Yang B. We continue to have very constructive conversations with the operator of Yallourn, EnergyAustralia, to see more of those workers and contractors able to transfer, stay in the Latrobe Valley, raise their families and continue to apply their skills in the energy and mining sector.

On that same day we had the Premier and the Minister for Sport out there announcing an unprecedented investment of \$85 million to create 575 jobs in this member's community, so I would urge the member to stop talking down his area.

*Supplementary question*

**Mr NORTHE** (Morwell) — Minister, last week your Premier promised to buy and operate a sawmill. Will you tell members of the Latrobe Valley community in the gallery today and hundreds of workers and contractors who are losing their jobs whether you have any plans to buy a power station as well?

**Mr NOONAN** (Minister for Industry and Employment) — I thank the member for the question. The response to the question is simply this: Engie have not got this power station even on the market to buy. The power company Engie have made it very clear — —

**Mr Northe** — On a point of order, Speaker, I think the minister may be misleading the house. At an Engie community forum last week it was very clear that Engie executives said that they were happy to engage with any prospective buyer of the power station. In addition, Australian Sustainable Hardwoods at Heyfield was not for sale either.

**The SPEAKER** — Order! I do not know that that is a point of order.

**Mr NOONAN** — What Engie have said publicly is that they have explored all options, including the one of a staged closure. They have explored that as an option, and they have ruled all of those out. Our government has engaged with this company in relation to all options. The reality is that it will close, and this government will not turn its back on those people like

those who were previously in government and who walked away — —

*Honourable members interjecting.*

**The SPEAKER** — Order! It is impossible to hear the answer of the minister with people shouting across the chamber.

**Mr NOONAN** — We will not abandon this community like those opposite did during the fire.

**Ministers statements: anti-racism action plan**

**Mr SCOTT** (Minister for Multicultural Affairs) — I rise to inform the house of action the Victorian government is taking to combat racism in the community. Our diversity comes with challenges. How we choose to respond to these challenges defines us as a community. Making it easier for people to be racist or to be bigots will not help solve these problems. That is why the Andrews government is implementing a \$1 million anti-racism action plan to tackle racism, particularly anti-Semitism and Islamophobia, empowering Victorians to respond to racism as they see it, developing a curriculum to teach kids that discrimination is never okay and working with public transport providers to reduce racism on public transport.

This action plan will respond in part to the climate that is being created, which is a social licence to increase racism in our community. The federal government, by proposing to change section 18C of the Racial Discrimination Act 1975, is giving social licence and in fact legal licence to greater racism. This plan will directly respond to that.

**Mr Clark** — On a point of order, Speaker, on a topic such as this in particular it is important that the minister not engage in debating the issue. He should proceed to provide information to the house relevant to his portfolio but not to — —

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBER**

**Member for Footscray**

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

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

**QUESTIONS WITHOUT NOTICE and  
MINISTERS STATEMENTS**

**Ministers statements: anti-racism action plan**

**Questions and statements resumed.**

**Mr Clark** — On the point of order, Speaker, the member should not debate and should not make false assertions against other parties. He should confine his remarks to providing information to the house on this important issue.

**Ms Allan** — On the point of order, Speaker, the minister is the Minister for Multicultural Affairs, and under sessional order 5 ministers are able to make statements to the house about matters related to their portfolio. Given the public policy issue that is presented by this very serious debate affects not just the federal sphere but also the state sphere and goes to questions of leadership across all levels of government, I would have thought that this would have been a matter that the minister should be allowed to continue, given the serious nature of the public policy debate that we need to have.

**The SPEAKER** — Order! There is no point of order, but I do ask the minister to refrain from politically attacking the federal government. Certainly discussion of the policy issues is allowed.

**Mr SCOTT** — Supporting multicultural communities means responding to racism, which means responding to the context in which racism is given social and legal licence in the community. Making it easier to be a racist does not assist Victorian multicultural communities. I note there is a strong tradition in this house of bipartisan support both for multiculturalism and for opposing racism. I note also that the former Minister for Multicultural Affairs and Citizenship, now Leader of the Opposition, had previously spoken out against changes to laws which encourage racism. This goes to the very heart of this public policy initiative.

I would ask all members in this house to have the courage to stand up to racism, to have the courage to stand by policies which respond to racism and to have the courage to stand up to other political actors who would speak out in favour of racism. We must all have the courage of our commitments, and I note the Leader of the Opposition's silence is deafening on this issue.

**CONSTITUENCY QUESTIONS**

**Mr Northe** — On a point of order, Speaker, I bring to your attention the failure by the Premier to answer a constituency question and questions on notice 12 190 and 12 191. These questions on notice were submitted to the Premier on 7 February, and he has failed to answer them in the time frame required by standing orders. These are very pertinent not only to me but they are being asked on behalf of community members and workers in relation to the closure of Hazelwood power station and how they will be supported ongoing. They also refer to the government's actions going forward in terms of energy security and supply in this state but more importantly around jobs in our community. It is incumbent on the Premier to answer those questions urgently given what we have just heard in question time today. It is a kick in the face, I think, to the many workers, contractors and community members that the Premier himself, as the leader of this state, has failed to answer those questions in the time frame allowed.

**The SPEAKER** — Order! I will follow that matter up.

**Nepean electorate**

**Mr DIXON** (Nepean) — (12 465) My constituency question is for the Minister for Water. Minister, why are you permitting Melbourne Water to apply to rezone public land in Rosebud which has previously been offered free to community groups under the 'Our Space. Your Place.' program? The land in question is the Herman Street area of Rosebud. Local residents only want part, not all, of the land to be retained for public open space. They are happy for the rest to be rezoned. This is an acceptable compromise, I feel, and I support the locals' concern, which has been expressed in the many signatures on petitions tabled over the last two sitting weeks.

**Macedon electorate**

**Ms THOMAS** (Macedon) — (12 466) My question is to the Treasurer. Treasurer, how will the Victorian Homes for Victorians package assist first home buyers in my electorate? I am particularly interested in the \$50 million pilot scheme, HomesVic, which will target first home buyers who are able to meet regular mortgage repayments but because of rising rental costs have not been able to save a big enough deposit. Across my electorate the highest median wage is \$48 559, while the median home price is \$473 000 in Kyneton and \$657 000 in Gisborne. As the Treasurer understands, getting a deposit together on an income under \$50 000 is a big ask, so I am

interested if this very innovative initiative can assist members of my community.

I take this opportunity to congratulate the Treasurer, the Minister for Housing, Disability and Ageing, the Minister for Planning and the Minister for Consumer Affairs, Gaming and Liquor Regulation on the work they have done producing this outstanding, nation-leading package. Only a Labor government can be relied upon to put people first.

### **Morwell electorate**

**Mr NORTHE** (Morwell) — (12 467) My constituency question is to the Premier on behalf of Nick from Traralgon, and I hope he answers this in a more appropriate time frame. Premier, what is the latest information with respect to helping Nick and hundreds of others find new employment, given the closure of Hazelwood power station in nine days time? Nick works for contractor Fluor Global Services Australia, which provides its services to Hazelwood power station. Nick has articulated his concerns about Hazelwood closing and the impact it will have upon him and his family, including having to relocate as jobs disappear in the Latrobe Valley, the financial stresses they will experience and the uncertain future he and his family face.

Nick's story is, unfortunately, not uncommon right now. Here is a quote from Nick in his email to you and me, Premier:

We want to be able to work in our trades and provide for our families. I sound like I'm begging, well, we are all desperate. Please give us jobs.

Premier, what is the latest information you can provide to help the likes of Nick in the Latrobe Valley?

### **Broadmeadows electorate**

**Mr McGUIRE** (Broadmeadows) — (12 468) My constituency question is to the Attorney-General. The Broadmeadows Community Legal Service has dealt with about 2000 victims and survivors of family violence annually. It has recently amalgamated with the Moreland Community Legal Centre, forming the Northern Community Legal Centre. I thank the Attorney-General for launching this important local collaboration. My question is: what funding from the Victorian government will be made available to the Northern Community Legal Centre, given that commonwealth funding for Victorian community legal centres will be cut by almost 30 per cent from 2017–18 and beyond, unfortunately leaving the

Northern Community Legal Centre seeking new sources of funding?

### **South Barwon electorate**

**Mr KATOS** (South Barwon) — (12 469) Yesterday in question time the Minister for Police in a ministers statement said:

... we have 406 frontline police about to come out of the academy ...

My constituency question is for the Minister for Police, and it is: how many of these 406 new frontline police will be allocated to the Waurin Ponds and Torquay police stations? The minister cut the hours at Waurin Ponds station from 16 hours a week to 8 hours per week. Torquay has seen a huge growth in population and has not had any additional police. This is the number one issue that people are contacting my office and me about. The member for Bellarine, the minister, was quite happy to allocate 15 police to her own electorate and usurp the chief commissioner. I do not want to hear excuses that it is up to the chief commissioner, because the minister when she wants to allocates police to her own electorate. So how many police will be allocated to the Waurin Ponds and Torquay police stations?

### **Yuroke electorate**

**Ms SPENCE** (Yuroke) — (12 470) My constituency question is to the Minister for Education, and I ask: how can local schools in the Yuroke electorate take advantage of the Inclusive Schools Fund? We know the benefits of making schools more accessible and welcoming to students who have special needs or a disability and their families. It helps all people reach their full potential and meaningfully contribute to their community. I am pleased, for example, that Aaron Rye, who I was delighted to write to the minister about earlier this year, is adjusting to the Jacana School for Autism well and is making his mother, Jodie, extremely proud. Through this terrific program I know local schools can improve their facilities to make them more inclusive, and I look forward to an update from the minister.

### **Shepparton electorate**

**Ms SHEED** (Shepparton) — (12 471) My question is for the Minister for Health. Several of my constituents, including medical practitioners, have raised concerns regarding childhood vaccinations. It has been brought to my attention that there is a problem associated with recording vaccinations in circumstances where parents present with their child prior to the child

reaching exactly six weeks of age. Apparently the computer system will not register any child under that age, and accordingly parents are either vaccinating at that stage without the benefit of registration or being sent away to return at a later time. I am particularly concerned that this will impact on our less advantaged families, and it may have the effect of some babies not having the opportunity to be immunised. Is the minister aware of this anomaly, and what steps can be taken to remedy it?

### St Albans electorate

**Ms SULEYMAN** (St Albans) — (12 472) My constituency question is for the Minister for Public Transport. Many residents and motorists in my electorate have raised concerns about waiting times at the level crossing at Fitzgerald Road and Forrest Street in Sunshine while the boom gates are down. This level crossing causes major congestion and delays due to the configuration of the traffic lights and the boom gates. What is the government doing to address the concerns of motorists and residents in relation to the waiting times at Fitzgerald Road and Forrest Street in Sunshine?

### South-West Coast electorate

**Ms BRITNELL** (South-West Coast) — (12 473) My constituency question is to the Minister for Health. Minister, what is the latest information on the second-stage redevelopment of the Warrnambool Base Hospital? Over the past few weeks there have been funding allocations from the Regional Health Infrastructure Fund for planning works at regional hospitals across the state, but there is still nothing for Warrnambool, the largest hospital in the south-west area.

As the minister knows, having finally visited two years after taking the job, the Warrnambool Base Hospital's emergency department and operating theatres are cramped and not up to standard for the growing population they now serve and the ever-increasing demand they are under. The theatre has not been expanded since the 1980s when I worked there as a nurse, and since then the regional population and demand has increased year on year. It is imperative that money be made available immediately to begin planning and that the full project be included in this year's budget so that the fabulous and hardworking doctors and nurses can do their daily work without constraints and the people of Warrnambool and South-West Coast can have the necessary health facilities without delay.

### Dandenong electorate

**Ms WILLIAMS** (Dandenong) — (12 474) My constituency question is to the Minister for Multicultural Affairs, and I ask: what is the government doing to strengthen multiculturalism in Victoria through funding and support that assists multicultural groups to host events in our community that celebrate our cultural diversity? This week is Cultural Diversity Week — an opportunity to celebrate our rich multicultural fabric here in Victoria.

Dandenong is the most multicultural area in the state. We have a strong, year-round calendar of multicultural events, and these events are important in promoting harmony and inclusion. We are also home to many wonderful cultural precincts that, along with our many local festivals, allow Victorians from all backgrounds to embrace and celebrate the cultures of our neighbours, be it through food, music, the arts or entertainment. While the federal government, supported by the state opposition, is pointedly using Cultural Diversity Week to water down race hate laws, it is vital that the state government continues to embrace multiculturalism and support the many cultural communities that contribute to the lifestyle we enjoy here in the great state of Victoria.

## NATURAL GAS RESOURCES

### Debate resumed.

**Mr SOUTHWICK** (Caulfield) — Returning to the motion before us, the Minister for Resources claims that the Prime Minister is not respecting Victoria's prohibition on unconventional gas and the moratorium on onshore conventional gas. He is making claims about Victoria's gas resources and requesting that the commonwealth join in funding some geoscientific consultative work on conventional gas. This motion that we have before us really just ties all of the issues into one and clearly demonstrates that the minister is not across his portfolio when it comes to this. He is mixing up conventional and unconventional gas. He is trying to overlay fracking as a scare tactic here, but at the same time he is having a bob each way — talking about some scientific work being done on conventional exploration but then reversing back and saying in relation to conventional exploration, 'There is none there so why should we be doing it?'

**Mr Noonan** — It is unknown.

**Mr SOUTHWICK** — The minister is stating that it is unknown. Let me point the minister to the contribution he made yesterday in his ministers statement. In his ministers statement the minister said:

Yet some politicians in Canberra seem absolutely convinced that there is a mythical gas supply in Victoria that can be extracted through any means. Let us be clear. Following more than 60 years of commercial exploration, there are currently no proved or probable reserves of onshore gas in Victoria — that is, no proved or probable reserves of onshore gas in Victoria.

I am not sure whether the minister is Nostradamus in terms of what he knows is there or is not there, but as to the fact that he says that there is probably nothing there — so what have we got to worry about or why should we be doing it in the first place? — quite frankly, it is not up to the minister to make that decision, I would think. If industry is willing to put up its hard-earned cash to look and explore and to do that within the rules, to ultimately ensure that we have a supply that all Victorians can benefit from, then I think that is something the minister should be standing up for, not saying that according to him he does not think there is anything there so let us not worry about it.

The Nostradamus element of this minister in this government to intervene and say, 'Don't worry about it. We don't need to do this, but we need to do that', to pick winners at every site and to not let the market operate is why we are in the energy crisis we are in here in Victoria, and it is the Minister for Resources who is to blame, fairly and squarely, along with the Minister for Energy, Environment and Climate Change — and they know it. They are taking us down this path of destruction. What they want to do is lay the blame with the Feds. They know they are responsible for exploration, and they know they are responsible for Hazelwood and the closure of Hazelwood. They know they are.

If they were serious about this, they would take the responsibility and they would not refer down and say, 'You know, there's nothing there, so let's not worry about it'. We know that this minister has never invested in the free market himself and taken risk, so therefore he wants to slam down everybody else who wants to have a go. He wants to slam everybody down. The minister just has to listen to the industry which he claims to represent. He just has to listen to the industry. The Business Council of Australia chief executive, Jennifer Westacott, has said the ban is a dead weight on economic growth and energy security while making the clean energy transition riskier and more expensive. Ms Westacott said:

To completely restrict access to viable and safe energy sources, especially in a state that is so dependent on manufacturing, will inevitably lead to higher prices for householders, and for Victorian businesses ...

That is the Business Council of Australia. The minister claims to be the minister for industry. Well, he is not representing those people.

We have had comments from the Qenos chief executive, Jonathan Clancy, who said that the ban on onshore gas exacerbated the supply problems already arising due to the growth of the LNG industry in Queensland and the lack of investment — —

**Mr Noonan** — That includes fracking, member for Caulfield.

**Mr SOUTHWICK** — No, it does not include fracking. That is the problem that this minister has: every time we talk about gas, he has to overlay it with fracking. We are talking about onshore conventional gas, which you have a problem with. On one bid — you want to have a bob each way — you will say, 'We'll do some more scientific research', but at other times you say you want to legislate this moratorium until 2020.

**Mr Noonan** — You supported the moratorium until four weeks ago. Why did you flip your position in four weeks?

**Mr SOUTHWICK** — Well, listen to the industry. We have an energy crisis in Victoria, and you are to blame. Fairly and squarely, you are to blame.

The Australian Pipelines and Gas Association chief executive, Cheryl Cartwright, said the government had undermined its own authority as a participant in the east coast gas market reform. She said:

Quite clearly, now that it has abrogated its responsibilities to the east coast gas market, the Victorian government should ... withdraw from further policy discussion ...

Its opinion has no credibility —

this minister particularly —

when it comes to policies that might address the demand-supply imbalance of gas on the east coast.

This minister — this is economics 101 — said it has got nothing to do with supply. He just got up here 10 minutes ago and said that it has got nothing to do with supply. Let us just look at the fundamentals of economics. If we have got more supply in the market, we have got more opportunity to do it. The minister had every opportunity to support the amendments that we put forward in the upper house. His government had every opportunity to vote for our amendments.

What did our amendments include in the upper house? Number one was about local gas for local markets, so any exploration of onshore gas in Victoria

conventionally — not fracked, conventionally, because this side of the house has not ever fracked in Victoria. You, the Labor Party, have issued 23 fracking licences. You are the ones that have fracked, not us. You are the ones that have done it, not us. So do not mix it up, Minister. But when it comes to conventional gas, we put some options to you and you did not take them up. That shows you have got no interest at all in industry — none whatsoever.

This minister claimed to stand up for farmers. He went through a long talk about how he is standing up for farmers. In the upper house we gave a right of veto to farmers, for farmers to stand up and say, 'You know what? If we don't think this is right, we will say no'. Where were you on that, Minister? You were a long way behind. You are, again, all talk and no action, Minister. You could have stood up for farmers. But did you stand up for farmers? No, you did not. The right of veto was one of the amendments we put up in the upper house, and the right of veto was something that you did not vote for.

**Mr Noonan** interjected.

**Mr SOUTHWICK** — You had every opportunity, Minister, and you did not take that up.

Clearly what we see here is a diversion tactic by this government. We have an energy crisis in this state. We have Hazelwood about to close in nine days time, and what is this government doing? Nothing whatsoever. All they are doing is referring off to the Feds and saying, 'You know what? It's a Feds problem. Let's have a fight with the Feds'. It is time that we had some leadership from this government on this, not the government telling us whether there is gas or there is not gas there, not telling us to say, 'You know what, there's probably no gas there. Nothing to be seen here. Let's not explore'. No, we do not need that. We do not need government intervention to tell us whether there is or there is not gas there.

Again the minister just made stuff up when he talked about what Peter Reith said.

**Mr Noonan** — What did Peter Reith say?

**Mr SOUTHWICK** — In your statement, Peter Reith said:

The commercial potential of onshore gas is currently unknown ...

**Mr Noonan** — It is unknown.

**Mr SOUTHWICK** — Correct. But he did not say that there is none there. You said there is none there. So

you have taken from something that is unknown, where we need to explore, to write off the case, 'There's none there, so let's not do anything'. It is an absolute joke.

If there was none there, why has this government got a case before it from Lakes Oil? Lakes Oil has a \$2.7 billion damages claim over the state ban on onshore gas exploration. If there is no onshore gas there, then why is Lakes Oil suing you? You have told us there is no gas. Shell Australia's managing director Andrew Smith said:

In particular, Victorian businesses will pay more for gas, and jobs will be lost, because the government has banned gas exploration without any scientific basis.

Victoria's ban crosses conventional gas exploration. Again Lakes Oil has turned around and said, 'Well, we believe that there is some stuff there. We want to be able to explore conventionally and not frack'.

**Mr Noonan** — We believe.

**Mr SOUTHWICK** — Again, the minister says, 'We believe'. Is that not up to the free market to decide? Is it not up to them to invest their money, take the risk and take the reward? That is how the free market operates. I would have thought that in this day and age the Labor Party would have moved somewhat from the Socialist Left that they have been and turned around to say, 'If we've got a free market, let's let it operate'. But we know this has not been the case when it comes to energy policy and we know it has not been the case in resource policy, where every bit of regulation, every bit of red tape, every bit of market intervention has seen prices go absolutely through the roof here in Victoria. We have got Victorians paying more for their power prices than they ever have and more for their gas prices than they ever have. What is this government doing about it? Absolutely nothing.

There is the opportunity to do something about it — there is. This minister himself says that he wants to do some scientific work and look for the opportunity for conventional gas exploration, which is fine. There should be the regulations and there need to be regulations. But you cannot have a bet each way. Either you agree with it or you do not. Either you support the industry or you do not. You are there as the industry minister. This industry minister is meant to be representing industry, talking up the industry, not talking it down and saying, 'Victoria's got nothing. Go away. Don't invest and don't put any dollars into Victoria'. That is not what we would expect from an industry minister. We would expect the industry minister to be standing up.

Really what we are seeing here is an absolute diversion when it comes to the main issues at hand. We have got a gas crisis. We have got an energy crisis. We have got Hazelwood closing in a few days time. When the energy minister is asked what we need to be doing in terms of future supplies, she talks up, potentially, a gas-fired power station. We have got South Australia building a gas-fired power station. So here we are having Labor governments rushing off and building gas-fired power stations and talking about gas-fired stations as a potential option, yet we do not have any gas in Victoria and we have no plans for conventional exploration.

Quite frankly, what we are looking for from this government is some leadership to do the work. Let us do the work. This government should be doing the work. This government has had two years to start that work in terms of the exploration, and they have done nothing. The scientific exploration has been two years in the making, and we have started it. Quite frankly, we have given every opportunity to be able to send some signals to kickstart the market, and nothing has been done. We have said that we will work with the farming community to ensure that they can work together on exploration and have the veto. We have said that the gas that is found conventionally in Victoria remains in Victoria. It allows the supply to be kickstarted and the price to be driven. We have allowed that.

**Mr Pearson** interjected.

**Mr SOUTHWICK** — You do not believe there is any here. We have a government here that has an energy crisis on its hands, that has no policy direction whatsoever and that is using the diversion and overlaying the issues of fracking. As the minister said when he first stood up here, it is certainly agreed to by all sides of this Parliament to ban fracking. There are no winners there. We all agree on that very clearly.

**Mr Noonan** — You do this month.

**Mr SOUTHWICK** — No, Minister, do not backtrack, because you stood up in your contribution and you acknowledged it. Now you are turning it.

**Mr Noonan** — Because you cannot be trusted. You've got puppetmasters in Canberra

**Mr SOUTHWICK** — You cannot be trusted, quite frankly, because there were 23 fracking licences on your side and zero on our side. Let us talk about the facts: 23 fracking licences on your side — issued by Labor — and zero from us. We have said we would ban fracking. We support the ban on fracking. We on this side are not fracking.

What you are doing is you are confusing the conversation, whether it be deliberately or whether it is because you do not know your portfolio. This government is confusing it all, overlaying the fracking and confusing the farming and agricultural communities to say that we are going to ruin the water aquifers by fracking. Certainly none of the industry that I have been talking to are interested in fracking in Victoria. The ones that I have been talking to are not interested in fracking. The industry that I am talking to are very, very happy to work with the farming community and work with the regions and locally for conventional exploration. They are all willing to do that. What we need from your side is not to talk down the industry, not to say, 'There's no gas here in the first place', not to say, 'We're wasting our time because Victoria has got no resources', minister for resources. The minister for resources says we have no resources. That is one, is it not? That is one for the books. The minister for resources says we do not have any resources. He may as well take your portfolio off you.

**Mr Noonan** — I didn't say that.

**Mr SOUTHWICK** — You said clearly that we have got probably no gas here. That is what you said.

**The ACTING SPEAKER (Mr Carbines)** — Order! I would just like to remind the member for Caulfield and other members to direct their comments through the chair. There are no 'you's, but members should also be referred to by their proper titles.

**Ms Ward** — On a point of order, Acting Speaker, I would ask that you ask the member to stop quoting or putting words in the mouths of people when those quotes are not being said. He needs to stop verballing and stick to the issue at hand, which is the condemnation of the federal government for their lack of support for this state.

**The ACTING SPEAKER (Mr Carbines)** — Order! I do not uphold the point of order at this point in time. What I would say is that responding to interjections is disorderly, and if there is less banter across the table, then matters will move more smoothly through the debate.

**Mr SOUTHWICK** — What we are seeing here are clear diversions from a government that is facing an energy crisis in Victoria. They have no answers to what we are seeing right now: bill escalation in both gas and electricity with no solutions for businesses or householders. Who would have thought that a state that was the leader when it came to energy — a state that had manufacturers deciding to set up shop here in

Victoria because of the energy supply — would be faced with a situation where we would be importing product during peak times and where we would have to face things like load shedding, like potential blackouts and like having no baseload security of power going forward in Victoria.

This is a real situation that we have, a real problem. It is a real problem that Victorians face, that businesses face and that households face, and this government quite frankly needs to stop blaming the federal government and start getting in there and making some of the decisions that are going to secure supply and ensure that we have got power affordability.

There are two things that the government needs to be focused on in these portfolios: affordability and reliability of power — two words that have been lost on this government. For all the diversionary tactics with the sorts of things we are talking about — they are so focused on looking after their Labor mates and the rorting that we have experienced in this Parliament — we will continue to experience these energy crises. The government has been on notice now for a number of years when it comes to this. This is not new; it has been happening, and there have been a good 12 or 18 months of us making the case for the need to look at supply for energy security and affordability. This government is missing in action.

We do not support this motion. Quite frankly it is an absolute joke. It shows that the minister is not across his portfolio when he overlays fracking and conventional gas either because he does not know his portfolio or because it is convenient to try to talk down and the industry. The truth hurts, minister. Rather than blaming the federal government, we want you to actually start doing something: standing up for businesses, standing up for industry, not closing down Heyfield, not closing down Hazelwood and not closing down the future of energy in Victoria, but showing some opportunity for security, for affordability and for investment. We want Victorian businesses to set up here — future businesses like big data and agriculture are all reliant on energy.

**Mr Noonan** — Which they are.

**Mr SOUTHWICK** — The minister only needs to go and talk to some of the dairy farmers that are struggling with their gas prices. The minister needs to talk to some of those dairy farmers and find out. The minister need to talk to the cold storage facilities and the facilities that actually transfer goods, that transfer — —

**Mr Noonan** — Go out the west — NewCold is a Dutch company setting up here in Victoria.

**Mr SOUTHWICK** — Yes, do not worry, minister, I have been out to plenty of cold storage facilities, and I know what they are facing in terms of their energy prices — we are talking about 50 and 60 per cent increases in power prices and gas prices thanks to this government. This government is doing nothing.

What this government needs to do and what this minister needs to do is stop playing cheap political stunts across the board to the Feds. Take some responsibility. The resources in Victoria are owned by Victoria, so let us get in there and start doing something about it. They are owned by Victoria, and we need to start making them work. What we do not need is a government like this that is missing in action when it comes to energy and resources.

**Ms WARD** (Eltham) — What a load of rubbish from the member for Caulfield. The member for Caulfield should be held to account for the fact that he puts his loyalty to the federal Liberal Party ahead of the needs and the interests of people in this state. He is too afraid to stand up to Malcolm Turnbull and his cohort, to stand up for this state. Where is he when the federal government is investing only 7 per cent in infrastructure in this state? It has gone down from 9 per cent to 7 per cent. That is what this state gets from his friends in Canberra.

**The ACTING SPEAKER (Mr Carbines)** — Order! The member for Eltham will refer to members by their correct titles.

**Ms WARD** — This motion:

... condemns the Prime Minister for:

- (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
- (b) making false claims about Victoria's natural gas resources —

and —

requests the commonwealth to join us in funding geoscientific and consultative work on conventional gas.

That third point alone shows why that whole meaningless ramble that the member for Caulfield indulged in for nearly half an hour is absolutely worthless. He did not engage in the real points of this motion. He just went on a bit of a wander, but what he did not do is actually support the people of Victoria and our agricultural industries. He did not support our

farmers. He is at the farm gate putting up a big sign saying 'Land for sale'. This is a beautiful green part of this nation, this is an agricultural heartland of this nation, and you want to sell it out.

Who is the loyalty to for the member for Caulfield? Is his loyalty to the people of this state, the farmers of this state and the people living in regional and rural communities, or is it to the Liberal Party in Canberra?

**Mr Southwick** — On a point of order, Acting Speaker, the member is clearly misleading the house when it comes to standing up for farmers. When it came to the amendments in the upper house ensuring that there was a right of veto for farming, where was the member and the Labor Party on that? Missing in action.

**Mr Noonan** — On the point of order, Acting Speaker, that is clearly not a way to take a point of order. The member has had a very, very good go over more than 20 minutes to make his contribution. I would ask you as the Speaker to caution him against taking those sorts of points of order during the course of this debate.

**The ACTING SPEAKER (Mr Carbines)** — Order! At this point in time, I do not uphold the point of order from the member for Caulfield. The member for Eltham will continue.

**Ms WARD** — It does not surprise me that the member for Caulfield would seek to waste the time of the people in this house because he does not want to actually have this issue debated properly. He does not. He wants to protect the people in the Liberal party in Canberra.

**Mr Richardson** — Peter Reith.

**Ms WARD** — That is exactly right, member for Mordialloc. He does want to defend people like Peter Reith. He may have a big 'Vote 1 Peter Reith' sign in his front garden — I do not know — but Peter Reith got it wrong, Malcolm Turnbull has got it wrong and the member for Caulfield has absolutely got it wrong.

Let us talk about the Leader of the Opposition for a moment. In response to the parliamentary inquiry into onshore unconventional gas, the opposition leader supported the continuation of a moratorium until 2020, saying:

It's clear there are issues that are deeply concerning our farming communities, and clearly onshore gas exploration is one of those.

The Leader of the Opposition has said the community is concerned about this issue, and what do those opposite say now? They say, 'Let's sell them out. Let's

reach into their pockets, let's sell off their farms, let's rip up the green areas of this state and sell them out'.

The Leader of the Opposition went on to say:

It's now up to the government to come on board, support a moratorium and as has been said many times, do the work so people know exactly what they're dealing with when we're talking about onshore gas exploration.

I would urge those opposite to take the advice of the Leader of the Opposition. Take his advice, look after the people of this state and look after their interests.

We cannot trust the Liberals when it comes to environmental issues, and we certainly cannot trust them when it comes to supporting industry, supporting agriculture and supporting jobs. Those opposite would not know how to help Victorians find a job to help themselves. In fact for four years they were not able to help themselves. For four years they were not able to help themselves at all. They were an absolute disgrace.

Some 190 000 food and fibre jobs are in this state. How many of those jobs do they want to jeopardise? How many of those jobs do they want to sell out? How many of them do they want to risk? How many of those farming communities do they want to risk? This involves some \$12 billion in exports — \$12 billion, the financial backbone of this state — so how much of that do those opposite want to jeopardise? It would seem to me that they do not give two hoots about it. They want to jeopardise the whole lot. Where is their loyalty? Is it to the people of Victoria or is it to their mates in the mining industry?

We now have an export market for liquefied natural gas. The needs of Australians are not at the heart of privatised companies who are extracting the gas. Instead there is a good chance that the focus of those companies is on their profit margin. It is not about families and small businesses in this state; it is about their profits. Why you would continue to support that is beyond me. Look after the families in this state, look after the businesses in this state and look after the industries in this state. Seventy per cent of our gas is being sold offshore and we now have an international market price at which it is bought, and this is why the price has gone up.

The member for Caulfield talked about the free market, but it is the free market that has got us here in the first place where we have the high energy prices. Those opposite are indulging people in the industry to allow people to go where they want and do what they want that creates the problems.

This is the mob that wants small government. This is the mob that does not want government intervention. Well, this is what happens when you have small government. People get hurt, people lose jobs, people lose opportunities and people lose money out of their pockets. We are expected to be the highest exporter of liquefied natural gas in the world over the next 10 years. That means less gas here for people and their families.

The member for Caulfield talked about getting out to talk to people. I do not think he has. I do not think the member for Caulfield has gone out and really spoken to anyone because I can tell you that the people I know in Traralgon, the people I know in Gippsland and my family members who live in Gippsland do not want onshore gas exploration. They want their food bowl protected. They want Gippsland protected. They do not want it ripped up. They do not want it explored. They want their community protected. They want their industries protected. So when you have Barnaby Joyce talking about prime land being protected, is he talking about Gippsland? Where is he talking about? What is Barnaby Joyce's measure of prime land? I do not think anyone knows, and I do not think those opposite know.

The reality is that the offshore gas resources in Gippsland and the Otways currently meet Victoria's gas demand, and they are bringing new gas to our market today. Offshore gas supply is adequate. It is the offshore sales — the international sales — that are at the heart of this problem. Ripping up Victoria to look for gas is not going to make our gas cheaper. It is just going to feed into the profits of international companies who are selling our gas, our national resource, offshore. That is where the price increase comes from.

It is just unbelievable that those opposite are such hypocrites. They talk about wanting to protect regional Victoria, yet what they are really about is carving it up for the highest profit. It is that base, and they should be ashamed.

I really want to know what onshore gas in Victoria Malcolm Turnbull really thinks we have. What does he really think we have? It seems to me that he has no information to support his proposition at all.

**Mr Noonan** interjected.

**Ms WARD** — Absolutely, Minister. It is crystal-ball gazing. I tell you what, if you want a crystal ball, go and join the sideshow. Do not be Prime Minister of this country. I support the motion.

**Mr WALSH** (Murray Plains) — I rise to make a contribution on behalf of the Liberal and National

parties on the motion before the house from the Minister for Industry and Employment about gas.

I have listened with interest to the member for Eltham make her contribution. She talked about what the people of Gippsland may or may not want. The people of Gippsland that I talk to — the people of Gippsland who were on the front steps of Parliament yesterday, the people of Gippsland who were in the gallery yesterday were just appalled at the fact that the Premier is not sticking up for them and their jobs — and the people of Gippsland that we talk to actually want jobs at Heyfield. They actually want the jobs for the people that are going to lose their jobs when Hazelwood closes. That is what they want. They actually want jobs. They do not want the rhetoric from the member for Eltham about what she thinks she knows about the people of Gippsland. They actually want a job.

**Ms Ward** interjected.

**The ACTING SPEAKER (Mr Carbines)** — Order! The member for Eltham is out of her place.

**Mr WALSH** — They actually want a job, which her government is denying them. Her government is taking away those jobs.

Let us actually look at our gas. There is a lot of rewriting of history on gas going on at the moment. Who was the government here in Victoria that approved 73 licences for unconventional gas exploration? Who was the government here in Victoria that approved 23 fracking licences? It was the Labor government that approved that. They are trying to rewrite history about their position on gas here in Victoria.

If you talk about the issue of a gas reserve, as the member for Eltham was again banging on about in her contribution, the Labor Party had the opportunity in the upper house to support an amendment moved to the fracking legislation that was going through to actually have a gas reserve policy here in Victoria. So they are crying crocodile tears now. They are crying crocodile tears that we need a gas reserve.

It was only in the last sitting week that the Labor Party was put to the test on this, and they failed dismally; they failed absolutely dismally when it came to the test about whether there is a gas reserve here in Victoria, because they did not support that amendment to the bill. They actually voted against it. So do not come into this house talking about gas reserves and criticising the Prime Minister or Barnaby Joyce, because you guys failed when you were put to the test. It is all crocodile tears that you are talking about at the moment.

Previously I have spoken in here on a lot of issues around gas prices. I have Kagome, a tomato processor, in my electorate. Their gas bill this year has gone up by \$1.4 million — —

**An honourable member** — How much?

**Mr WALSH** — By \$1.4 million. So it has gone from just over \$2 million to nearly \$3.5 million for gas this season. Kagome signed up for a two-year deal. They were hesitant at the time, but they now realise that if they had not signed up for a two-year deal, it would have gone up that much again next year. They say that unless something is done about gas supply and prices here in Victoria they will not be sustainable into the future. They have been talking to all the other food processors across northern Victoria, and the ones that use gas are in exactly the same position. We are going to force these businesses out of business under the current policy settings here in Victoria because the price and supply of gas will make them unsustainable in the long term.

It is important to note that there has been conventional gas exploration and conventional gas extraction going on for decades and decades. We are not talking about fracking; we are talking about onshore conventional gas. There is the opportunity, under strict scientific control, for that exploration and, if there is gas there, for that extraction to take place here in Victoria to make sure that we actually keep our jobs. The Andrews Labor government may not care about jobs here in Victoria, but we on this side of the house most definitely care about jobs — —

**Mr Richardson** interjected.

**Mr WALSH** — I hear the interjection from the member for Mordialloc. Do you not just love the interjections from the member for Mordialloc? He is the one who is supporting the members for Melton and Tarneit to rort the system. He is supporting the rorters in the Labor Party. The member for Mordialloc is no better than the members for Melton and Tarneit. He is in the same lot. Just remember — —

**Ms Green** — On a point of order, Acting Speaker, the Leader of The Nationals is paying almost no attention to the motion before the house. He is covering other issues that are completely extraneous to it. Given the contribution from the Liberals lead speaker, I am not surprised, but I would ask you to bring him back to the debate.

**The ACTING SPEAKER (Mr Carbines)** — Order! I ask the Leader of The Nationals to return to the motion before the house.

**Mr WALSH** — I do not think rorting is extraneous; rorting is at the core of what is going on at the moment in this state, and the fact that people on the other side of the house would defend rorters means they are no better than the ones who are doing it. That is the key issue with the member for Mordialloc. He is no better than the member for Melton or the member for Tarneit.

**Mr Scott** — On a point of order, Acting Speaker, the former minister, the Leader of The Nationals, is clearly defying your ruling, and I ask you to bring him back to the matter before the house.

**The ACTING SPEAKER (Mr Carbines)** — I would encourage the Leader of The Nationals to return to the motion before the house.

**Mr WALSH** — What we are debating here is the motion before the house about gas and the need for further exploration and extraction of conventional onshore gas here in Victoria to make sure that we actually have a sufficient gas supply at a price that enables businesses to be competitive in this state.

If you look at what is going on around the rest of Australia with this issue, we have all seen what has happened with the reliability and price of power supply in South Australia. The South Australian Premier, Jay Weatherill, after closing down all the coal and gas-fired plants there, has now decided that he needs a new gas plant to make up for the fact that renewable energy does not give a satisfactory baseload supply of power for that state. He is actually encouraging industry to go out and find gas to supply that power station. What I have heard the Premier of South Australia say is, 'Yes, we're going to build a new gas-fired power plant. The state's going to invest in it' — because no-one else trusts the South Australian government to actually invest in South Australia anymore; they just do not like the sovereign risk with Jay Weatherill at its head — 'but then we've actually got to go and find the gas to put in the power plant that we are going to build'. So South Australia is a long way away from having a gas-fired power plant that will actually deliver any power for that particular state.

If you are talking about gas supply, you have got to look at it from a global point of view and you have got to look at it from the rest of Australia's supply — —

**Ms D'Ambrosio** interjected.

**Mr WALSH** — I note the interjection from the minister at the table saying that gas is going overseas. Minister, can I remind you that in the last sitting week your government and your members had the opportunity to support an amendment to the fracking

bill in the upper house that would have actually set up a gas reserve here in Victoria. When the Andrews government was put to the test as to whether they would have a gas reserve here in Victoria, they voted against it. The people of Victoria hear the hollow weasel words that you have been using in this house today, because last sitting week in the upper house you had every opportunity to do something about this and you failed the people of Victoria, you failed the businesses of Victoria and you failed jobs here in Victoria by refusing to support that amendment in the upper house. Now you come in here bleating away about what the Prime Minister and the Deputy Prime Minister should do. The Prime Minister and the Deputy Prime Minister are actually showing true leadership on this issue; they are showing what leaders can do in this country to get things done rather than just banging on and not supporting something when there is the opportunity to do so.

The Andrews Labor government and the minister that moved this motion stand condemned for abandoning businesses here in Victoria and for abandoning jobs every day of every week in this state. There are more people unemployed than there were before. Tasmania actually has a better unemployment rate than Victoria. That says a lot about this government.

**Mr PEARSON** (Essendon) — I am delighted to join this debate and to support the minister's motion. This issue has had a significant level of interest across the state, both in regional and rural areas as well as metropolitan areas. Many people are concerned about the implications that non-conventional onshore gas will have on our food and fibre sector and on the broader community, as well as the value it is going to have in terms of the value of the exports of those industries and on the long-term viability of agricultural land in this state. That is why the government took the action that it did to ban non-conventional gas onshore.

We on this side of the house recognise that this requires a fair degree of work, and we also recognise that as a policy area it is quite fraught and complex. I note the Leader of The Nationals indicated that fracking licences had been issued by the former Labor government —

*Honourable members interjecting.*

**Mr PEARSON** — Yes, that is fine. They were issued at a time when we did not really know the impact —

**An honourable member** — That makes it even worse!

**Mr PEARSON** — Hang on. We did not know the longer term implications that it might have at that point in time. At the time the science said it was fine; at the time the science said 'It's okay'; therefore those licences were issued.

**Ms D'Ambrosio** interjected.

**Mr PEARSON** — As the minister at the table points out, those opposite extended it. But where we stand now is, as John Maynard Keynes said, 'When the facts change, I change'. The reality now is that we recognise the fact that there are serious doubts about the long-term impact that non-conventional onshore gas will have upon agricultural land, and that is why we have taken the action that we have.

I make the point that traditionally the cost for gas on the east coast — because we have got a national energy market — was about \$3 per gigajoule. In 2007 a decision was made and approvals provided for the construction of the Gladstone liquefied natural gas facility in northern Queensland. Originally the intention was that the facility was to be built and would be sourced by non-conventional onshore gas; that was the purpose. What has subsequently happened is that because of the various campaigns waged by people like Alan Jones non-conventional onshore gas is now not used as a supply for that plant. As a result that plant requires supply, and that has resulted in the value, the cost, for gas in the national energy market getting up to around \$6 per gigajoule, which is why we are seeing the energy spikes that we are seeing.

You can be like the Prime Minister, and you can turn around and say, 'In light of the spat between the Premier and my federal minister, we are going to jump in the chopper, fly down to the Snowy and announce a \$2 billion extension', which is nothing more than a feasibility study. You can respond with this sort of kneejerk reaction, which is a caricature and is symptomatic of the federal government, or you can do the work. And that is what I would like to return to now in terms of the second part of the motion, which calls on the commonwealth government to work with us to try to identify what those resources are.

In 1983–84 the Hawke government — and this was led by Paul Keating — spent 18 months negotiating the petrol resources rent tax, which was a tax on a new and emerging industry. It took 18 months, but the work was done and the taxation regime that was put in place still stands to this day, and it works well and it works effectively. There are some issues about the accountancy treatment of the way in which companies can depreciate those assets once those plants come

online. There have been examples such as in the case of the Gladstone liquefied natural gas facility where no taxation has been paid to the commonwealth at this stage, but the gas that was liquefied landed in Japan and an import custom was paid. The only taxation that has been realised on that asset has been actually levied by the government of Japan. But leaving that to one side, my point is that you actually have to do the work.

The shadow minister for energy and resources was, as I would characterise it, a little bit cheeky in trying to verbalise the minister earlier in his contribution to this debate. The reality is that we do not know the state of the reserves that currently exist in Victoria. If the federal government were serious about doing the work and addressing the energy spikes that we are currently seeing, they would turn around and they would partner with us to do the work to identify where the gas reserves are.

Given the fact that offshore gas exploration has been occurring in Bass Strait since the 1960s, I would guess that it would be reasonable to propose that there would be similar reserves in the Gippsland Basin. That is just a reasonable guess, but the reality is we do not know — and we need to do the work. The reality is that any form of mining, any form of exploration, any form of extraction requires detailed modelling and research so you actually know where the resources are, so you can then spend the money and make those sorts of investments and do it properly. That is what we are trying to do on this side of the house. We recognise the fact that you have just got to do the work. Those opposite are just not interested. They just want to condemn the government, attack the government, sling insults, fire barbs and not think about how we constructively approach this problem, because it is a problem — it is a real problem.

It is about also trying to work out, as we look at the Latrobe Valley, how we transition that workforce, because as I have said in previous contributions, the reality is that where the Latrobe Valley is at the moment and where baseline coal-fired power stations are is the equivalent of driving in the right-hand lane on the freeway at 150 kilometres per hour without your seatbelt on. The Greens would have us just apply the brakes and not care about the consequences, and the climate sceptics among those opposite would have us barrelling down the highway, driving at 150 kilometres without having a seatbelt on. We have to transition; we have to slow down. We have to transition to a cleaner future, and that is about making sure that we have baseload capacity because we need to avoid some of the problems that have beset other jurisdictions. I point out to the Leader of The Nationals that when you have

a major user like BHP Billiton at Olympic Dam refusing to enter into a long-term contract with a private energy provider, that does have ramifications in that market. That is just a reality.

We need to think about doing the work and transitioning. Unfortunately for those opposite, they are not interested in thinking constructively about how we tackle these problems. They flip-flop between on the one hand saying, 'We do not believe in climate change', and on the other saying, 'We do believe in climate change, and you should be doing more'. They say on the one hand, 'We believe in the private sector, and the private sector should fix everything', but then at the first sign of trouble the old mantra of the National Party is: 'You capitalise the profits and you socialise the losses'. They are deeply confused and divided over there in terms of these sorts of questions.

The reality is that we have to work constructively and collaboratively to get the best outcome and address these issues. We have to think about doing the hard work and the really serious work rather than simply running around. It is all good and well for the Prime Minister to race off and say that he is going to spend \$2 billion on a feasibility study. As I understand it, his idea is to try to use excess renewable energy to pump water back up into the Snowy scheme to store that for use when the wind is not blowing and the sun is not shining. The reality is that we do not have that level of excess renewable capacity, so effectively all the Prime Minister has done is shore up and improve the long-term viability of baseload coal-fired power stations, because they are the ones that are actually going to be used to try to pump the water that is to be used at a later date up the hill.

You have got to do the work, and you have got to work hard. You have got to be prepared to do the research, and you have got to be prepared to understand the complexity of this problem. The reality is that these are challenging times, these are challenging issues, but you have got to do the work. What is clear is that the federal government has no interest in doing this, because they are hopelessly conflicted and divided, as is the coalition. They do not understand the complexity of these issues, and they are to be condemned for that. I commend the motion before the house. It is time to get on with it.

**Mr CRISP (Mildura)** — I rise to speak on the motion, and I rise to speak on the motion from Mildura's perspective. Energy is important in Mildura. We are connected to gas, and gas is extremely important to Mildura as well. It is a key part of our food manufacturing industry, and value-adding in country

areas is how we retain our jobs and it is how we will expand our jobs.

I strongly support what the Leader of The Nationals contributed in relation to a reserve policy. Victoria needs a reserve policy for its future. We owe it to our children and our grandchildren to have their gas future secured. I think this will bite in Melbourne over winter. We have had electricity issues this last summer. However, as I observe the energy market, much of Melbourne have their hot water from gas, they have their heating from gas and they cook with gas, whereas in the country mostly we use electricity for all of those. The only time the energy crisis really will bite in the city is on hot days when everybody is running their air conditioners. That is when we have our problems. However, with electricity issues we do have those very much in our country areas. A reserve policy for gas is extremely important.

I want to now visit those vital jobs that are protected by the natural gas that comes by a pipeline from South Australia to Mildura. The areas involved that are big gas users are our case manufacturers for our export table grapes; our wineries, to keep and control fermentation in winter; other food processing, in particular in the citrus industry, for drying citrus that has been washed and prepared for export; and very importantly the juice industry, which requires making orange juice into concentrate. These are extremely important. They are the backbone of much of our industry in Mildura.

What is the risk that I see? South Australia has decided that they need to build a new gas-fired power station, and that is South Australia's decision. They do not have the gas for that gas-fired power station. In fact I think they are struggling with their existing gas-fired station at Pelican Point, which has two turbines. One of those gas turbines has a contract with AGL for the Moomba gas facility; the other one relies on the gas market. There was an instance that occurred — and the truth is hard to find here — where that gas-fired station was not brought online in South Australia. Was it not brought online because they could not secure the gas? Or was it not brought online for other reasons?

Mildura is the end of the gas line. If South Australia are going to build another gas-fired power station, then they are going to need gas and they are going to try to find that gas. If they do not find that gas, I am extremely concerned that Mildura will get cut off, and that will leave our food processing industry devastated. I think this is a real consideration. South Australia will look after itself first. It has the compressors that move

the gas to Mildura, and we will come under South Australia's control.

I do not think South Australia are going to say, 'Well, we'll have a blackout in South Australia and keep the gas going to Mildura to keep a winery functioning or keep cases being made for table grapes'. They are going to cut us off. These are the risks that we face and the disasters that can come from this confusing gas policy area that we are working in. If South Australia had a secure supply of electricity, it would not have to build itself a gas-fired station and therefore would not have to threaten jobs in Mildura. This leaves us at the end of the line.

Some of this has already been telegraphed to the businesses of Mildura. Gas prices have doubled in the last 12 months. A number of businesses renegotiating their annual gas supply have indicated to me that the price has doubled, and that makes it well in excess of what people are paying in Melbourne. Mildura is two to three times more expensive for gas than Melbourne is. So be warned, because Melbourne will go down that same path.

There is also an additional risk with limiting our ability to look for gas, and that is that if you look at the energy structure — and this is something I want to add in response to what the member for Essendon talked about — you have base load, you have intermediate load and you have peak load. Our base load is essentially coming out of coal, with some of our renewables in that area. Then there is intermediate load, and this has traditionally been met by gas because gas-fired turbines can be brought online quite quickly. So they handle the intermediate load. Then the peak load for electricity comes out of, principally, hydro, which comes in from the Snowy and from Tasmania. As we retire coal-fired power stations out of the base, we will suck in the gas-fired power from intermediate to base load. This is what I think the member for Essendon did not understand. That then leads us to hydro being pulled into the intermediate load, which is not a sustainable situation with our hydro stations. They are best suited for peak load, and it would only be in the wettest of years that you could actually run them in that intermediate load situation.

The member was critical of the proposal for pump storage, something that is already done with the Snowy. There is the capacity already within the Snowy for pump storage. To be able to use some of that baseload power to pump water up the hill and hold it for peak load is important. During the crisis in energy supply that occurred in New South Wales in particular in the very long heatwave that also impacted on Victoria, I

noted that at the peak load I saw costs only for a short period of \$10 a kilowatt hour for energy. This is an enormous expense, and if we have those situations occur where it is highly competitive for that peak load power, then the retail companies are going to have to recover that money. They are going to recover it from you and I and businesses, and it will impact on jobs, particularly country jobs. With our export commodities in the country we are competing in a world market and we need every advantage we can get, and energy prices that are stable and as competitive as possible are vital for keeping those jobs in country Victoria. Will we see more peak power at \$10 a kilowatt hour? What impact is that going to have on everybody's prices? It will be considerable, and it will threaten jobs.

I come back to the process of what we need to do, which is to make sure that we do have a reserve policy for gas, because increasingly we are going to run those gas turbines that are currently intermediate load into the base load. They are going to consume our gas reserves much quicker than would have been planned if they were just being used for intermediate load. It is a trap that we can fall into, and that is why we do need a gas reserve policy going forward. It made good sense to do that. The upper house and the government in their wisdom chose not to go down that path — something that I think will in the longer term be regretted.

However, a reserve policy can be reversed, and I would be encouraging the government to look at that reserve policy to make sure that we do have gas for the future, particularly if, for various reasons, our coal base load declines and our energy demand increases. We have 100 000 more people a year moving to Victoria, adding to the population growth in Victoria. They will need energy. Even despite our best work with energy efficiency, the energy load is going to grow. The need for base load is going to grow, the need for intermediate load is going to grow and the need for peak load is going to grow.

What are we doing about it? We are not taking the action we need to preserve particularly those gas resources. As I said, only by turning our intermediate load gas turbines into base load are we going to manage this, and then we have to go and find how we are going to manage peak load. Yes, I know the Minister for Energy, Environment and Climate Change is at the table. Renewables will play a part in this, but they will not play the part of the big baseload growth that is likely to occur and will have to be met from gas.

I think this motion is not going to do what the government wants it to do. They are blaming other people and moving it around, and their actions have

certainly spoken loud and clear on this matter. They are not worried about our energy future. If they were, they would have voted in the upper house for a reserve policy.

**Ms GREEN** (Yan Yean) — It is with great pleasure that I join the debate on this motion proposed by the Minister for Resources. He moved:

That this house:

- (1) condemns the Prime Minister for:
  - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
  - (b) making false claims about Victoria's natural gas resources;
- (2) requests the commonwealth to join us in funding geoscientific and consultative work on conventional gas.

Given that last sitting week a ban on unconventional gas and fracking in this state was passed by both houses of this Parliament — a ban which is roundly supported by farming communities and city people alike across this state — one would have thought that those opposite would be supporting this motion. But no, we do not see them supporting this motion, and the community needs to ask why. They need to ask why those opposite are not standing up against their masters in Canberra against the straw men that they are putting up in relation to the gas and energy issues that are confronting this state and this country.

I thought it was really interesting to see who the coalition chose to open the batting in opposing this motion. They chose their two masters of deception. They chose a faux professor, someone who on innumerable occasions has been on the record passing himself off as a professor when he is not a professor and passing himself off as a minister when he is demonstrably not a minister. They followed this up with the architect of the Office of Living It Up, the member for Murray Plains. I also note that there are workers in the — —

**Mr Pesutto** — On a point of order, Acting Speaker, I ask you to direct the member to refer to members of this house by their correct titles.

**The ACTING SPEAKER (Mr Carbines)** — Order! I remind the member for Yan Yean to refer to members by their appropriate titles.

**Ms GREEN** — Thank you very much. I did refer to the member for Murray Plains as the member for Murray Plains, and I referred to the member for Caulfield. They

should own the comments they have made in opposition to this motion, and so should those opposite.

We heard that the workers at Heyfield and those associated with the issues down there at the moment said, ‘Do not trust this man. Do not trust Peter Walsh, the member for Murray Plains. Do not vote him back in, voters. He is the biggest liar you will ever come across. He will lie and lie and lie’. That is the problem that the Victorian community is facing now. Were those opposite serious when they supported the ban on unconventional gas in this debate in this Parliament? If they take the government benches again, will they do a backflip to be rated up there with those of Nadia Comaneci and other famous backflippers from the past?

Debate on this motion has been led by the Milli Vanilli of the opposition. I thought it was interesting that the member for Murray Plains said he was speaking on behalf of the coalition. That is interesting, because we have heard different stories all the way through this debate around the true position of the Liberals and The Nationals, either in this Parliament in Victoria or in Canberra, on opposing unconventional gas. You could not believe them. They could not lie straight in bed. It is not just the community saying that this gas crisis is —

**The ACTING SPEAKER (Mr Carbines)** — Order! The member for Yan Yean will have the call when we resume after the lunch break, which is upon us.

**Sitting suspended 1.00 p.m. until 2.02 p.m.**

## GRIEVANCES

**The SPEAKER** — Order! The question is:

That grievances be noted.

### Energy security

**Mr SOUTHWICK (Caulfield)** — I rise to grieve for all Victorians who are experiencing a power crisis thanks to the Andrews Labor government. It is a government that is absolutely lacking in any vision and lacking in any plans for Victoria, and ultimately every single Victorian in every single electorate is paying the price of government intervention by this government, which is leading to price increases hitting the hip pockets of every single Victorian. We are seeing issues dealing with energy security and energy affordability, and now all we are hearing from this government is more intervention and more playing with ideas without focusing on the basics of affordability and reliability of power.

We are nine days away from the closure of Hazelwood power station. We are nine days away from taking

22 per cent of our energy out of the market. If there was ever an opportunity for this government to show some leadership, it was getting involved in shoring up our energy security for the future. This power station had an ability to run until 2025. We have heard of, and certainly the member for Morwell has demonstrated, many cases of individuals who were signing up to employment contracts and training only months before the announcement of the closure of this power station.

This government has been completely negligent in securing power for Victoria. We have seen that on numerous occasions. We saw that in the May budget, where a \$252 million increase in the coal tax was put on each of those power stations — \$252 million — which was a clear signal to each of those power stations, and in particular to Hazelwood power station, saying, ‘We don’t want you here. It’s time to pack up, close shop and move on’. And that is what has happened. There was every opportunity leading into the future for the government to make sure that Hazelwood and Engie were welcomed. Engie was not welcomed. Engie was shown the plane and told to take off, and that is what they have done. And they have done it through the negligence of this government and the bad policy interference from this government.

We have seen something very recently that shows that the government has an ability to get involved when they think they can do something. Unfortunately it is all about politics for this government, not about good policy. It is all about shoring up their mates but not about good policy. We had Heyfield mill workers in the gallery. They are workers desperate for an industry and desperate for a guarantee of a future for the industry in Victoria. And what did we hear? What we heard was not about shoring up supply of timber but this government turning around and saying, ‘We will buy a mill. Don’t worry about whether we can actually run it; we’ll just buy it. We will buy it’. They failed on a second occurrence with this particular announcement. They failed to talk to the company, because it was not theirs in the first place. The Premier went out, did a press call and said, ‘We’ll buy it. Don’t worry. We’ll intervene and we’ll make sure that these jobs are safe’. What did the company say about that? The owners of Heyfield mill have no intention of selling it to the state government and have revealed more details about their plans to relocate the mill to Tasmania. Further, director Clinton Tilley said:

At what point does Daniel Andrews think that he just buys a business and what makes him think it’s for sale ...

This is what we are dealing with — an incompetent, rorting government. It is an incompetent, rorting

government that will do anything and say anything just to look after its mates. That is all they are doing. They just say anything and do anything to look out for their mates.

They had the opportunity with Hazelwood. On several occasions they have had the opportunity to step in and say, 'We're going to keep this mine running. We're going to keep this power station running until 2025'. They have had the opportunity, but they have said absolutely nothing. What have they done instead? They have spent a whole lot of money on press releases and announcements, on a whole lot of short-term fixes but no ultimate solution when it comes to the power crisis we are experiencing here in Victoria. What has the minister for energy missing in action got to say about all this? The Minister for Energy, Environment and Climate Change said, 'It won't be a problem when Hazelwood closes, because we have got plenty of power'. During the peak times when we have got to import from New South Wales and Tasmania that is okay during that period, because it does not matter that Victoria has been the absolute jewel in the crown when it comes to power across Australia and that manufacturers have located to Victoria because of its cheap power. But it does not matter that now manufacturers will be heading off because they cannot get the power they need thanks to this incompetent government.

When the announcement was made the energy minister said, 'Well, it's not going to cost a lot of money for Victorians when it closes'. The Victorian Premier also went on record and said that power bills for Victorians should go up by 4 per cent, which is 85 cents a week — \$44 a year. What is the big deal? The minister went on record and backed that up saying this was not going to cost Victorians anything and that we can absorb this because we have got plenty of wind, battery and solar and all these sorts of great things. The only wind they are getting is the hot air from the government. That is what they are getting. That announcement of 4 per cent, or 85 cents a week, was rebutted only a few weeks later when their own department came out and said, 'Well, it's not 4 per cent, it's 8 per cent. And it's not \$44, it's \$86'. They could not even give the details of which department did the calculation. We had to push for that. Finally, we found that it was not in their economics area; it was the Department of Environment, Land, Water and Planning that did that analysis.

So do we trust the Premier and the minister in terms of their analysis? Do they trust the environment department? You know what? I would be trusting what is actually happening on the ground. Actions speak louder than words on this, because we have not even seen the closure. We are nine days out, and what did we

see come 1 January? We saw standing offers going up not by 4 per cent, not by 8 per cent — we had a 10 to 13 per cent increase on power bills without Hazelwood even closing. Do you know what the minister said? The Minister for Energy, Environment and Climate Change turned around and said, 'Retailers are gouging. It is the retailers' fault. It's got nothing to do with taking 22 per cent of supply out of the market'.

If I had one of those businesses and 22 per cent of my competitors were forced to close down, I would be rubbing my hands together because that is ultimately what sends power prices up. It is not shonky interventionist initiatives by this government, by this rorting government — that is not what does it. What does it is when you rip out the hearts of industry and you send them packing. When that happens, ultimately every consumer pays. Every business pays. We all pay for it.

What did the Australian Energy Council chief executive, Matthew Warren, say in response to the energy minister's comment that taking 22 per cent of Hazelwood's supply out of the market will have no effect on energy prices, that everything will be all right? Matthew Warren said:

As was signalled earlier this month, this downward trend looks likely to be interrupted by the impact of the Hazelwood power station's closure, and Victorian consumers will see significant increases in energy costs next year as a result of it ceasing operations in March.

This has not even begun. The tsunami is coming — and the tsunami is coming thanks to this mob. In the lead-up to the election next year we are going to remind every single one of the electorates of those opposite that they have been negligent. We are going to remind every single one of your electorates that you have been missing in action — that is, your local butcher, your local baker —

**Mr Richardson** — Candlestick maker!

**Mr SOUTHWICK** — your local grocery store, your local IGA supermarket — absolutely. We will be talking to every single one of them and asking what impact the closure of Hazelwood has had on their businesses, their power prices. What has that got to do with all of that? We will be talking to them and we will be showing that you have been missing in action when it comes to power prices.

Matthew Warren also said:

The cost increase is a by-product of the reduction in the state's generation capacity of around 20 per cent.

The price increases coming next year have nothing to do with retail competition, they are a direct result of major changes in the generation of electricity and the wholesale electricity market.

These changes, in addition to state government policies like increased renewable energy targets, increased brown coal royalties and an expanded Victorian energy efficiency scheme, will impact on future retail electricity prices.

There you go. This government, let me say it again, has a renewable energy target. We have got a federal one, but what does this mob do? It said, 'Let's create another one. Let's see if we can outdo South Australia and create a 40 per cent renewable energy target'. Is that not smart? When we are all experiencing hardship in prices, disconnections and people not being able to pay for their heating and cooling, this mob said, 'You know what? We will match and better South Australia. They've had a good go at this. Let's see if we can do better'. What a disgrace!

What a disgrace it was yesterday when the Minister for Energy, Environment and Climate Change came in here, in front of Heyfield workers in the gallery who were uncertain of their future, and said, 'We are creating jobs', in her announcement about a \$25 million battery storage facility. It is another market intervention; that is what they are doing in terms of creating jobs. They are not letting the market take care of itself.

*Honourable members interjecting.*

**Mr SOUTHWICK** — No, it is market intervention by your mob. It is an absolute disgrace to make that announcement in front of workers. The Labor Party has always said that it stands up for workers, but yesterday, when the Heyfield workers were down here with the Construction, Forestry, Mining and Energy Union (CFMEU), I looked for the Labor members. I walked around and I looked, and I thought, 'Maybe — —

*Honourable members interjecting.*

**Mr SOUTHWICK** — I tell you what: I could not find any of them, except for one little bloke hiding around a corner — the member for Mordialloc. The member for Mordialloc stuck his head out of the door, had a bit of a look and counted how many mates he had, and then he ducked back inside. That is what he did. The weak, gutless member for Mordialloc — that is what he did. The little coward — he ducked behind the corner. That is what he did.

You know what? The same applies to Hazelwood — the CFMEU workers at Hazelwood. How many times has this government been out to see the CFMEU

workers at Hazelwood and talk about those jobs? None, because they do not care. They claim to stand up for workers, but they do not. They do not stand up for workers, and we are seeing this time and time again, and right now this is where the rubber hits the road. This is where people are expecting you to stand up for workers, stand up for jobs, stand up for a future in Victoria that ensures cost of living affordability and security of power, which is what we need right now. We are not seeing it from this government. This government is out of control simply because they are sidling up to the green votes in their heartland.

*Honourable members interjecting.*

**Mr SOUTHWICK** — The member for Richmond is worried about his seat. That is what they are worried about. They are worried about those inner city green seats, like Richmond, and they are not focused on the main game. I will tell you what, member for Richmond, when they all — —

**Mr Wynne** interjected.

**Mr SOUTHWICK** — Well, you had better keep doing that, because the voters see through this. When your voters in Richmond will not be able to pay for their power bills, will not be able to keep their lights on in winter, will have to put a blanket around themselves to keep warm and in summer will have to get themselves a hand fan, that will be as a result of your incompetent, hopeless, rotting government. That is what it is — a hopeless, rotting government that has done nothing and that has no vision except for looking after their Labor mates. They have no vision. They have had the opportunity today, and what have they done?

**Ms Thomson** interjected.

**Mr SOUTHWICK** — The member for Footscray knows this. They have stood up for the former Speaker and Deputy Speaker, instead of having them experiencing the full face of the law. That is what they should be doing. They should be standing up and ensuring there is clear transparency and integrity in this government. There is no integrity. They are a bunch of liars in the Labor Party. That is what Victorians know and that is what Victorians will remember in November next year when they will be paying double for energy prices thanks to you lot.

### **Penalty rates**

**Ms BLANDTHORN** (Pascoe Vale) — The member for Caulfield has just tried to make out that he is a friend of the worker. I grieve for the thousands and thousands of Victorian workers who are victims of the

recent Fair Work Commission decision in relation to penalty rates. The member for Caulfield has just stood here and talked about affordability, but what does he say to the thousands of workers who when they lose their penalty rates will not be able to afford to pay not only their electricity bills but their gas, water, rates, school fees and phone bills?

Thousands of Victorian workers, thanks to the decision supported by those opposite in relation to penalty rates, will not be able to afford the fundamentals. They will not be able to afford the fundamentals because their base rate of pay is already lower than those opposite could ever possibly imagine. A retail employee level 1 — a shop assistant or somebody who works as a checkout operator or stacking shelves at a supermarket or a store — earns \$738 a week, less than \$40 000 a year. If they have got a licence for a forklift or other ride-on equipment, they earn \$756 a week — still less than \$40 000 a year. And if they are a supervisor, they earn \$768 a week, which is still less than \$40 000 a year. Without penalty rates it is not just electricity that they will not be able to afford, it is the fundamentals for them and their family. It is food and it is shelter. We are talking about thousands of Victorians who rely on penalty rates to make up the difference.

We are also talking about particularly vulnerable workers. We are talking about women who are working unsocial hours to help pay for their family's shelter, food and education. Often the penalty rates are the difference between being able to afford the school fees or not. We are talking about a group of people who are often the working poor: people who work hard day in, day out, but who still cannot afford the fundamentals of life, be it electricity or other basics. What those opposite do not understand is the insecure nature of this work. In retail and in fast food it is often hard, gruelling work. It is often unskilled work, and there is always somebody else lining up for the job. It is a very insecure work environment.

It should not matter what type of work it is that you do in terms of the reward you get on the weekend. The Leader of the Opposition does not agree with this, because in an article in the *Herald Sun* titled 'Penalty rates cuts splits Liberals', the Victorian opposition leader was cited as criticising the cuts, saying that the principle would not be used in state enterprise bargaining agreement (EBA) negotiations if he were Premier. Mr Guy released a statement saying he did 'not support the principle of people's wages being cut' and that penalty rates for police and other state public sector workers would be protected if the coalition won government in 2018. Why does the Leader of the Opposition want to punish retail workers? Why does he

want to punish the people who work in fast food? If one type of worker, one person, is to be compensated for working the weekends, working unsocial hours, then all workers, all people, should be compensated for working unsocial hours. One person's weekend is not worth less than the weekend of another just because of the job they do. Emergency services workers and public sector workers should be compensated for working on weekends, but so too should every other worker who works on weekends, whatever job it is they do. They are compensated for the hours and not for the work. All people, all workers, are equal and have an equal entitlement to fair wages and conditions.

The other argument of those opposite tends to be that we are a modern 24/7 economy. Indeed the member for Kew said:

We do not need more public holidays. We need a productive modern economy with modern penalty rates, not more public holidays.

But it is interesting that when it comes to their own weekends, when it comes to the weekends of employers and when it comes to the weekend of employer agencies they actually think the weekend is sacrosanct. When I was working for the retail workers union, the Shop, Distributive and Allied Employees Association, it always struck me that in submissions in relation to penalty rates or public holidays employers often said that they did not want to have to pay penalty rates because it meant that they themselves would have to work on a weekend. So their own weekend was sacrosanct but not that of their workers.

A member for Western Victoria Region in the other place, Simon Ramsay, said:

We know it has come at a significant cost to regional Victoria with the cost of labour, whereby many small business owners have had to use their own families to staff their own businesses in order not to have to pay the high penalty rates that have been incurred by this holiday.

What he is saying there is that the families who are working on the public holidays want to have that public holiday and that that public holiday is sacrosanct for them but that it is not for others. In a members statement in this place the member for Ripon quoted a small business owner who said:

... our family had to work this day to cover some of the losses for having to pay staff who did not work. As such our family time was very much lost.

So the family time of the employer is sacrosanct but not the family time of the employees. Indeed Mark Kenny in the *Sydney Morning Herald* did a bit of a survey. This was particularly interesting, as he said:

While the coalition parties, right-wing think-tanks and business groups defend the Fair Work Commission's ... ruling to cut the pay of Sunday and public holiday workers in retail, fast food, and hospitality, their own weekends remain sacrosanct.

In the spirit of this 24/7 economy, Fairfax Media telephoned the switchboards of the main groups on Sunday afternoon —

The member for Ripon might be interested in this bit —

the Institute of Public Affairs, Business Council of Australia, the Australian Industry Group, the Australian Chamber of Commerce and Industry, and even the small enterprise body, the Council of Small Business Australia also known as COSBOA.

And guess what?

No-one answered the phone. He continues further down:

The avowedly free-market IPA, is of course, a muscular advocate of labour-market deregulation and would do away with centrally established pay rates entirely. But call on Sunday to speak to a person and you get a machine.

Their weekends are sacrosanct.

The Australian Chamber of Commerce and Industry is, similarly, just a week-day operation. 'The office is currently unattended', the message at 2.58 p.m. instructed.

Obviously their weekends are sacrosanct.

The Australian Industry Group answered at 3.02, via a recorded message advising that office hours are from Monday to Friday, 8.30 a.m. to 5.15 p.m. No danger of any penalty payments there then.

Their weekends are also sacrosanct.

The Business Council of Australia? No answer at all at 3.04 p.m.

COSBOA was called at 3.10. The small business lobby's machine offered to take a message — presumably to get back to us on Monday.

So again, their own weekends are sacrosanct, but why is it that when it comes to shop assistants and fast-food workers, their weekends are not sacrosanct? What the coalition is saying is that they should not get compensated for working on public holidays.

**Mr Watt** interjected.

**The SPEAKER** — Order! Member for Burwood, come to order.

**Ms BLANDTHORN** — Thank you, Speaker. The polling does tell us that those opposite will potentially pay at the ballot box for this. Again, to steal a phrase from the member for Caulfield, we will be reminding every single one of your electorates what your position

is in relation to penalty rates. We will be letting them know that once you have sorted it out, the overwhelming sentiment is that those opposite support cuts to penalty rates, and indeed Malcolm Turnbull has come out this week and said as much.

What we do know is that a ReachTEL poll conducted on 27 and 28 February, around the time of the decision, in five coalition-held seats, some of which are referred to as bellwethers for their tendency to swing with the government of the day, found that all three would fall to Labor on the penalty rate cut issue alone. It is interesting that one of those seats is Corangamite in Victoria's coastal west, which is held by the Liberal's rising star, Sarah Henderson. Those five sitting members would record swings big enough on the penalty rate issue to see them tipped out. Among the five electorates that were surveyed, 65.1 per cent of the 3500 people surveyed said that the government should legislate to protect penalty rates, compared with 34.9 per cent who oppose such intervention. Because so many of the people working in retail and fast food are female voters, support for legislative action is even higher among female voters, at 68 per cent. It is fractionally lower among male voters, at 62.2 per cent. People want Parliament to act, and that is clear.

Simon Ramsay, a member for Western Victoria in the other place, said:

There is no case around the cost of penalty rates for the extra holidays.

He also said:

A local bakery business has estimated —

and it must be a very big bakery —

that it will cost over \$10 000 for the holiday, and a winery on the Bellarine has indicated a significant increase in wage costs and penalty rates.

The member for South Barwon made a point of saying:

I would like to place on the record the views of South Barwon businesses with regard to the Premier's grand final eve public holiday. First from a beauty salon —

and I note we will shortly receive the decision in relation to beauty salons —

from Waurn Ponds:

Having to close on Friday causes us to lose our trade and income on one of our busiest days of the week —

because they do not want to pay penalty rates —

The cost of paying penalty rates to open is just too high for the business to absorb.

Perhaps the member for Western Victoria in the other place and the member for South Barwon might want to talk to their colleague, the federal member for Corangamite, about exactly what these comments might mean and what they suggest about the people of western Victoria and their commitment to penalty rates in the lead-up to the next federal election because again, to steal a phrase from the member for Caulfield, we will be reminding each and every one of your electorates what your position is on penalty rates.

What does need to be cleared up is exactly what the opposition's position is, because we have seen time and time again that they are opposed to penalty rates in quote after quote from those opposite, in particular from people such as the member for Ripon. They have made it clear what they think about penalty rates. They have made it clear that they want to punish workers, but it still seems that the Leader of the Opposition and his deputy cannot actually clear up what their position is. As I said at the start of my contribution, the Leader of the Opposition released a statement saying he did not support the principle of people's wages being cut, but the Deputy Leader of the Opposition said:

I don't think they (cuts) are as bad as Bill Shorten is making out.

It is really not very clear what the opposition's position on this is. The Leader of the Opposition's statement was a major slap down for his deputy, and he said:

The decision by Fair Work was not an expected one, and one which has surprised many people.

So they do actually need to clear up what their position is, but what is very, very clear is that thousands and thousands of Victorian workers rely on penalty rates in order to put food on the table. Thousands and thousands of Victorian workers rely on penalty rates to be able to pay their bills. Whether it is electricity, as the member for Caulfield was talking about earlier, or whether it is their gas bills, their rates, their food, their shelter, they absolutely rely on penalty rates. What this decision does is take over \$1 billion from the pockets of those most in need, the most vulnerable workers in our community. There is always somebody else who is lining up for the job of a retail worker or a fast-food employee. They are vulnerable workers, and they need the protection of government.

Those opposite should absolutely challenge their federal counterparts to make their position clear on this issue. They should sort out their own position and then make sure that Prime Minister Turnbull legislates to protect the penalty rates of all workers, with our interest here being Victorian workers. We are talking about

women who work unsociable hours to pay for their family's shelter and food. We are talking about students who are trying to afford their textbooks, who are putting themselves through university and who are living independently — and they are often from rural and regional areas living independently in Melbourne while they are attending university. What those opposite do not understand is that these people are very often our working poor. They rely on penalty rates to get themselves over the line.

I very much grieve for those who are without the leadership of a Prime Minister who will ensure that every single person, whatever job they do and whatever day of the week they do it on, is fairly compensated and that they are particularly compensated when they work unsociable hours.

### Heyfield timber mill

**Mr T. BULL** (Gippsland East) — It is great to follow the member for Pascoe Vale in this debate. She has just forgotten to acknowledge that her speech was obviously written and authorised by Michael Donovan, because quite clearly that was the case.

I stand today to grieve for the 250 workers at Australian Sustainable Hardwoods (ASH) in Heyfield, who were told on Friday that their jobs are gone and that the mill will close. Similarly, I also grieve for the 7000 and more employees who work for the companies that Australian Sustainable Hardwoods supplies. The mood at ASH and in the community on Friday was one of a lot of emotion, a lot of despair and also an enormous amount of anger.

Amazingly, even before the company had the courtesy to tell the mill workers about their future, we had the Premier on local radio saying he would buy the mill in what was nothing more than a disrespectful act and a statement without any substance whatsoever. There are a few reasons why this statement lacked substance, and I will run through them. First of all, he said he would operate the mill at the sawlog quantity on offer and would put all the jobs of the workers first. What he obviously had not been briefed on or had not understood is that a quantity of around 60 000 cubic metres of annual supply equates to around 60 jobs, not 250. So he says he is going to secure these jobs and he says he is going to save them with the timber quota that is on the table, but that will only provide for less than a quarter of the jobs that are currently there now.

Secondly, the Premier was obviously also unaware that the mill owners were in talks with the Tasmanian government, which is receptive to this industry and

would welcome them with open arms. The company has said they would consider moving the mill — the operations and the equipment — to Tasmania, so there will not be a mill there for the Premier to buy. If this step is taken, it will, either way, prove a mass exodus of jobs, which means more jobs out of the Gippsland region. When the Premier was told about this move by ASH, or that they were considering moving the company to Tasmania, all he had to say was, 'Gee, that is an interesting development'. That is absolutely unbelievable commentary from someone who had been briefed poorly and who clearly does not understand the situation at all.

Thirdly, when asked why he had not considered buying Hazelwood, given he was happy to buy Heyfield, he said Hazelwood was not for sale. This is interesting on two points. Number one is that, given he did not even know the Heyfield mill was for sale, it has got an owner. It does not need a new owner; it needs timber. Engie said a couple of weeks ago, as the member for Morwell indicated in question time today, that they would have considered any offer from a buyer. So we now find out that Hazelwood actually was for sale, and the Premier does not offer to buy that, but Heyfield is not, and he wants to make a big man out of himself by trying to solve a problem that is not going to be solved by him buying it anyway.

This was clearly a statement to deflect away from what was the real issue. The real issue here is not about mill ownership at all; the real issue here is about timber resource allocation.

The Premier said he would buy the mill and operate it under the current quota to save the jobs. This comment just borders on stupidity. He really needs to have a good look at the advisers who told him that this was a good idea and thought that this could possibly in some way actually work. The mill manager has stated that when you start talking about quantities of timber that are allocated to mills, when you are looking at between 25 000 cubic metres and 100 000 cubic metres, it equates to 1000 cubic metres a job. When we are talking 60 000 cubic metres, it equates to 60 jobs. You cannot operate the mill on a quota of 60 000 cubic metres and save the 250 jobs the Premier is stating that he can save. Unless he has got a magic wand or he is going to subsidise it for the massive, massive loss of millions of dollars, it simply will not work.

The Premier has repeatedly said that the timber is not there and that VicForests have advised him of this. That is simply not right, and I will tell you why. When this story broke on ABC radio, on Gippsland 1242 and in other media, VicForests clearly said that the timber was there, but the forecasts of what could be released had

been reduced primarily for two reasons. This is before the Premier told them to keep quiet. The two reasons were that, firstly, VicForests has openly said that the area that has been placed in the reserve for Leadbeater's possum habitat without being replaced is the major reason for the reduction in resource. The second reason is that VicForests has to take into account under current rules the amount of resource in the future that will be locked up in the reserve for Leadbeater's possum habitat. It was a clear statement on ABC radio at the time and a clear statement that appeared in all other media. I ask the Premier who is right on timber resource allocation and whether the timber is there: is it him, or is it his agency VicForests, because the stories are different and they both cannot be right. It is as simple as that.

I have heard some members of the government say in relation to Leadbeater's possum reserves that they were the rules that the previous government put in place. What they conveniently overlook is the fact that those very rules included that a review was to be undertaken when 200 colonies of Leadbeater's possum were located. That review was to take into account various things, and one of those things was the maintenance of a sustainable timber industry. We now sit as of last week on 569 colonies of Leadbeater's possum having been identified. That is almost three times the amount that was meant to trigger the review, which is 200. The 200 benchmark was hit over 12 months ago. The review should have been done within three, maybe four months, of that trigger point being hit. We sit here now, 12 months after the 200th colony was discovered, and we are up to 569, and the review has not been completed. That is not good enough.

No-one has a problem with the protection of any species — I do not think any member of the chamber would argue with that — but it should not be used as a political tool to close down an industry. For goodness sake, this should have been sorted out. This review should have been done many, many months ago. If we lock up a reserve area for a particular reason, we need to replace the area with like for like. You cannot take resource and not replace that resource and then expect that there are not going to be any repercussions down the track. It is just ludicrous to think that that is the case.

I want to get back to the mill and the jobs. Late on Thursday mill management said that they had heard that the offer to them was not going to change, so they offered to keep all the staff employed at the mill through until March next year if they could get the 80 000 cubic metres up front. This was an olive branch that was extended that would have bought a little bit more time, but in a clear display of the Premier not wanting to solve this issue at all, that olive branch was

not accepted. The reality of this issue is that it does not have to be a decision about the possums or the jobs. It does not have to be one or the other.

For starters, studies have shown that the biggest impact on the possum is fire. The greatest frontline defence that we have when it comes to fighting fires is who? Who is out there pushing down the firebreaks, protecting communities and protecting the environment? It is the workers in the timber industry that are out there at the forefront and that are protecting us when fire breaks out.

When you read some of this green rhetoric and fluff that goes around all over the place, you could gain the impression that the only Leadbeater's possum habitat is the area that is there for logging. This is far from the truth. Three-quarters of the possum's habitat — 75 per cent of it — is area that is not available to the timber industry. It is inaccessible and already in reserve — and that is without locking up more areas.

This brings us to a look at the bigger outlook on all of this — that is, that 94 per cent of the state's forests are out of bounds to the timber industry; they do not have access to it. It is either in reserve or it is inaccessible. The timber industry has access to 6 per cent of our state's native forests, and they harvest that 6 per cent on an 80-year rotation. And we want to go ahead and lock up more under the false pretence that we are preserving and protecting a possum that is far more prevalent than anybody first thought. It is amazing to see these green groups promoting the notion that if you harvest the 6 per cent that is left, you are going to wipe out a species. It is absolute rubbish.

On the latest count we have found 569 colonies, and we really have not looked outside the logging areas. We have found 569 colonies looking inside the 6 per cent that is available to the timber industry. Why do we not start looking outside the logging coupes? We have found 569 in those areas, but who knows how many there are? It is time we reviewed the process around this reserve system. We need to revisit this system that is in place for Leadbeater's possum. We need to continue to do the work on how many colonies there are, and we need to expand this work into non-logging areas.

We also need to introduce a no-net-loss policy for the industry. If we want to reserve an area for a particular reason — and there will be, on occasions, some reasons an area needs to be reserved — we need to replace that are with like for like, because we cannot keep locking up, locking up and locking up and not expecting there to be repercussions. It is quite simple.

There is another question that I would like to ask the Premier. We know that it is a fact that plantation timber cannot provide the appearance-grade timber that our community wants to access. The consumer thirst for appearance-grade timber is high. Appearance-grade timber cannot come from plantation forest, so if you want to close down Australian Sustainable Hardwoods and you want to shut up our native timber industry here in Victoria, you are not going to get your appearance-grade timber from plantations. Where are you going to get it from? I will tell you where you are going to get it from. You are going to have to get it from imports. Because you have closed down our native industry and you cannot get it from plantation timber, you will have to import it.

What will happen there is that the same people that are jumping around the cage now saying, 'Close down our native timber industry — it's this, it's that', will be out next week, probably standing on the steps of Parliament House, wanting to save the orangutan. We are going to have to access this timber by importing it from those developing countries that do not have the level of oversight that we have on our native timber industry here in Victoria. You cannot have it both ways; you simply cannot have it both ways.

It will be the same greenies that want to close down ASH. They were out there last week, standing with their placard on the steps, holding it up with wooden poles, who will be out there next week talking about saving our orangutans.

Australian Sustainable Hardwoods harvest no old-growth forest. None. Zippo. It is all regrowth; it is all plantation timber that goes through that mill. They are a company that has a great reputation for value-adding. They have spent enormous amounts of money over the past decade investing money into finding uses for all their timbers, even their waste. They are a world leader in what they do.

The Premier needs to know that this fight has just started. It is not over. We saw the rally yesterday. We had workers in here again today. It is about to fire up; it really is. The Premier needs to know that not only the Heyfield community but also the 7000 employees who rely on ASH timber in the suburbs are about to come out as well. We had a number of them here yesterday and we had a number come out today.

There is one way to save these jobs, and that is to make the changes required to ASH resources. Stop worrying about Richmond, Brunswick and Northcote. Stop worrying about the 24 people who are sitting in here on Greens preferences — —

**Mr Wynne** interjected.

**Mr T. BULL** — Member for Richmond, I do not mind you winning your seat. I do not want another one of them sitting up the back; I would much rather you be in here, but closing down the mill at Heyfield because of Greens ideology is not going to achieve that. We need to make a decision that is right. We need to look after these jobs. We need to look after these communities, have a conscience and do the right thing by these people.

**The DEPUTY SPEAKER** — Order! Before I call the member for Mordialloc I remind the member for Gippsland East and all other members that they should address their contributions through the Chair.

### Federal government performance

**Mr RICHARDSON** (Mordialloc) — I rise to grieve today for the state of Victoria and for the good people of Victoria who confront Liberal ideologues like Malcolm Turnbull who punish our state and Victorians at every turn, and who put Liberals first and Victorians second.

I am glad that the member who preceded me talked about working people and jobs because for years under the coalition's reign, Joe Hockey goaded the car industry to leave Australian shores. He did not support any industry assistance package. He did not support any intervention, so now we have thousands of job losses confronting Victorians in the automotive industry. In the component-part manufacturing industry, which affects the city of Kingston and the city of Dandenong exponentially, we have thousands of people who have insecure work, casualised work and part-time work.

Where were those opposite when Tony Abbott walked away from the automotive industry? Nowhere. Where were they? Nowhere. When Joe Hockey goaded the car industry, there was nothing. Suddenly those opposite have found their voice and are saying that they are on the side of working people. Suddenly they are the defenders of workers' rights. Well, people are not going to be conned by that approach.

It was not possible to see more uncomfortable people yesterday than those opposite having to stand with working people, the Construction, Forestry, Mining and Energy Union (CFMEU) members, who those opposite demonised time and time again throughout the royal commission process. These are good working people, union people, who have helped build and construct our state and who have given their time and their livelihood to providing backbreaking work in the construction and manufacturing industries. They have done everything they can to underpin our state's prosperity. For those

opposite to now come in here quoting CFMEU members is an oddity, if not one of the most extreme absurdities that we have ever seen.

I have seen a more uncomfortable and awkward moment in this place, and that is when the member for Kilsyth stood as the good member for — —

**Mr R. Smith** — Croydon.

**Mr RICHARDSON** — Croydon. Thank you, the member for Warrandyte. The member for Croydon had to give an apology for and rescind his views on penalty rates and some of the cuts to workers' rights and conditions of the Fair Work Commission. You could not have imagined a greater slap down of a member. You could not have a more awkward conversation. When you walk through the halls of Parliament at the moment, you see Hodgey looking for a look; he is looking for eye contact and he is getting donuts from the Leader of the Opposition. He does not get up on points of order at the moment. His zingers have gone a bit quiet. We have not seen too many quips from the member for Croydon. He looks like someone who has been told to sit in the corner and behave himself for a bit.

You could not have a greater contrast between the member for Croydon's position and the scrambling position of the Leader of the Opposition. But guess what? People are not going to be conned by the Leader of the Opposition, who said he would take his vehicle of courage up to Canberra and that he would lock-box the \$1.5 billion for the east-west link, that debacle of a project. He said, 'I'll get on the highway, I'll go up the Hume and I'll go and have a chat to Malcolm'.

Well, how many times did the good Leader of the Opposition put in a call about the automotive industry transition fund, that \$500 million that was put aside which has not been spent on supporting auto workers? How many times has that courageous bloke stepped forward? None.

How many times has he stood up in defence of our multicultural and inclusive society to defend our multicultural communities against the changes to 18C? He has not said 'boo' because he knows that come 24 November 2018 we will be reminding Victorians of the contrast between a man who wants to be a progressive Liberal Premier and the pathway that another so-called progressive Liberal in Malcolm Turnbull has taken. That is because the ideologues of the far right have a stranglehold on the Liberal Party. The preselections keep going on and on, and we continue to see the Institute of Public Affairs ideologues.

One thing I noticed in the last sitting week was the extraordinary contributions by those opposite, particularly from the member for Ripon. I have never seen someone for 20 minutes not say they support something they so desperately wanted to say they support, the Fair Work Commission's report. You only have to look at her first speech where she talks about workers' rights and conditions; it harks back to the yesteryear era of workers' rights and conditions.

Instead we saw her strangely blame the federal Leader of the Opposition, Bill Shorten, for a Fair Work Commission decision that had been overseen by her sitting Prime Minister's party. She failed to acknowledge the fact that the federal Leader of the Opposition had actually put forward a bill to oppose those penalty rates changes.

This is a member who is on one-point-nothing per cent in Ripon. We will go to some of the small businesses and cafes in her electorate and to the people who rely on those penalty rates to make ends meet; we will put a DL out in Ripon and remind the good people there that the member for Ripon's views are in support of penalty rate cuts. That is why she did not have the courage to say what she really thinks about penalty rates, which is that she is in staunch support of penalty rate cuts.

It is the same for the member for Eildon. She talked for 10 minutes about nothing when she only needed to say what she really thought. She should come in here, be honest and say what she really thinks. She supports the penalty rate cuts, and 3.6 per cent will go from Marysville, Warburton East, all the way to Millgrove and on to Woori Yallock. We will tell everyone who relies on penalty rates that the member for Eildon stood there and did absolutely nothing when their rates and conditions were cut. These are some of the more disadvantaged areas and communities which are some 65 kilometres from the CBD. There are challenges with employment and opportunity out there in creating those local jobs. We will be reminding the member for Eildon's constituency come 2018 of both her own and her leader's views on penalty rates.

When we think about the federal–state relationship dynamic, we see that Victoria is being punished for having a Labor government. There is no doubt about that with the approach taken by Malcolm Turnbull to his relationship with the Premier on infrastructure projects that are underpinned by Infrastructure Australia — —

**Mr Wynne** — What have we got?

**Mr RICHARDSON** — Absolutely nothing. We now see not 9 per cent but 7 per cent. You can see the

Leader of the Opposition's lapdog, the member for Kew, hanging over the backbenches. You could not see a bloke more eager to get eye contact with his mate, the Leader of the Opposition. He is hanging on the pine, saying, 'Give me a bit of eye contact. I've got a zinger or two'. He is the absolute class clown in here. He gets kicked out more and more, and as he is being paraded out of the chamber, he takes a quick glance up at the media, hoping that Richard Willingham or any other journalist will give him a quick tweet saying 'Timmy's been bad again'.

He has been tasked with the population task force. He has been tasked with being the forward thinking, visionary member for Kew, though he is stuck with the ideologues, stuck on Sky News as a contributor to *The Bolt Report*, talking about section 18C in all its glory. He gets a run on there every now and again, and he talks about the ideologues of the far right and section 18C, which I will come to.

This is a guy who did many Google searches for images of rural areas and many image searches for buildings, then put that into a report, added a few Wikipedia references here and there, and he calls himself a future Premier. He is a shadow parliamentary secretary for crying out loud! He puts together about a 10-page document that does not even put together what our state needs for the longer term, and it does not answer the fundamental question of our federation — the relationship with the states. That should be chapter one. The state-federal relationship is broken, and we need to look towards future investment in funding and how we have a model of sovereignty funding for the state of Victoria, which is constantly punished despite having 25 per cent of the population.

Those opposite have found their voice for jobs, investment and infrastructure, but while their Liberal masters were ruling federally and Tony Abbott was on an absolute slay-and-cut mission in relation to funding they stayed quiet. We have never seen that play out more than the absurdity of Josh Frydenberg and Jay Weatherill and that dynamic. To go and talk down a state for months and think you can just walk in there — walk into South Australia — is outrageous, and Jay Weatherill told Josh Frydenberg exactly what he thought. Being Victorians first and political ideologues second, we will be looking towards how we can show Victorians just how important it is that we get this state-federal dynamic right in that relationship.

We keep seeing it play out. You could not have had a more extraordinary setting yesterday with Harmony Day — celebrating our diversity, celebrating inclusion — and you have Malcolm Turnbull stand up and say to our communities, 'We are going to amend

section 18C'. That is the greatest priority now, not the lack of infrastructure investment that we have and not the debt that the federal government has quadrupled under its watch. These are the so-called economic managers. They have seen more troubles than anyone has seen in a party. Will it be Peter Dutton? Will it be Julie Bishop? Will they go back to Tony Abbott? Who will be next? We see that play out, the great diversion yesterday.

We will be reminding Victoria's multicultural communities. We will be reminding every single one of them. All those communities have co-signed a letter about just how damaging changes to section 18C will be. Malcolm Turnbull got up on Harmony Day, and that was his greatest priority: to add a term into 18C that allows harassment. It allows the threshold to go up. Harassment is now the threshold, and intimidation. That is the greatest priority of this Prime Minister, not the 7 per cent infrastructure funding that we get in Victoria, not the Gonski funding and the lack of education funding, not the lack of investing in our next generation of children — none of that. No, the greatest priority is how far you can offend someone.

What do they want to say that they cannot say now to somebody in the community? What do you want to say? What do those opposite really want to say? That is the fundamental question. They will not answer that. Tony Burke has prosecuted that. What do they want to say?

**Mr Watt** interjected.

**Mr RICHARDSON** — The member for Burwood will interject, but he does not stand up for family violence on one of the most symbolic days. He had an extensive preselection contest. The member for Burwood should hang his head in shame. What do you want to say, member for Burwood, to communities that you cannot say at the moment? It is an absolute disgrace.

We will be reminding all those committees —

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood is not in his place.

**Mr RICHARDSON** — We will be reminding all those communities. What were the press releases —

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood will return to his place if he wishes to speak.

**Mr RICHARDSON** — What were the press releases that those opposite put out? They did not contain one word condemning the watering down of 18C. What do they want to say?

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood will not be asked again.

**Mr RICHARDSON** — You have got Foghorn Leghorn over there, who is an absolute embarrassment to his party. I tell you what: they tried to knock him off, but I guess they are hoping that organically that might happen in 2018 and they can have a bit of renewal. I mean, Jeff Kennett must sit there and go, 'That is the bloke who succeeded me in the Liberal Party — the trailblazer member for Burwood. That is the guy who got the gig. I bashed through, and I did some great things in the state of Victoria'.

**Mr Watt** interjected.

**Mr RICHARDSON** — Jeff would say, 'Oh yes, Hawthorn Football Club, but that is the guy —

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood!

**Mr RICHARDSON** — That is the guy who replaced Jeff Kennett, one of our Premiers for two terms, and you have got him, the class clown. I mean, goodness me, that is the calibre of people trying to jump down onto the front bench — the member for Burwood. Then you have got the member for Mount Waverley, who could not be any further far right if you tried. He is standing in the corner on the far right. He goes on and on basically about the press releases of the Institute of Public Affairs. I wonder what he wants to say under changes to section 18C.

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood is now disrespecting the Chair.

**Mr RICHARDSON** — The Leader of the Opposition is more interested in what women wear than jobs in Victoria. He went on a crusade about the burqa, an absolute crusade. He was asking how he could chase down and take the lowest path. His is more worried about what women wear than he is about jobs. He will not stand up for Victorians. He will not go to Malcolm Turnbull and ask for a fair share of funding. He will not go to Malcolm Turnbull. He said it to Tony Abbott; he said he will do the lock box. He has not said anything about the cuts to education, the cuts to health, the absolute slaughtering of the automotive industry —

**Mr Watt** interjected.

**The ACTING SPEAKER (Ms Thomson)** — Order! The member for Burwood should return to his spot or leave the chamber.

**Mr RICHARDSON** — He will not say a thing. And when 24 November 2018 comes, I will be reminding our communities across Victoria that that is the person who wants to be Premier but who does not have the ticker and does not have the guts to stand up to the ideologues of his party.

**The ACTING SPEAKER (Ms Thomson)** — Order! Before I give the call to the member for Morwell, the member for Burwood has been repeatedly interjecting. Do not leave while I am on my feet. The member for Burwood is disrespecting the Chair. I am calling for the Speaker. The member for Burwood is using up the valuable time of the member for Morwell.

**The SPEAKER** — Order! I understand that when the Acting Chair was on her feet the member for Burwood walked around the chamber, defying the Acting Chair's instructions.

**Debate interrupted.**

## SUSPENSION OF MEMBER

### Member for Burwood

**The SPEAKER** — Order! Under standing order 124, I ask the member for Burwood to leave the chamber for the period of 1 hour.

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

## GRIEVANCES

**Debate resumed.**

### Latrobe Valley employment

**Mr NORTHE (Morwell)** — It does not give me any pleasure at all to be speaking on the grievance debate today. But I do grieve for the people — —

**Mr R. Smith** interjected.

**Debate interrupted.**

## SUSPENSION OF MEMBER

### Member for Warrandyte

**The SPEAKER** — Order! It is inappropriate for members to reflect on the Chair or acting chairs. The member for Warrandyte will leave the chamber for a period of 1 hour.

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

## GRIEVANCES

### Latrobe Valley employment

**Debate resumed.**

**Mr NORTHE (Morwell)** — It gives me no pleasure at all to speak on the grievance debate today, and I grieve for the people and particularly the workers in the Latrobe Valley and wider Gippsland region. As we know, the events of the last couple of days within the parliamentary precinct give some regard to the contention within our community and the concern about jobs, jobs and jobs in our region. It is absolutely incomprehensible that we are seeing ideology from this government contribute to the loss of existing jobs in the Latrobe Valley and Gippsland region and any future jobs as well. The ideology around the use of timber and the use of coal just simply defies logic. If the current government maintains its position, the reality is we are going to see the loss of thousands of jobs for people and their families right across our region.

It is interesting to note that the Labor Party — the great Labor Party — is supposed to be the party that represents working-class people and blue-collar workers. Well, go and tell that now to the people in Heyfield, go and tell that to the people in the Latrobe Valley, go and tell that to the workers across the Gippsland region, because they have been betrayed. They have been betrayed by this party and this government.

These are not just my words; these are the facts. We were talking today in question time about facts. The concern that I have is for unemployment across the City of Latrobe right here and now. It is important to know the statistics. They are not my statistics; they are the Department of Employment and Australian Bureau of Statistics (ABS) statistics, and they are important to note. In December 2010 unemployment in Latrobe city was 7.6 per cent. In December 2014 it had reduced marginally to 7.3 per cent. So under the coalition state

government there was a reduction in unemployment across the Latrobe city.

Now that is in complete contrast to the words that the Premier said in this place in question time last year, when he misled Parliament by saying that unemployment in Latrobe city had risen under the coalition government. That is simply not true, it is not factual, and the Premier should be condemned for trying to say otherwise.

So when we left office in November 2014 unemployment in the City of Latrobe was 7.3 per cent. Two years since that time the level of unemployment has risen to 11.2 per cent — an increase of more than 50 per cent in less than two years, and another 1350 Latrobe city residents on the unemployment queue. It is just outrageous when we have members and ministers on the government side talking about the creation of jobs. Surely within those contributions they can talk about the issues and challenges in Latrobe city and do something about it.

We see a number of Labor MPs tippy-toeing around at the moment with respect to the closure of the Hazelwood mine. I am sure there are many walking around the streets of Melbourne quietly celebrating the closure of Hazelwood to ensure that they shore up the Greens preferences and Greens voters. Really what people are seeing in our communities are crocodile tears from the Premier and others, who roll into town saying, ‘Oh well, it’s not our fault. It’s nothing to do with us’. But again, factually that is absolutely wrong, because there is no doubt about Labor’s position on Hazelwood and whether or not it should close.

In 2010 the then Premier, John Brumby, when he was asked about this issue, said, ‘Either you believe in closing Hazelwood or you don’t, and I do’. That was from the Premier of the day. It could not be any clearer.

Gavin Jennings, the now Special Minister of State, in Parliament itself — it is in *Hansard* — in July 2010 said:

There has been an announcement this week of the staged closure of Hazelwood, which is an intended policy outcome of our commitments.

He went on further to say:

As he acknowledges, in previous answers to the house today I have volunteered that the government is particularly mindful of the consequences of changes to the employment prospects of people in the Latrobe Valley as a result of our commitment to try to facilitate a staged closure of Hazelwood.

It is there — it is there in *Hansard* and it is there replete in many media releases.

Indeed the now Minister for Energy, Environment and Climate Change in 2011 said:

Mr Baillieu’s decision to keep Hazelwood fully operating is disgraceful ...

It can be no clearer that the Labor Party and this government want Hazelwood to close. Even in those comments they said they were going to do it gradually. That is not occurring now, and that is another broken promise and commitment.

It is interesting to note — and the Minister for Resources is at the table — that the government also promised to release its coal policy last year. Where is it? What is contained within it? How can we provide that business certainty and confidence going forward in our community when we do not even know the government’s own coal policy? It is not helping with any future developments or any business confidence in this region when the government has been sitting for more than 15 months working on a coal policy that has not been delivered. It is simply outrageous.

Of course knowing that the current government wants Hazelwood to close, what you would not want to do, if you cared even a little bit about the prospects of maintaining jobs or retaining jobs in the Latrobe Valley, is in your state budget impose another \$252 million of taxes on some of the Latrobe Valley’s largest employers at the same time that unemployment is spiralling out of control and going through the roof. Surely you would not do that, but that is precisely what happened last year — again breaking an election commitment — at a time and at a place where the government knew that unemployment was rising, in Latrobe city. They still proceeded to go and tax an extra \$252 million from some of the largest employers in our region. It simply does not make sense, nor is it logical.

Then of course we have the government saying, ‘Oh well, that’s okay; they’re not too worried about it’. Of course they are worried about it. At the time in the *Latrobe Valley Express* and other local media outlets all the energy companies noted not only the lack of consultation about this imposing of \$252 million but the impacts it would have on the business and employment positions for their operations. It is absolutely outrageous that that has occurred. As I say, if the government really did care about those jobs and those businesses, surely it would not go and impose another \$252 million — but that is precisely what happened.

I have spoken to so many workers, contractors, service providers, local businesspeople and local community members about the situation we are now confronted

with in the Latrobe Valley. I have raised this in Parliament on many occasions. I raised the example today of Nick from Traralgon who is a contractor with Fluor, mindful of the fact that when Hazelwood power station closes, contractors are not eligible for a voluntary departure package. They do not get a golden handshake. They do not get any handshake other than, 'See you later. Good luck for the future'. That is simply outrageous. Nick wrote the same email to me and to the Premier, pleading, 'Premier, all I want is a job'. Nick is aged around 50. He has three children. He is very concerned, as I said today on his behalf. He is worried he is going to have to pack up his family and move elsewhere when they are already settled in the Latrobe Valley. He is worried about his finances. He is worried about an uncertain future, and he is not alone.

We have had workers sitting in the gallery as we have tried to plead with the Premier on their behalf: all they want is a job. We can provide all the training in the world, but we must find jobs for these people. To take away hundreds of jobs basically in one hit is going to have an enormous impact on our community. My concern is for the welfare of those employees, those contractors, those service providers and those businesses that are all going to be impacted.

I will relay one story from the *Latrobe Valley Express* of 30 January this year, and it refers to Chris Henkel, who is a supervisor for Fluor — he is a maintenance construction contractor. He was talking about his feelings and the feelings of his fellow workers. I quote in part from this article:

... Mr Henkel said he was finding it hard to uncover the positives —

of the closure of Hazelwood.

He said there was a lack of suitable job opportunities, and the options of Centrelink or retraining into growth areas such as hospitality and aged care was less than appealing for many.

'I could train every day for the next three years, but if there is no job for me to go into, what am I training for?' Mr Henkel said.

And that is the point: we can train these people as much as we like. We can give them the skills that they need, but unless they have got a job at the end of the day, it is not going to help them or their families. The fear is that many of these people will move out of the area because they need jobs — they need work — and it is simply not happening.

I support a worker transfer scheme. I know the minister at the table has been trying to facilitate that, and I will give credit where it is due. But last Friday when the

government came out and made a number of announcements with respect to the Latrobe Valley, those sports and recreation facility announcements that were made and that the government talked about were not funded by the government, they were funded by the generators last year who they stripped \$252 million out of. It is the Latrobe Valley's own employers that are paying for these facilities to now be built in our community. What I will say before the opportunity leaves me is that whatever happens with those projects and those facilities, we must give a strong weighting system to allow local builders, contractors and businesses the opportunity to do that work over anybody else.

Announcements about the worker transfer scheme were made with much fanfare last week. Up to 150 workers might be provided work through that scheme. There is a real fear and concern in the community that the goalposts have already moved. People are telling me that it might not be 150, it might be 10. That is just not good enough when we really do need a guarantee from the government about what that number will be and how those workers will be supported.

But outside of that is my fear for contractors, the already unemployed, which is now 11.2 per cent in the City of Latrobe, and other businesses that are going to suffer as a result. If you take approximately \$100 million out of a local economy in one hit, which is about to happen here, then you can only imagine the repercussions. Whilst it may not be the government that has made the decision, it is Engie, and they need a whack between the eyes as well, the reality is that through the government's own policies and budget settings they have helped to facilitate this closure, and that is an absolute disgrace.

Then we have the situation of last Friday, which I will call diabolical. As I am driving along within the community listening to Gippsland ABC radio, the Premier comes on and says, 'These jobs at Australian Sustainable Hardwoods (ASH) timber in Heyfield are so critical we will do anything to protect them'. He said words to that effect. I am thinking, 'Great, I agree with that'. Then he says, 'If ASH don't want to run it, basically we'll take over the ownership and operations of ASH timber'. Can you imagine being a Hazelwood worker, contractor or local service provider and the Premier is on the radio saying how important the jobs at ASH in Heyfield are and, 'We'll take ownership of it'? But guess what? If you are affiliated with Hazelwood, if you are a worker, contractor or service provider in the Latrobe Valley, bad luck for you. I am sorry. Quite rightly the ABC reporter asked the Premier, 'If you are prepared to buy ASH operations, why would you not

buy the Hazelwood power station?'. The Premier said that it was not for sale. That is in complete contrast to what was said at an Engie community forum two nights before that.

In closing, Hazelwood power station will see the loss of hundreds, if not thousands, of jobs, security of supply threatened in the state of Victoria and electricity prices rising for all Victorians. This is a disgrace.

### Penalty rates

**Ms GREEN (Yan Yean)** — I join the grievance debate today. It is never a pleasure to speak on grievances because it means something is wrong. Something is deeply troubling me and deeply troubling many in my community, especially those who are already in insecure work and those who are in casual work. It is also deeply troubling those who thought that maybe in permanent part-time roles, if they worked on weekends, they would have some protection, that their incomes would be protected, that they would be able to service mortgages, that they would be able to give their children that extra little bit and that they would be able to pay for weekend sport. Now it seems that the sacrifice that those workers make by maybe not seeing their kids play weekend sport is not valued or recognised. The federal government is supporting the last month's decision by the Fair Work Commission to gut our significant penalty rates.

Many of those opposite and many of those in Canberra seem to think this is a modest cut. It is certainly not a modest cut. It affects in the first instance rates for workers in hospitality, fast food, retail and pharmacy. Goodness me! Those who work in pharmacy are health workers. Do those opposite really expect health workers not to be fearful that pharmacy is at the thin edge of the wedge and that nurses, cleaners in hospitals, paramedics and doctors in our hospitals will also not be getting properly remunerated for their work on weekends and on public holidays?

The cuts come at a time when wages growth is at a record low. The cost of living is rising, which leaves working people and their families extremely vulnerable to reductions in their take-home pay. Right now Australians need a pay rise, not a pay cut. I really do not want to see our workforce go down the path that the US has gone down. Anyone who has visited the US and eaten out will know that people have to live on tips. They have to live on the kindness of strangers. Workers should not have to live on the kindness of strangers. Their work should be respected, especially when it is in hours that are not normally worked by others, like weekends.

I listened to the member for Pascoe Vale's contribution to this grievance debate earlier. She talked about every single employer body. She quoted Mark Kenny, who is not known to be a progressive commentator, but in a recent article he went through every single employer body, including the Institute of Public Affairs — of which we have many devotees sitting on the other side of the chamber, including the member for Mount Waverley and the member for Kew; there is a queue of them — and none of those organisations answer the phone on a Sunday afternoon because their weekends are sacrosanct, as the member for Pascoe Vale said; but not those of the workers who have just had their penalty rates cut.

The cuts are deeply unpopular, and the community did not ask for them. Profits shot up 20 per cent in the last year while wage increases slowed to a crawl at 1.8 per cent. Australians know that workers and their families need a pay rise, and that is why 81 per cent of Australians support penalty rates. Almost two-thirds of the community believe that those who give up their Sundays should be paid more. Upwards of 5900 Australians submitted to the Fair Work Commission on the proposed cuts, and over 95 per cent of those were against the cuts.

Those in Canberra have been saying that housing affordability is a barbecue stopper, and that there need to be some things done to ensure housing affordability. I am proud to be part of a government that has made not one, not two, not three but 34 measures in support of housing affordability for people trying to buy their home in this state. One of the biggest inhibitors of housing affordability, or in fact being able to keep your home, is having secure work. You are not going to be able to get a housing loan and you are not going to be able to service your housing loan if you cannot rely on your wages not being cut.

There were a number of sad things I heard on the radio on my way into Parliament House yesterday morning. One of them was to hear Tony Sheldon, the national secretary of the Transport Workers Union, talking about the plight of workers at the airport. There is an increased casualisation of workers at the airport. Anyone who has used that airport knows how they gouge for car parking. It is more expensive per hour for a car park than it is to fly anywhere in the country. Yet the operators of that airport have people in the transport industry — Transport Workers Union members — in total enslavement. Tony Sheldon told the story of a worker who was paid for 50 hours in a fortnight, but because of the way they structure the shifts for baggage handlers, because the peak times for departures are around midnight and the arrivals are early in the

morning, these workers get a 3-hour break. Because of the appalling hourly rate they are paid, and because they are paid as casuals for only 50 hours over a fortnightly period, of course those workers cannot afford to go home in those 3 hours. Tony Sheldon was saying they were lying where they could find somewhere to sleep, amongst rat droppings. Does a modern, forward-looking workforce treat people in that way? It is just disgraceful.

So many in my electorate and those throughout the northern suburbs work at Melbourne Airport and they shop there. The member for Yuroke is nodding her head. That airport is in her electorate, and I know that she knows, like I do, that it is a really important employment zone. Many, many people work there, but they deserve to be remunerated properly. I really commend the work of the Transport Workers Union. I have a good friend and local mate, John Parker, who has organised Melbourne Airport for a very long time. I wish him more strength to his arm. Those on the other side the house who would denigrate people in trade unions should meet someone like John Parker. He goes to church every Sunday, he is active in his community and he actually really, really cares. I know that it would be cutting him in two seeing what is happening to those workers at Melbourne Airport. Should this be happening in a First World country? Absolutely not. But that is what those opposite are supportive of.

I have talked about the plight of workers at Melbourne Airport, but the decision of the Fair Work Commission will see women bear the brunt of these devastating cuts. It happened a mere few weeks before International Women's Day. We are trying to make all these efforts to ensure that women are not the subject of violence and that women have economic security in their retirement and throughout their lives, but how on earth can they have that when they have had such a huge cut to their pay? Women make up 54.7 per cent of accommodation and food service workers and 54.6 per cent of retail workers. Women are also significantly more likely than men to be working in part-time roles in sectors hit by cuts to penalty rates. Cutting the pay of workers in these industries is the worst thing the government could do to worsen the gender pay gap.

I also want to mention another one of my local branch members. I do not have a whole lot of branch members, but the ones I have are enormously committed, and they are quality people. Lorraine Watson has been working for the Shop, Distributive and Allied Employees Association, the retail workers union, for a very, very long time. The minister at the table, the Minister for Industry and Employment, is nodding his head because I know he worked with Lorraine Watson and knows

what a fine human being she is. She was a delegate, works in health and safety, and lives within walking distance of my office. She actually just visited me a couple of weeks ago. We had not seen each other for a long time. We had a good catch-up. It was actually just before this decision, so I am sure she is having a very difficult time of it trying to support all those women workers who are subject to this cut.

Unlike those opposite, and particularly the member for Ripon and others, these cuts will hurt regional economies most. If workers take a pay cut, regional communities will be hit the hardest. The McKell Institute estimates that workers in rural and regional areas alone could lose between \$370 million and \$690 million. That is money that will not be spent in local stores, on tradespeople and in other businesses.

**Ms McLeish** interjected.

**Ms GREEN** — The member for Eildon might want to speak out in support of the cut to penalty rates, but I am sure that the low-wage workers and those who would like to get into work that live in the Upper Yarra, in that impoverished band up through Warburton, those that were deeply impacted by the decision of the government she served in to close Lilydale TAFE — —

**Ms McLeish** interjected.

**Ms GREEN** — That is what you do on the other side — you actually take away opportunities for workers to better themselves, for their kids to get trained. You closed the TAFE in Lilydale, you closed the TAFE in Greensborough. That is what you are if you are the member for Eildon — you will not stand up for those poor sods in Kinglake. They are a low-waged community. Many of them work and they eke out a living. She is not seen much around those parts, and she did not stand up for them when the cuts were occurring in the last government. Now she is actually spruiking the benefits of cuts to retail workers' and other workers' pay on weekends. It is a disgrace.

I am proud to be part of a government that has not cut bus services but has actually upped bus services massively to that mountain so that young people can get up that mountain and work in retail. I would like for them to actually have some money left over so they can support their own future training and employment and for them to actually set money aside to buy a house or build a house. If they live in Kinglake, they can actually benefit from the doubling of the first home owners grant, as they can throughout Murrindindi and

throughout the Shire of Mitchell. That is what we are about on this side of the house.

In regional economies people do earn less. The member for Morwell was talking about issues in his community with people not being in work. Those big businesses will profit from those areas of high unemployment, and they will be rubbing their hands with glee that they are able to pay their workers less on weekends.

I was really proud to be with my colleagues last weekend at the reopening of the Greensborough TAFE campus. I was there with Acting Speaker Carbines, who was in a beautiful red-and-blue checked shirt, and with the Speaker, who was in a matching shirt. A former member of the other place, Mr Bill Forwood, who is the chair of Melbourne Polytechnic, was very, very complimentary of this government and its work — a Liberal Party member, I should say — in reopening this jewel of the north. It should never have been closed. It was opened by a Labor government and then Deputy Prime Minister Brian Howe in 1993, and then some 20 short years after, it was closed by those opposite.

I am absolutely proud that we have reopened it. I commend the former member for Eltham, the member in the other place and former minister, Steve Herbert. Without his work, without his doggedness, this campus would not have reopened for young people in the north, and it was great to see the respect that our young people in the north were shown. We had the Speaker, the President, Acting Speaker Carbines, me and the member for Eltham. We were able to celebrate with the community, reopen that campus and show what it has to offer.

We will support young people, and we will support people in their middle years who want to retrain. We do not support the gutting of penalty rates on the weekend, and I grieve for the future of those workers in those industries.

### Law and order

**Ms McLEISH** (Eildon) — I certainly grieve for Victorians who have to suffer under the Andrews Labor government, and they are suffering in so many ways. Crime and law and order issues are out of control. In the two years this Labor government has been in, crime is up by 20 per cent. The total offences reported in December 2014 was 459 362, and the total offences two years later was 552 005. That is an increase of over 20 per cent.

We know that there is a tsunami of crime in Victoria. Sadly, in September last year Victoria took on the

mantle of being the murder capital of Australia. That is certainly not something to be proud of. Think about what we had in Victoria and where we are now. We have gangs running wild on the streets. People are absolutely incensed at and scared about carjackings. We hear almost daily of home invasions. In fact somebody I know was subject to a home invasion only a week or two ago. We have so much drug-related crime. We have riots in our justice system. We have seen the youth justice system out of control. How the minister managed to keep her job is beyond me. At Parkville, at Malmsbury and even moving to Barwon, we have had riots causing millions and millions of dollars worth of damage. The toll is still rising. When will they get on with looking at that?

If in any way or in any place the crime stats go down, the police say to me that it is only a function of a lack of police resources. It is certainly not through better legislation. I am sure that many in your electorate, Acting Speaker Carbines, are very worried about home invasions and carjackings.

To outline a few highlights: common assault is up 31.2 per cent. Aggravated robbery — that is robbery with a weapon on the street — is up by 30.8 per cent. Non-aggravated robbery is up by 41.5 per cent. These are very high and alarming statistics of the two years of the Andrews Labor government, which is very soft on crime. Dangerous and negligent acts endangering people are up by 36.3 per cent. Arson is up by 15.3 per cent. Aggravated burglary — this is absolutely scary — is up by 64.4 per cent; that is someone entering your home with a gun or a knife, even if someone is not home. Motor vehicle theft is up by 43.6 per cent. Escaping custody is up by 25.6 per cent. Resisting or hindering an officer is up by 193.7 per cent. These are absolutely extraordinary numbers.

You do not have to go far to hear a crime story or a law and order story. Most of the general public seem to know somebody now, and you have only got to talk to police. I have got many police stations in my electorate, none of which are open 24 hours. They report a rise in the theft of numberplates electorate-wide and across the state. Those numberplate thefts are then leading to burglaries with the stolen plates or petrol drive-offs with stolen plates. I know in my electorate there has been quite a bit of such activity. The lack of police resources is worrying, and it is worrying that the government took so long to recruit more.

We have had a number of police stations close, and we have had the impact of the two-up policy, which has certainly reduced the amount of policing in country Victoria. In fact I do not have a 24-hour police station

in my electorate. The closest ones are in Lilydale, Seymour, Benalla and I think Eltham.

Many of the police stations are a sergeant plus five, and they are certainly not 24 hours. If you have a sergeant plus five, and you have one on leave, which is normal — I know a station that has somebody on maternity leave, a position that is not replaced — and someone else is off on stress leave, all of a sudden we are left with a sergeant plus two. Then if someone else has annual leave planned, you know, we are very, very light on the ground in that area. The police are actually worried in my electorate that crime is not being detected because they do not have the resources at the moment to do it. They are not confident that when additional police are recruited that any will be deployed to regional areas.

Crime by local government area — if I look at Mansfield and the difference in the two years, total offences are up by 44 per cent. Property offences — burglary and break and enter — are up by nearly 60 per cent. Theft is up by 49.2 per cent. Assault is up by 65.7 per cent. Drug offences are up 333 per cent. That is an enormous jump.

If you talk to people on the street and read the local newspapers, you see some examples of some pretty ordinary stuff. Recently a man was convicted in an out of sessions court hearing, I think in about September, for incidents over the previous 12 months. A man in his fifties from New South Wales, along with his wife, moved to the area and they coerced a bunch of young local teens into theft, including their own 17-year-old daughter, and they were arrested and charged on 50 counts. The partner was also charged with theft and arson, and they found that one of these people who had moved into the town had 200 priors.

There were two burglaries in the main street of Mansfield last week, including at the pizza shop. We had explosives detonated in the town outside a unit in February. Police resources are stretched: 13 officers have had to cover 27 shifts in Mansfield and Mount Buller. There was a lot of smoke and mirrors from the government to make it look as if Mount Buller was covered during the ski season, but in fact that was not the case at all.

In Woods Point at the pub we had an axe attack on an older town resident. It was believed to be drug related. There is one policeman in Woods Point, and everyone knows when he is on or off duty. There was a spate of incidents in Bonnie Doon. I know that the owners of the Oasis cafe sold up for much less than they wanted because their children were so fearful of living at the

premises. Deb and Mark Poole had to move out of there and accept much less money than they wanted to, and that was not an easy thing for them to do.

If we have a look at the Yarra Ranges, crime there is also up 11.8 per cent. Burglary and break-and-enter offences are up 31 per in the two years from 2015 to now. Theft is up 24.6 per cent. Assault is up 6 per cent and drug offences are up 6 per cent in those two years. If you talk to the police there, what they report is the amount of youth offending. It was interesting to hear members of the government earlier talk about how much they are looking after our youth, but I think there is a lot of work to be done. Obviously a lot of youth are bored out there. They are breaking into houses looking for alcohol. They are stealing cars. They are hooning up Mount Donna Buang and torching and dumping cars up there. The police are very worried that those youths are continuing to look for soft targets. If you have a look at who the soft targets are, they might be single-parent families, older people, pensioners who live on their own or grandparents — there are a lot of elderly people in my electorate — and the police are very worried about that.

I want to move on to Murrindindi and have a look at some changes there. Crimes against the person have increased 55.6 per cent. Sexual offences have gone from 21 offences in 2015 to 74 offences in 2016 — the most recent figures. That is a 252 per cent increase. With arson, there has been an 82 per cent increase. Offences for the cultivation or manufacture of drugs are up 225 per cent. This seems to be quite common in country Victoria. People are obviously going to areas where they think they may not be easily detected. Weapons and explosive offences are up almost 70 per cent. Public nuisance offences are up 180 per cent. So there is an enormous increase in crime in the Murrindindi shire as well.

With some of the types of incidents, there have been spikes of offences happening at rural properties. At rural properties when offenders are breaking in, they are often particularly looking for firearms. If you look at who is wanting firearms, what are they going to do with those firearms? You can bet your bottom dollar that those firearms are traded illegally to be used as sawn-off shotguns in perhaps aggravated burglaries, carjackings or things like that. People are expecting that this is where the firearms will end up. The incidence of firearm theft is up. If you talk to the local police, they tell you that.

**Mr Richardson** — Who do you know?

**Ms McLEISH** — The member for Mordialloc is questioning the word of the police in my electorate. They are pretty quick to fess up to some of these sorts of things because they know that this is contributing to the overall law and order problem — the tsunami of crime across the state.

There has also been an increase in family violence. One of the things that you often hear is that the increase in youth offending is because there is a lack of consequences. What do you suppose a lack of consequences means? The lack of consequences means that they get a slap on the wrist and they are back out two or three days later. They get another slap on the wrist, and again and again and again. We know that the winding back of bail in Victoria by the Andrews government has let these sorts of things flourish.

In Yea, Lynne Bailey from the newsagent came down from her house in her pyjamas one night. I think she was on the scene of the break-in much quicker than the police because she lives quite close to her business. She has had enough of it. She has had enough of break-ins at her premises for cigarettes and cash.

Chisholm and Shaw Automotive, which has recently changed hands, has been subject to a couple of very targeted break-ins, because we know the thieves have shopping lists. It is not just a petrol station and an automotive centre; they also sell chainsaws. On the first occasion the thieves went in they were only in for a few minutes. They went exactly where they wanted to go, whipped the 10 or 12 chainsaws off the wall, and in 2 or 3 minutes they were gone. They were well out of there before the police came down. The second break-in was in the first week of February. Again 10 chainsaws were taken. They were in and out. But this time on top of the theft of the chainsaws the thieves broke open a whole bunch of oils. They spilt them all through the shop, and they damaged batteries. Not only were the chainsaws stolen but there was also a lot of damage done to the shop.

Also in the Murrindindi shire a couple of years ago the Stocco father and son terrorised their way around Castella, Glenburn and Yea. A lot of the townsfolk and people in the rural areas who were very worried about this were extremely critical of the no-pursuit policy. The Stoccos were spotted in Castella on the Melba Highway, and they were unable to be pursued when police had a clear sight. Because of that, they were not apprehended at that time. This chase went on for days.

At the time I went down to the Yea Recreation Reserve, and there were about five or six helicopters. The amount of manpower on the ground that was

dispatched in the pursuit of these crooks was incredible. All that the people in the town were talking about was the cost of the helicopters and the deployment of staff. If they had been able to pursue the men in the first instance, they may have been apprehended and that cost may not have been necessary. People in Yea are certainly not critical of the police, but they are very critical of some of the decisions that were made at the higher end — the softness around law and order, the tsunami in crime that is happening.

In Yarra Glen a couple of years ago — maybe not even that long —

**Ms Green** — Not on your watch.

**Ms McLEISH** — It was less than two years ago, very much on the watch of the Labor government. In the middle of the night, at 3.30 a.m., the bakery, with about five bakers, was held up at gunpoint. This was in Yarra Glen. They were held up at gunpoint. People there were terrorised. The two gunmen who came in got the bakers down on their hands and knees while they conducted a robbery. These people were absolutely terrorised.

The United petrol station has been subjected to a number of attacks. Across the road the Kubota dealership had people drive in, ram the gates, break in and steal quite a number of very large bits of gear. They come prepared; the criminals have done their homework. One thing they do know for sure is that while Labor is in power the state of Victoria is soft on crime and they have got a much greater chance of getting away with a slap on the wrist or less jail time than they deserve.

### Penalty rates

**Mr PEARSON** (Essendon) — I rise to grieve about the Fair Work Commission's decision to slash penalty rates, in so doing aiding and abetting the ideological agenda of the Turnbull government. What we saw with the decision by the Fair Work Commission was nothing more than a smash-and-grab on the most vulnerable members of our community — taking away and denying penalty rates to honest hardworking people who are isolated and vulnerable in many cases, while offering nothing in return.

Centralised wage fixing as an industrial relations instrument was abandoned overwhelmingly in the early 1990s, and as a consequence of that we have had significant economic growth and prosperity because we have enabled individual workplaces to tailor industrial agreements to fit their requirements. As a consequence,

you have had instances where the workers concerned have benefited, as have the companies concerned.

In my case I worked for many years at Target in high school and university, and — —

**An honourable member** interjected.

**Mr PEARSON** — Indeed, with this fine suit.

In the early 1990s I was covered by the Federated Clerks Union of Australia, and at the time the secretary was the now member for Albert Park and Minister for Housing, Disability and Ageing. The industrial relations regime there was in those days, the penalty regime, was extremely lucrative. If you worked on a Saturday afternoon, you got paid extremely well. The problem of course was that we were casuals, and invariably if you were working as a clerk mid-afternoon on a Saturday, you were very well paid, but it became pretty clear early on that, as time went on and as the workplace modernised as technology was phased in in the early 90s, the hours you were going to work would be questionable and in fact might be reduced.

So what ended up happening was — and this was as part of the move to enterprise bargaining and the decision to have one union covering one workplace in many instances — I became a member of the Shop, Distributive and Allied Employees Association, which I was very happy about because I found myself in a situation where instead of being casual I became a permanent part time, so I could not just be sacked and I could not have my hours cut. I found that I had holiday pay and sick pay and that I had dedicated, defined hours on a weekly basis.

In one sense you could say, ‘Well, your hourly rate on a Saturday afternoon was cut’ — and indeed if you look at it from the pure point of view of if I was working from 4 o’clock until 5 o’clock on a Saturday, under the new award versus the old award there was a reduction in my hourly rate of pay — but the net benefit I got was extraordinary, and I was very happy with those arrangements because I ended up being in a much stronger position. I had security of employment. I had better terms and conditions. I had set hours. The reality is that if I had not had those things after a couple of years and if I had stayed on the old award, I would not have been working and I would not have been getting that penalty rate. The reality is that you need to look at understanding industrial relations through the prism of a negotiation, which makes the Fair Work Commission’s position very disappointing.

Historically it was working men who pushed for penalty rates. The first penalty rate was enshrined in

federal law in 1947 and was a consequence of men in their 30s and 40s who argued successfully before the commission that if they were to be required on the weekend and away from their families, they should be fairly compensated. The federal arbitration commission acknowledged that, and under the regime of centralised wage fixing, that was adopted. The reality nowadays is that it is not men in their 30s and 40s who are the main beneficiaries of penalty rates. It is younger workers, the poor, women and casuals; those people who may be working in smaller workplaces, who may be working on non-unionised workplaces and who may not have the ability to stand up to their employer and demand a better rate of pay; people who are isolated; and people who are at risk.

The Fair Work Commission decision is not about productivity. This has got nothing to do with ensuring a better outcome for the workers and the employers concerned. This is nothing other than banging the worker over the head and shaking them down to shake out a few extra dollars to give to the boss — that is all it comes down to. Where we are going as an economy and where we should be focused as an economy going forward is towards a high-wage, highly productive, high value-added industry and a modern, progressive, dynamic economy, like what you would see in, say, Germany. That should be where we are going as a community. The notion that you are going to push people further and further into poverty and penury does not make any sense.

I read a wonderful book a number of years ago called *The Wal-Mart Effect* by Charles Fishman. Walmart is obviously one of the great success stories. I think it is still a privately owned company, and it went from being a very small business to being a category killer. Fishman’s contention is that often for small-town America you are defined by whether you have got a Walmart in your town or not. Fishman starts to analyse what happens when a Walmart arrives in town. Because of their superior supply chain management and because of their ability to have a very wide inventory, they are able to drive costs down, so when they move into a town in small-town America they decimate all the other businesses in that town because no-one can compete. They become a destination shopping spot: you just say, ‘Right, I’ll just go to Walmart. Walmart will have everything. I’m right’.

What Fishman’s analysis shows is that when you push the wages of your workforce down — which Walmart does, and very successfully, I might add — and when you become the category killer and you become the destination for shopping in a small town, you take away all the competitors. You then have a net outflow

of capital from those towns. It is very good for the Walmart shareholders or the equity participants, and it is very good for the family that owns Walmart, but there is a flood of capital out of those towns and straight to the bottom line of Walmart. As a consequence, what Fishman found is that Walmart has a deleterious impact on the working lives of those people when it arrives in those small towns. Far from being a point of joy, of celebration, of feeling, as a small town, you have made it because you have got a Walmart, it actually has a very, very negative impact on the town and on the community.

Indeed if we look more recently at what impact cutting penalty rates has on regional Australia and regional communities, it is significant. The McKell Institute recently published an analysis showing that retail workers in rural New South Wales, if they were denied the ability to access penalty rates, would lose between \$89 million and \$315 million per annum, which would equate to an average pay cut of between 4.6 per cent and 16.5 per cent of their salary. As members of this place we are well remunerated — we are certainly well remunerated compared to average weekly earnings — and I think that if we were saddled with a pay cut of 4.6 per cent to 16.5 per cent, most of us would broadly be able to sustain that level of pay cut. But if you are on average weekly earnings, if you are on a low income, if you are earning \$300 or \$400 a week, 4.6 per cent and 16.5 per cent is material and is significant. What it does is make it extremely difficult for those people to have a dignified existence, to be able to raise a family and to be able to ensure that their children have the opportunities that they should be allowed to have as children.

I think that as a society we should always be aspiring to be better, to be greater and to be compassionate to the people who are isolated, vulnerable and disadvantaged. A decision like the Fair Work Commission's decision has a profound impact upon the most vulnerable in our society. We will not be a great society by robbing women, the young, the poor and the disadvantaged of \$2 per hour on a Saturday or Sunday afternoon. That is not the hallmark of a great society. That is the hallmark of a mean, vicious and vindictive society.

In my case, both my parents left school at 15. My father was a butcher and my mother worked in a factory. In their time the deal always was, and what I was raised to believe in, that if you put in and you worked hard and you were not an idiot with your money, then you could buy a house, you could have a dignified existence, you could raise your children and your children could be afforded opportunities — and if your kids were smart and they worked hard, then they might find themselves at university. In one generation you could go from

poverty and disadvantage to a comfortable life and a comfortable existence.

These sorts of decisions by the Fair Work Commission break that deal. Such a decision breaks faith with working people, because it will force people into poverty and it will exacerbate the disadvantage. It will ensure that smart kids who happen to be poor — as Warren Buffett would say, kids who have lost the ovarian lottery; kids who are smart but whose mum and dad do not have any money — get denied and deprived. Frankly, it is just wrong and should not be allowed to happen.

I remember I met a guy a few years back after the WorkChoices legislation was brought in. This guy was working in middle management in a large Australian company. He was a proud Liberal, had always voted Liberal and had grown up in a very strong Liberal household. His son was 16 and went to get a part-time job at a major retailer and was saddled with a 200-page contract that he had to sign under WorkChoices, otherwise there was not going to be a job for him. I remember talking to this man, who was a lifetime supporter and a proud supporter of the Liberal Party, and him being absolutely outraged that his 15-year-old son had to sign a 200-page contract which he could not fathom or understand for the simple privilege of working at a retailer and earning \$10 an hour on a Friday night. That is not the hallmark of a great society, and it is not the hallmark of a civil society. We must strive to do better.

One of the great benefits that we have achieved in the past 25 years is understanding that, yes, labour and capital will always be in a struggle. That is why those of us on this side of the house joined organisations like the Labor Party. One of my proudest and most defining moments was when I became a trade union member for the first time when I was 14. But it is about making sure that there is a dignified struggle between labour and capital and that there is a fair and equitable outcome. You cannot expect labour to get everything it wants, and nor should capital. It is about making sure that by working together constructively and collaboratively you can end up with better outcomes for the workers.

I think that we should be aiming to ensure that workers have penalty rates in place for the work they do where it is warranted, that they become equity participants in the companies in which they work and that they have decent wages and decent conditions so that if they fall on hard times or they suffer bad luck, they are not discriminated against or disadvantaged. It is disappointing to see that the Fair Work Commission has done nothing to protect the most vulnerable,

isolated and disadvantaged members of our community, and it is for those people that I grieve today.

### Question agreed to.

## NATURAL GAS RESOURCES

### Debate resumed.

**Ms GREEN** (Yan Yean) — Before the lunchbreak we were debating the motion before the house. I was expressing my surprise that those opposite voted to have exploration for unconventional gas banned in Victoria and supported the government but that now they are not supporting this motion. I think those across the other side of the house have no credibility.

One of the Milli Vanilli twins, the member for Caulfield, told the house that we should leave it to the market. Well, has that not worked well? That has worked really well! For a country that has enormous reserves of gas, we have a manufactured crisis in this country. It is manufactured. The Prime Minister, Malcolm Turnbull, has gone, ‘Look over there! Look over there!’, in trying to throw blame at the states. He says that because we are banning fracking it is our fault. Well, we have a federal government that is not prepared to address its issue that the huge majority of the gas is being exported overseas. Worldwide demand for gas is diminishing, but the majority of our gas is going overseas.

It is not just us that have said it. In a recent article in the *Age*, Waleed Aly said:

Turns out manufacturing is alive and well in Australia. Only these days we’re manufacturing crises. This week’s exhibit is from the gas industry, which having witnessed the energy market regulator’s grave warnings that we’d all be having cold showers in the dark in a couple of years, found itself summoned to the Prime Minister’s table.

‘It is not acceptable for Australia — shortly to become the world’s largest exporter of liquefied natural gas — to not have enough gas for its own families and its own businesses’, boomed Malcolm Turnbull ahead of the meeting. And he was right. What was far less clear was why this arrangement had been so perfectly acceptable for so long.

Waleed Aly is not the only one to say that. Josh Gordon, in the *Age*, has also concluded that it is all a ruse.

There really does need to be action. Those opposite need to be realistic, and they need to actually back up their support for the banning of unconventional gas by supporting this motion. I think the community should be very concerned that they are not supporting this motion. It is a reasonable motion, and it is actually standing up for Victoria for a change. That is something

that those opposite really do not know how to do. They do know much about that, and they do not stand up for the fact that we are only getting 7.7 per cent of the infrastructure spend in Victoria, which has 25 per cent of Australia’s population and is booming. Now they are not standing up to Josh Frydenberg or to the Prime Minister during this manufactured crisis.

The *Weekend Australian* is hardly an organ that backs this side of politics, but an article in it was headed ‘Market abuse “pushing up energy costs”’. So the member for Caulfield is wrong. An *Australian Financial Review* article was headed ‘“Something wrong” when nation ships gas overseas’. Another *Australian Financial Review* article was headed ‘Gas majors called to fix “energy crisis”’. On 15 March a *Herald Sun* article was headed ‘Gas crisis hits home: Call for ban on exporters buying local supplies’. So numerous experts are saying that we need to have a domestic quota and that there needs to be support from our Prime Minister in relation to this effort. How could you trust the coalition on being anti-fracking? I think that their support or their opposition to it is only what is happening when there is a focus group around. We do not know what they really believe.

The federal member for Corangamite could be a member of Milli Vanilli too. Apparently she was a campaigner against fracking, but she had a significant share portfolio. Despite campaigning against fracking for the last two elections, she has had a significant share portfolio in the very companies that would like to do this. She also has form on this because she is apparently an anti-gaming activist, but she has had shares in Aristocrat, the pokie machine manufacturer. So I think that is evidence that you can never trust the Liberals on this. I urge them to stand up for Victoria and show the community that they really mean it and that they are prepared to stand up to their mates in Canberra.

**Mr HIBBINS** (Pahran) — I rise to speak on this motion put by the Minister for Resources to condemn the Prime Minister for not respecting Victoria’s prohibition on unconventional gas and moratorium on onshore conventional gas activity, among other things. The Greens will be supporting this motion because it really goes to the Prime Minister and the federal Liberal government’s obsession with promoting and sticking with fossil fuels — gas and coal — and their stated desire to see Victoria’s ban on fracking and unconventional gas and the conventional gas moratorium overturned.

The Prime Minister and the federal Minister for Environment and Energy, the member for Kooyong, a Victorian, have been outspoken in their opposition to

this ban and they want to see it overturned. They are lobbying to reopen this state to fracking and gas drilling. They are using the energy issues faced by South Australia and the issues with the national energy market to pressure Victoria into reversing its ban on fracking. This is a government whose record on energy is poor —

**Mr Pearson** interjected.

**Mr HIBBINS** — The member for Essendon would be advised that I am talking about the federal government. I will get to the criticism of his government in turn so he can save his outrage for later on. This is a federal government that has overseen the repeal of the carbon price, a carbon price that reduced carbon emissions. This outrageous scare campaign was continued on by the state Liberals when they were in government. Their record is to run a scare campaign on energy prices, but we now know that energy prices are more expensive than they were under a carbon price. We know that costs are up, we know that pollution is up and now they are using the problems faced by the national energy market to campaign to open up our farmlands to fracking. This is all about the war on renewables that they have been waging, which has been pushing up prices, creating problems in the networks and holding back investment in renewable energy.

Victoria, rightly, banned fracking and unconventional gas in this state. We know about the damage that fracking and gas can do to farming communities in those affected regions. They have fought so hard to win this ban to protect their farmlands, to protect agriculture and to protect the watertable. This ban has had support across the wider community of Victorians who care about where their food comes from and the communities who produce it. These are Victorians who care about our climate and carbon emissions that come from unconventional gas.

A poll was conducted last year or the year before that showed 62 per cent of voters in the Prahran electorate were opposed to coal seam gas. This ban has wide support from regional through to metropolitan communities. The Prime Minister and the federal government are simply out of touch with Victoria's ban on fracking. Victorians should be rightly appalled to see the Prime Minister and the federal energy minister lobbying states, including Victoria, to allow fracking. They are using the high prices and the energy problems that they have overseen as an excuse to push their pro-fossil-fuels position. There is simply no reason to risk our farmlands and our water supply to allow this dangerous and polluting industry in Victoria.

There has been a lot of talk about gas and the role of gas to increase energy supply. I note the second part of this motion requests that the commonwealth join Victoria in funding geoscientific and consultative work on conventional gas. Let me make this clear: the Greens do not support conventional onshore gas exploration in Victoria either. We are certainly disappointed with this government for leaving the door open to the onshore conventional gas industry, which we know is still harmful to local communities. The putting off of this decision about onshore conventional gas until after the next election simply creates more uncertainty and stress for local communities.

We have seen the Liberals and The Nationals join together to try to overturn this moratorium on conventional gas exploration in Victoria in an attempt to open up these areas and communities for gas exploration, but we certainly do not support conventional onshore gas exploration and we will be fighting alongside communities should conventional onshore gas become a threat to them.

Let me also make this clear about gas in general. Gas, whether it is unconventional or conventional, is not the solution to our energy issues. It is not a clean energy. It is a fossil fuel that emits greenhouse gases. We do not need to create or grow the gas industry when we can and need to make that transition directly to renewable energy. To suggest that gas could be either a transition fuel or that it is simply needed because renewables cannot provide the overwhelming majority of our energy is simply wrong. It ignores the pressing need to create a safe climate and to immediately make that shift to renewables. To encourage investment in gas is setting us up to fail on reducing carbon emissions. What we need in Victoria is a plan to get off coal and gas and make that shift to renewables.

South Australia has gone down the route of expanding gas because of the issues it faced, and that was after gas let its residents down. We need to build a renewable energy system that is backed up by storage. The national energy system is broken and we need to change the rules to ensure that solar from battery storage can be brought into the system. To drive down those prices and to secure energy we need more renewables and more storage and a plan to transition the workforce so that can happen.

We have a national plan to ensure that we will have 90 per cent of renewable energy by 2030 and that we can assist those coal workers and those coal communities to transition. Neither the federal government nor the state government have a plan for beyond coal. The time for coal and gas is over. The

time to make that shift to renewables as soon as possible is now.

The state Liberals have opposed renewables almost every step of the way. We have seen them opposed to the Victorian renewable energy target. We have seen them opposed to increasing the feed-in tariff. We have seen them opposed to measures increasing renewable energy. This is simply not what we need. We need a stronger renewable energy target. We need a higher feed-in tariff so solar users get a fair price for the energy they create. This is what will increase energy supply in Victoria. Instead the Liberals are running a scare campaign against increased renewables, power prices and reliability. They have form on running scare campaigns. Just as the Liberals wasted their time in government running a scare campaign against the carbon tax, they are now wasting their time in opposition running a scare campaign against renewables.

We have heard it all before. They complain about Greens votes in the inner city; they complain about preferences. They are clearly not concerned about those votes in the inner-city electorate of Prahran, because they are anti-renewables, anti-environment, anti-equality, and they have a conservative agenda that they seem so desperate to stick to. We have seen it again with their approach to Hazelwood, our dirtiest power station, which is now closing. The government knew this was coming. It failed to take ownership of the issue and plan properly for transition, and the coalition's response has been one of fearmongering. The coalition and Labor need to wake up. The end of coal is near; there is no future in coal and governments need to start planning for transition out of coal and gas.

The Greens will be supporting this motion, and we certainly would urge the Prime Minister, the federal government and all governments to stop looking at gas as some sort of saviour for our energy crisis, to respect the wishes of the Victorian communities and Victorian voters in banning fracking. Yes, we do need to ensure that gas is available domestically when peak demand requires, rather than being available for export, but we need to make sure that the market rules are changed so that those gas companies cannot simply game the system. We need to put a plan in place for renewable energy.

The scare campaign on renewable energy, the cutting of the federal renewable energy target, the cutting of funding to the Australian Renewable Energy Agency — supported, mind you, by the federal Labor opposition — is putting off the billions of dollars of investment that is going to be required in renewables in

the coming years to replace our ageing coal-fired power stations and infrastructure. This investment needs to go into renewables. The best way to do it is with a clear plan, with a government plan, not just letting the broken market drive this. We need a plan to put this in place, and the rules and the plans put in place to support investment in clean energy. We certainly do not support conventional onshore gas, and we would urge the federal and state governments not to go down this route. We will be supporting this motion.

**Mr DIMOPOULOS** (Oakleigh) — I strongly support the motion outlined by the Minister for Resources that condemns the Prime Minister. This is primarily, as the minister said, about protecting an important industry for Victoria; 190 000 jobs, as the minister said, are in our food and fibre sector, and it generates around \$12 billion worth of exports. This is about being sensible. Although I have some affection for the member for Prahran, the more I hear the Greens and the Liberal Party members talk in this chamber the more I realise that really this party, the Labor Party, is the only sensible party fit to govern in the state of Victoria. You have got one side, which as the member for Malvern said — and I rarely agree with the member for Malvern — does not worry about the lights being kept on at all, and you have got the other side, the Liberal Party, which does not want to invest in clean energy, almost to the point of ideological opposition. We are the sensible party; we are doing both. We are doing both proudly, and we are doing both in a way that sustains, as the member for Essendon said, baseload capacity for a growing city and a state, for emergency services, for quality of life for Victorians, while also investing in a future that is clean-energy focused.

This issue has a long history, but at the beginning of my contribution I want to just quickly focus on the Prime Minister. He has made a mess of this national debate. In fact, it has run away from him. Good Labor premiers around Australia have run rings around the Prime Minister in what is effectively a national energy market. He should be the head spokesperson for what is effectively a national energy market, but the South Australian Premier beat him to it. This government has beat him to a whole range of initiatives in energy over the last two years. If you listen to this Prime Minister, you would believe that Victoria has enormous reserves of untapped gas that are just waiting to be explored and we are somehow reprehensible for blocking the exploration of those huge reserves.

Then you have got the Deputy Prime Minister, as others have said, who sort of says, in a nod to his National Party heritage, 'Maybe we can protect prime agricultural land. We can exempt that, but we can get

on with mining other areas'. If you listen to both him and Malcolm Turnbull, you would think Gippsland and the Otways are not considered prime agricultural land.

We should not listen to the Prime Minister or the Deputy Prime Minister because they have failed in this national conversation; they have failed in their leadership in this area. We listen to the facts, and the facts, as they have been spelt out by the minister and others, are that even during the previous government's term, the parliamentary committee charged with investigating these matters found that you could not — I cannot remember the exact wording, but it was something to this effect — confirm whether there were huge gas reserves in Victoria. That question remains unanswered, yet that is the basis upon which this government has been accused by the federal government and the opposition for being somehow irresponsible for locking up huge gas reserves.

The facts are these: there are no proven or probable onshore gas resources in Victoria. We need to complete, as the minister said, a series of in-depth geoscientific studies on the risk-benefit impacts of onshore conventional gas exploration. Obviously we have banned fracking, much to the relief of a whole community in regional Victoria and those in metropolitan Melbourne. Even in my community people have been against fracking for good reason. That is completely gone, and I am thankful it is.

With conventional gas we know we will need to do a lot more work during the time of the moratorium. This will be overseen, as the minister said, by a lead scientist, as well as an expert panel of industry, farmers, local government and communities. The reality is the offshore gas resources in Gippsland and the Otways currently meet Victoria's gas demand, and they are bringing new gas into our market today. But the real problem is what the minister and others have outlined, that Victoria, while being a net producer of energy for Victorian needs, because of the national market, exports effectively too much.

There are a couple of things I want to say about the national debate and the Greens role in it, because I think they deserve a particular mention in that. I just quickly want to retrace our history in relation to this. The former governments, under Ted Baillieu and Denis Napthine, established the Gas Market Taskforce, headed by Peter Reith, which delivered a report known as the Reith report. In response to that, the Labor opposition at that time promised to establish a parliamentary inquiry into onshore unconventional gas. On 29 September in 2015 the Leader of the Opposition announced the policy of a moratorium on both conventional and unconventional

gas — fracking. Following our inquiry the government announced on 30 August 2016 that there would be a permanent ban on conventional gas, much to the relief of people, as I said.

On 7 March this year the coalition put forward an amendment to the bill in the upper house that removed the moratorium on conventional gas, established a gas reservation for Victoria and gave farmers veto rights over mining companies entering their properties. They made a complete and utter mess of what was sensible policy, informed by a parliamentary committee, informed by a statewide conversation. It made an absolute mess.

Effectively what you have got on their side now is — in fact probably going back to the Reith report, which really had no support — a throwing away of the last four years of good faith and conversations with farmers and regional and metro communities in Victoria. That is on that side. I think some of them are genuinely embarrassed about that turnaround, that about face, because they have probably had no control over it. There are some that did, in the leadership group, but that is embarrassing. So you have got that on one side.

Then what you have got on the Greens side is a total abdication of any sense of reason and responsibility in what is required to run a state. You are required to run essential services. You just cannot do what the member for Prahran is asking us to do, which is just to forget coal — literally; those were his words, 'forget coal'. Absolutely there is a transition to a new energy future. You cannot just jump to it without any planning and without any investment by government.

I am extremely proud that we have done more as a party and as a government to support environmental causes than the Greens political party has ever done. I cannot say they have not argued for various things, but they have not delivered anywhere near what the Australian Labor Party has for the green future of our community and our nation. We have delivered far, far more, even just in the last two years in this term of government.

I have got a few highlights, but there are far more. We have established a \$200 million Future Industries Fund, including support for emerging industries which include new energy technologies. Now there are six; one of the six is new energy technologies. So we are actually investing in new energy technologies, together with emerging companies and sectors. We have created a target of 25 per cent of our energy to come from renewable sources by 2020 and 40 per cent by 2025. They are really bold statements and targets, and I think

when the minister announced those targets she and the Premier said they were bold, but that is what you should be in government — you should be bold. We have put in place green bonds to finance clean energy and environmental projects. Again, I remember that when the Treasurer announced green bonds they were quite world leading.

We have provided real change to encourage and support wind farms and put to bed that ridiculous rule that the previous government had about a 2-kilometre zone, which effectively banned wind farms. We have banned fracking, as I said. We have announced new solar farms which will power the entire Melbourne tram network. Today I see that we have announced funding to promote organic waste not going to landfill. This government has done more for environmental causes than any other political party. So I put what the member for Prahran said in the context of a high school debating conversation rather than of real government. This is what real government looks like, including the ban on fracking. I strongly support the motion in the house.

**Ms COUZENS** (Geelong) — I am pleased to rise to support the motion moved by the Minister for Resources that condemns the Prime Minister for not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity and making false claims about Victoria's natural gas resources, and requesting the commonwealth to join us in funding geoscientific and consultative work on conventional gas. Clearly those opposite are not supporting the motion.

I think the backflip by those opposite should be condemned. It was only a few weeks ago that we stood in this place and debated the Resources Legislation Amendment (Fracking Ban) Bill 2016, and it was passed. It was passed with farmers from around regional communities sitting in the gallery listening to us all debate it and also listening to those opposite support the bill. So it is a disgraceful backflip for the people in my region and the Barwon south-western region, which includes the Otways. The federal member for Corangamite, the member for South Barwon, the member for Polwarth and the member for South-West Coast and a Liberal member for Western Victoria Region in the other place should hang their heads in shame for what they have done. In lots of ways they have given people the wrong impression or given them false hope that they were going to support the bill. They supported it here but did not support it when it reached the other place. So they should be ashamed for doing what they have done.

We all know the damage of fracking, and we have heard that time and time again. The scientific evidence was presented at the inquiry, the decisions to ban fracking were made on scientific evidence and it appeared that in this place it was supported, that we should ban fracking. That is what people in the gallery heard during that debate. Clearly the Liberals and The Nationals cannot be trusted when they are in this place making claims and, I suppose, giving people the wrong impression of what their intentions are. I know that my electorate does not trust them, after the debacle that happened with the change, the backflip, that they made when this bill reached the other place.

I have heard from many people in my electorate who have rung me and emailed me — but not just from my electorate; in the electorates of members such as the member for South Barwon, the member for Polwarth and the member for South-West Coast. Their constituents have been contacting me as well, saying how disgusted they are that after coming here and listening to their local members support the bill, their members then turned around in the upper house and opposed it. They are absolutely disgusted.

If you listened to the Prime Minister, you would believe that there were huge amounts of conventional gas that companies are waiting to go and extract. Now Deputy Prime Minister Barnaby Joyce wants to allow coal seam gas (CSG) exploration with only 'prime agricultural land' to be exempt. According to Malcolm Turnbull and his National Party deputy, Gippsland and the Otways are not prime agricultural land. Well, that is a big surprise to everybody in that area. It is clearly wrong.

What we did was listen to what our communities were saying — right across this state, not just in the Barwon south-western region. We did not just listen to the people in the Otways; we listened to people in Gippsland. Despite significant exploration in Victoria, there has been no proven or probable onshore gas resources in Victoria. We know that. I spoke on this bill at the time, as did the member for South Barwon, and supported it. So what is he now telling his constituents who are clearly upset about the backflip that has been done? When we look at the local media in the Barwon south-western region we see that the Victorian Farmers Federation (VFF) president told the *Hamilton Spectator*:

This decision will give security to our landholders and reinforces a commitment to long-term investment in the Victorian agriculture industry ...

In the *Surf Coast Times* a community representative stated:

This is what can happen when communities get together and stand up for what they believe to be common sense.

Politicians should represent us, they should carry out the wishes of the community and act on the greater good for society.

This is not being done by those opposite either in this chamber or in the other place. There is no doubt that this issue is a serious issue that affected my region of Geelong but also — —

**Mr Dimopoulos** — It is a betrayal.

**Ms COUZENS** — Yes, it is a betrayal. It is a betrayal of all those constituents right through the Barwon and south-west regions. You can say it is all about rorting or whatever, but what you have done is rip off your own constituents, and you will pay dearly for that. I have no doubt about that. In Polwarth, South-West Coast and South Barwon electorates those members will pay very dearly for this backflip. It is not only a concern for the farming community but also for everyone in the community who can see the risk to our reputation as a clean, green region. Our farming community, our agriculture, our tourism, our magnificent beaches, our national parks and our food and wine trails would all have been put at risk if this ban had not gone ahead.

The community came together, and they came together out of genuine concern. They were concerned about the impact of fracking on their farms and the environment, including water contamination, local industry and health and wellbeing. So regardless of all the arguments and distractions put up by the opposition, this is what concerned all the constituents in those areas.

**Mr Dimopoulos** — And they threw out all the good advice.

**Ms COUZENS** — That is right; they did throw out all the good advice. As I said, those members will pay dearly for those decisions. All those groups that came together — Frack Free Geelong, Gasfield Free Torquay, Frack Free Grovedale, Frack Free Moriac, Frack Free Freshwater Creek, No Gasfields for Birregurra and Gasfield Free Deans Marsh — came from the Geelong and Otway regions. They worked together with the community to ensure that all politicians on both sides heard the message that they did not want fracking in their communities. Then we saw a major backflip from the other side. They were diverse groups from many different backgrounds, industries and political views, so it was not just Labor or lefty people; it was people from throughout our community who thought they had the respect of and

had been listened to by their local members. Clearly that was not the case.

We had three local governments — the City of Greater Geelong, the Shire of Surf Coast and the Shire of Colac Otway — that all passed motions in favour of a ban and contributed to the parliamentary inquiry into onshore unconventional gas activity in Victoria. So it was not just a handful of lefties. It was not just a group of radicals. These were genuine people in the community who were concerned about what was going to happen in their own communities — farmers worried about what was going to happen to their farming land. People were concerned about what was going to happen to their water. These were all genuine concerns that have now been flicked over by those opposite.

Those opposite pretended to hear what the community said and then doublecrossed them. They doublecrossed them once it got to the upper house. They did not listen to what people are saying or to their genuine concerns, because at the flick of a switch they were able to say, ‘We’re not going to support this bill now it has come up here’. It is an absolute disgrace, and I just think they should hang their heads in shame. They will pay very dearly for what they have done.

We heard the message, and we heard it very clearly, that people did not want fracking in their communities. They did not want to see the long-term damage and the effects of fracking. They did not support the risks to people’s health and wellbeing, and they did not support the destruction of our environment and water supply. They did not support the damage to tourism in our region. The number of jobs that would have been lost from that sort of impact would have been devastating and detrimental to those communities.

So I think opposition members should hang their heads in shame. I would be interested to know what they are saying to their constituents in the Barwon and south-west regions, because I think they will find it very difficult to justify exactly what they have done. I commend the motion.

**Ms KILKENNY** (Carrum) — I am very pleased to support the motion moved by the Minister for Resources condemning the Prime Minister for not respecting Victoria’s prohibition of unconventional gas exploration and moratorium on onshore conventional gas activity, making false claims about Victoria’s natural gas resources and requesting that the commonwealth join us in funding geoscientific and consultative work on conventional gas.

I support this motion, as does the government, because this government believes in supporting and protecting more than 190 000 jobs in our food and fibre sector, in our farming communities and of course in our \$12 billion export industry. This government believes in supporting our farmers and farming communities, this government believes in supporting our environment and this government believes in supporting our industries, unlike those opposite, who were quite happy to see the shutters come down on our automotive industry last year.

This government also believes in working with experts and with facts. Sadly for Victorians, what we have seen from those opposite on this issue is quite simply economic and environmental vandalism, ignorance and deceit and an absolute backflip. Those opposite supported this bill in the lower house only to oppose it when it got to the upper house. Those opposite cannot be trusted on this issue. Let me advise those opposite that the Victorian people see right through you. You have no credibility whatsoever on this issue. Sometimes I wonder whether those opposite actually can believe themselves on many of these issues.

The Prime Minister and the Victorian coalition are faithfully trotting out the line about this so-called gas crisis, saying that the states must somehow find more gas. They claim this gas crisis — this fake crisis — is adding to a shortfall in supply and adding to an increase in prices. Just this week the Prime Minister accused Victoria of being the worst offender when it comes to blocking conventional gas production, saying the state is adding to a national gas crisis. I quote Mr Turnbull:

In Victoria ... there is a huge amount of gas, and, indeed, there is still a very large offshore gas resource in Bass Strait. There is also an enormous amount of gas onshore that can be accessed by conventional means, without fracking.

The article also states:

But the assertion that the state government is blocking an enormous amount of conventional onshore gas production in Victoria has been met with puzzlement from energy market experts —

and from many others across the state. It continues:

A 2015 parliamentary inquiry found the state does have large reserves of conventional gas (although in recent years that too has been depleted), but it is located in Bass Strait, where extraction is relatively non-controversial.

But the state's reserves of onshore conventional gas is far less clear. As the 2015 parliamentary inquiry notes, there has been a lot of exploration for onshore conventional gas reserves in Victoria since the 1950s.

No conventional gas has been found in the Gippsland region. In 1959 conventional gas was discovered near the Port

Campbell township, in the onshore Otway Basin, where it was extracted until being depleted in about 2006.

So the experts are already telling us that despite significant exploration in Victoria, there are no proven or probable onshore gas resources in Victoria. But for some reason that is not good enough for the Leader of the Opposition. It is not good enough for the Victorian coalition. They are not listening to the experts. So who are they listening to? I will tell you who they are listening to: they are listening to the Prime Minister and their mates in Canberra. I would have thought that the Prime Minister's only interest and expertise in gas and farming communities would be his share portfolio. What we are seeing now is a Victorian coalition that are simply the mouthpieces, the puppets, for those in Canberra who are pulling their strings. I think it is well and truly time that the Victorian coalition started listening to their own communities and started acting for and representing their communities in Victoria.

Let us just look at some facts. Labor when in opposition promised to establish a parliamentary inquiry into onshore unconventional gas and promised to keep in place a moratorium until the inquiry tabled its report. Following the inquiry, the Andrews government announced in August last year that there would be a permanent ban on unconventional gas and a moratorium on unconventional gas until 2020. In fact the Leader of the Opposition and the Leader of The Nationals supported that moratorium. They absolutely supported it. The member for Caulfield in his contribution failed to acknowledge that; perhaps he was not part of that conversation. I think you will find in *Hansard* earlier this year that the Leader of The Nationals even tried to claim credit for the ban on fracking and the moratorium.

As we know, the fracking ban bill was introduced into Parliament last year and proudly was given royal assent just a couple of weeks ago on 15 March 2017. But as we have heard, this was not before the coalition attempted to pervert the bill and put the fracking ban in jeopardy. On 7 March the coalition put forward an amendment to the bill in the upper house that would have removed the moratorium on unconventional gas, established a gas reservation for Victoria and given farmers veto rights over mining companies entering their properties. They put those amendments in the absence of absolutely any consultation. They put forward those amendments in the absence of any scientific, technical or environmental expertise or studies. They put forward this idea about gas reservations without actually understanding the gas and energy market. What a surprise there. In essence those opposite are actually amateurs when it comes to the gas

and energy market. We know that gas reservations do not actually guarantee low prices. In fact Western Australia has had a gas reserve policy, and over the past 10 and 20 years consumers in Perth have seen their gas prices increase faster than those of us in the eastern states. Of course the other aspect of this — quite a troubling aspect — is that gas reservations also create a kind of perverse incentive against the development and use of renewable energy. So I wonder who is pulling the coalition's strings here. We certainly do not want this spectre of gas shortages whipping up gas prices. I say to the Prime Minister and those opposite that in creating this so-called gas crisis they should be very careful about what they wish for.

The Victorian coalition is all over the place on this issue, but one thing is very clear — and it has stood out starkly today — and that is that Victorian coalition members are not standing up for their communities. They are not standing up for Victorians. They have clearly been directed by their counterparts in Canberra. We certainly know how much their counterparts in Canberra respect Victoria. We know that the federal Liberal government has been dudding Victoria on infrastructure. We saw even yesterday with the proposed changes to the Racial Discrimination Act 1975 the dudding by the federal government of our multicultural communities in Victoria.

Finally, in all of the debate I have not heard the federal Liberal government nor the Victorian coalition talk about the possible risks to our farming and rural communities. They have not spoken about the risk to the industries and to all the families that could potentially suffer from the position they are now taking. I have not heard them mention the contamination risks to our water resource. I have not heard them mention the risk to thousands of farming families and rural families, the risk to thousands and thousands of jobs and the risk to the way of life of so many Victorians. Yet we have heard now time and time again these ambit claims that there are plentiful gas reserves in the complete absence of any scientific or technical knowledge. They are doing all of this on a hunch and a vibe. That is just not good enough. True leaders do not govern on hunches and vibes. I absolutely support this motion. The Prime Minister should be condemned for his failure to respect Victoria's prohibition on fracking and Victoria's moratorium on onshore conventional gas activity, and should be condemned for his false and baseless claims about Victoria's natural gas crisis. He should do the right and proper thing and join with us in funding geoscientific consultancy work.

**Ms THOMAS** (Macedon) — It is a real pleasure to rise to speak in support of the motion before the house.

Before I do that I want to take a moment to congratulate the Minister for Resources for bringing in the fracking ban here in Victoria. What an extraordinary outcome. I also put on the record my appreciation of the work that both Ms Shing and Mr Leane in the other place did in the inquiry into fracking. The other point I would like to make is that the community response to this ban has been absolutely outstanding and overwhelming. I pay tribute to the very many community campaigners who led the charge and worked collaboratively with government to deliver this great win for Victorian farming communities.

When I posted about our fracking ban on my Facebook page I was overwhelmed by the likes my post received, but I also want to read a few of the comments: from Marlene, 'Thank you, for all Victorians'; from Andrew, 'Fracking good news'; from Jennifer, 'About time'; while Mary just posted a simple 'Thank you'.

I am so delighted to be part of this Labor government that acts decisively on the matters of real concern to all Victorians, but in particular to those in regional Victoria — to those who are consistently let down time after time by those on the other side, those who purport to represent them. I note not a single member of the National Party is in the house. How surprising.

**Ms Couzens** interjected.

**Ms THOMAS** — The member for Geelong is right. They are too embarrassed to be here, and so they should be. What a disgrace. But more of that later.

Our actions in introducing the bill banning fracking in Victoria are decisively about protecting the 190 000 jobs that currently exist in our food and fibre sector and indeed \$12 billion of exports in those industries. This is a government that cares about country people, cares about farmers and in particular is looking out for those communities most at risk from those that would see fracking happen in the community — that is, the farm communities of Gippsland and the Otways.

We have done that work, which is fabulous, but we cannot rest on our laurels. As we watch the Liberals and The Nationals in their race to the bottom on every single environmental issue within the community at the moment, what we are seeing is this unedifying spectacle of the Liberals and The Nationals at a state and federal level seeking to outdo one another on climate change denialism and their fearmongering on energy policy.

I commend the minister for bringing this motion to the house. It is vital that this house, in a moment of unity,

and I ask those opposite to join — in the interests of Victorians — in condemning the Prime Minister for not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity. I want those on the other side to join in condemning the Prime Minister for making false claims about Victoria's natural gas resources, and I ask those on the other side to join in requesting that the commonwealth work with us in a constructive way to fund geoscientific and consultative work on conventional gas.

Going back to fracking, I do take some interest in what The Nationals party member for Northern Victoria Region in the other place has to say from time to time because he does purport to represent members of my community in that place. When I looked at his contribution on the bill, and I know the member for Geelong will enjoy this, this is what The Nationals member for Northern Victoria Region in the other place said:

From the start I would like to say that The Nationals have long been against fracking in Victoria; for a long time we have been against fracking in Victoria. We have been against fracking for a long time, and we remain against it today. Fracking is something that is not required and should not happen in this state. The Nationals are absolutely against fracking. We have been quite consistent for quite a while in terms of our opposition to fracking. No-one supports fracking. That is what you guys do not understand. You do not understand the issue well enough to know that no-one is arguing over fracking. Everyone is against fracking ...

If only that were true.

I note that the member for Malvern is in the house. The member for Malvern, back in April 2012 when he was the Minister for Energy and Resources, in response to calls for a ban of new forms of gas in Victoria said they were 'hypocritical, unnecessary and would cost jobs'. He also said:

Labor's leader and energy spokesperson ... are to be condemned for joining with extreme green groups in opposing any exploration for new forms of gas and engaging in baseless scaremongering around regional Victoria.

So I say to The Nationals member for Northern Victoria Region that no, not everyone is against fracking at all. The member for Malvern joins with the Prime Minister in support of fracking.

As I said, if only it were true that everyone was against fracking, but we know that this is not the case at all. What we have seen is the Liberal and National parties, both at a federal level and here in this state, too gutless to stand up for Victorians, too gutless to stand up for regional Victorians and making statements condemning the scaremongering of the Prime Minister and the

mistruths of the Prime Minister when it comes to energy policy in this state.

There are a couple of points that I also wanted to make. The federal Liberal Minister for the Environment and Energy, does he support our ban on fracking? This is what he had to say:

We shouldn't have blanket moratoriums on unconventional gas like we have in Victoria and NSW ...

That is what he said. It is pretty apparent to me that he indeed does not support our ban on fracking.

The Prime Minister has said:

They have locked up all the gas ... The Victorian government will not even allow the exploration of onshore conventional gas in Victoria.

The Prime Minister is wrong. He is wrong.

I like this one. This is the federal Minister for Resources and Northern Australia, Matthew Canavan. Using language reminiscent, one might say, of the Cold War, this is what the minister said:

In Australia the state owns the resource. It is a quasi-communist situation. Is it any wonder then that we are getting communist-like outcomes — no production and the rationing of a vital resource?

I note that the Victorian Minister for Resources has joined us now. He led the charge to ban fracking in this state. It does amuse me, as I am sure it would amuse him and I know it would amuse his father, that he would be accused of quasi-communist-type activities.

This is a really important motion before the house. This is an opportunity for The Nationals — and I do note that one has now joined us here — to stand up in defence of country Victorians. But you know we will not see that here because the National Party is nothing short of a disgrace. With their duplicitous actions and the way they have exploited the workers at Heyfield, on top of the rank corruption of the former Minister for Water who oversaw the Office of Living Victoria, they are an absolute disgrace.

**Mr M. O'Brien** — On a point of order, Acting Speaker, the member has just made an appalling imputation against the former Minister for Water. It is completely contrary to standing orders and should be withdrawn under standing orders.

**Ms Hennessy** — On the point of order, Acting Speaker, in respect of the request for withdrawal, a withdrawal has to be made individually by a member who believes that they take offence in respect of an

imputation. It may be that the member for Malvern wants to make the argument that a substantive motion might be the more appropriate way to make such an imputation — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Ms Blandthorn)** — Order! Member for Malvern, I cannot hear the minister.

**Ms Hennessy** — But a request for withdrawal is not compliance with the standing orders.

**Mr Clark** — On the point of order, Acting Speaker, I draw your attention to standing order 120, ‘Objection to words’:

If a member objects to words used in debate:

...

- (3) If the Chair considers that any other words used are objectionable or unparliamentary, the Chair may order the words to be withdrawn and may require an apology.

I submit to you that you should find the accusation of corruption levelled against a member of this house both objectionable and unparliamentary. You should order the words to be withdrawn, and you should require an apology.

**The ACTING SPEAKER (Ms Blandthorn)** — Order! On the point of order, I ask the member to withdraw her remarks.

**Ms THOMAS** — I withdraw.

**The ACTING SPEAKER (Ms Blandthorn)** — Order! Sorry, member for Macedon, your time has expired.

**Ms SHEED** (Shepparton) — I am pleased to make a brief contribution on this motion. It is my belief that when the lights go out and the air conditioners stop running and we are pulling out generators everywhere to keep our emergency services operating, it will be the politicians, the leaders of this country, who will be blamed for what is going on.

It would be impossible for members of the general public to have any idea what is happening in relation to energy policy in this country at the moment. It seems to me to be an absolute disgrace that we have the most appalling squabble happening right across the country in relation to energy. We have no national energy policy in place, which gives no-one in our country any comfort whatsoever.

Angry dairy farmers in my area have come to me talking about the difficulties that they are facing.

Wayne Mulcahy, a KyValley Dairy farmer and food processor in northern Victoria, is facing an increase of \$48 000 or a 23 per cent increase in his company’s power bills this year. The provider said, ‘We will have to jack the prices up because this is what’s happening in the market’. The best that they could tell Mr Mulcahy is that it is because Hazelwood is closing. But Hazelwood has not closed yet, so do prices go up in anticipation of these things or would it be more logical to think that that might happen after the event?

Our Victorian Minister for Energy, Environment and Climate Change has said that there is a bipartisan review already underway, which would consider whether retailers are unreasonably taking advantage of Hazelwood’s closure. Have the results of that come in yet? I think everybody in the company would like to know whether we are being unfairly treated, whether prices are being jacked up unnecessarily on our food processors and indeed even on private homes.

Energy in our region, just like everywhere else, is pivotal to business but also to people’s day-to-day life. We have major food processors in our region who deal with the milk we produce, who manufacture and put into cans fruit, tomatoes and so many things that we produce in our areas. So many of those industries have spoken about the devastating impact of the marked increases. I have heard people say, ‘Well, it was about time the prices went up’. Businesses need warning. Businesses are in a position now where they are faced with massive increases with no expectation and no notice that that was going to happen. Is it not just amazing, the lack of leadership across this country in relation to this?

I guess a lot of it comes down to the fact that nobody really believed in climate change for such a long time, and now everyone is rushing around trying to deal with the situation that we are faced with. We have got renewable energy on a large scale in South Australia; they are trying to address the situation. They have caught themselves short in various ways. We have banned fracking, and I believe that is a good thing. We are looking at conventional gas exploration, and we have a moratorium on that for the moment. But we are going to have to look seriously at where our energy is going to come from.

It has been obvious for a long time that energy and how we address providing energy for our population has been on the agenda, but there has just been so much political infighting in relation to it that nobody seems to have been able to come up with any sort of national policy on it. We have just recently had the federal Minister for the Environment and Energy visiting our region, meeting with local manufacturers, finding out what is going on in that space and hearing the stories

that I am talking about now: about the enormous escalation in costs for businesses in our area. Visiting these communities and finding out what is going on now is seriously too late. I do not know what is going to happen over the next few years. People are saying that it might be eight to 10 years before we are in a position to have any security in relation to energy again.

But there is one thing we know, and that is we actually do have enormous reserves of gas, and a great deal of that is in Queensland and Western Australia. We have pipelines between our states. There is the capacity for the domestic market to be provided with gas from our own country and from our own resources for a very long time while we look at other ways of producing the energy that we might need. But are we looking at that? It does not seem like anyone is doing anything about it in a hurry.

I was in Canberra last week talking to various leaders in relation to water policy, and I note that the Prime Minister at least had a large number of energy company CEOs at a round table in Canberra to address these various issues. I understand there are some steps being taken to ensure that part of that export market of energy that is all going overseas so that everyone else in the world has cheap energy but not us is now going to be directed to our domestic market — about 10 per cent. So there is some comfort in that. Somebody is finally doing something.

We need a national energy policy. We need all our ministers and all our leaders to get together and come up with some plans: short term, medium term, long term. We cannot face 2018 with energy crises in our businesses, and that is what is being predicted. The national energy operator is talking about shortages in summer 2018 and again in homes by 2019. Ensuring that we have secure power supplies for our population and for our businesses will be the most important issue on people's minds as we go forward. It is the most important thing. It is basic to our everyday life and it is something that must be addressed. I deplore the fact that it has been neglected for so long, and then it comes to a point where everybody just slags off each other in a way that is so unbecoming and so useless. It is time people got together and did something about it. For these reasons, I am supporting the motion.

#### House divided on motion:

##### *Ayes, 47*

Allan, Ms	Knight, Ms
Andrews, Mr	Lim, Mr
Blandthorn, Ms	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Nardella, Mr
Carroll, Mr	Neville, Ms

Couzens, Ms	Noonan, Mr
D'Ambrosio, Ms	Pakula, Mr
Dimopoulos, Mr	Pallas, Mr
Donnellan, Mr	Pearson, Mr
Edbrooke, Mr	Perera, Mr
Edwards, Ms	Richardson, Mr
Eren, Mr	Richardson, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Hibbins, Mr	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr
Kilkenny, Ms	

#### *Noes, 38*

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

#### **Motion agreed to.**

### **WORKSAFE LEGISLATION AMENDMENT BILL 2017**

#### *Statement of compatibility*

#### **Mr SCOTT (Minister for Finance) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:**

##### **Opening paragraphs**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with the WorkSafe Legislation Amendment Bill 2017.

In my opinion the bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

**Human rights issues**

There are no human rights protected under the charter that are relevant to this bill. I therefore consider that this bill is compatible with the charter.

Robin Scott, MP  
Minister for Finance

*Second reading*

**Mr SCOTT** (Minister for Finance) — I move:

That this bill be now read a second time.

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

The Andrews government is committed to improving the operation of the Victorian occupational health and safety and workers compensation laws.

The WorkSafe Legislation Amendment Bill 2017 (the bill) makes a range of amendments to improve the operation of the Victorian occupational health and safety and workers compensation legislation by:

improving workplace safety by strengthening compliance and enforcement tools;

ensuring penalties under health and safety laws act as a sufficient deterrent and breaches can be appropriately investigated;

ensuring that injured workers and their family members are entitled to fair and equitable compensation; and

improving the workability of the legislation.

The bill also makes a number of minor amendments that provide clarification, remove obsolete provisions, ensure continuation of current arrangements or are consequential to other legislative changes.

**Occupational Health and Safety Act 2004***Extending the time for prosecuting indictable offences*

The bill extends the time limit, in certain circumstances, for prosecuting indictable offences under the OHS act.

The current two-year limitation period prevents WorkSafe from appropriately prosecuting offences in situations where a coronial report identifies that an offence has been committed, where an enforceable undertaking is breached, or where new evidence comes to light, outside of the limitation period.

The government is committed to ensuring that employers and individuals in breach of the OHS laws face sanctions that appropriately reflect the vital role of the legislation in protecting Victorian workers. It is important that the sanctions act as sufficient deterrents against committing these offences.

The amendments proposed in this bill allow the time frames to be extended in these limited circumstances and will ensure corporations and individuals who breach the OHS laws can be appropriately prosecuted.

*Amending the 12-month time limit for prosecution certain offences*

It is an offence for a person to refuse or fail to comply with a request by an inspector for a document to be produced, or to refuse to answer questions asked by a WorkSafe inspector. The powers are integral tools which enable WorkSafe to investigate potential health and safety breaches.

Currently, the 12-month time limit for prosecuting these offences commences from the date that the offence is committed. However, often the failure to produce documents does not become apparent to WorkSafe until more than 12 months have passed.

This bill proposes to amend the 12-month time limit so that it commences from the date that WorkSafe becomes aware of the alleged offence. Again, this will ensure that corporations and individuals who breach these occupational health and safety laws can be appropriately prosecuted.

*Strengthening offences which support enforcement and compliance with principal occupational health and safety duties*

The bill proposes to make a series of amendments to offences in the OHS act, which support enforcement and compliance with principal occupational health and safety duties.

The OHS act places obligations on employers to notify WorkSafe of incidents and to preserve incident sites. These obligations are important as they enable WorkSafe to investigate and enforce occupational health and safety laws. If WorkSafe is not notified of health and safety incidents in a timely manner, this can lead to difficulties in investigating the circumstances surrounding health and safety incidents, and potentially lead to the avoidance of prosecution for indictable health and safety offences.

These obligations also enable WorkSafe to identify the cause of incidents and to take actions to prevent similar incidents from occurring in the future.

The offences of failing to notify WorkSafe of an incident and failing to preserve an incident site are currently summary offences with relatively low penalties, compared with those for breaches of 'primary' health and safety obligations.

This bill proposes to strengthen these offences by making them indictable and by increasing the associated penalties. These changes will create a more effective deterrent that more accurately reflects the gravity of the offences and aligns with other equivalent offences in the OHS act. A 'reasonable excuse' defence is also proposed to be included for these offences.

The bill also proposes to ensure that the notification duty applies where a person who is seriously injured receives treatment from a nurse. The amendment recognises that there may be circumstances where a person who has a serious injury may not always receive treatment from a doctor.

Consistent with these amendments, the bill also proposes to make the offences of giving false or misleading information or producing a document that is false or misleading indictable rather than summary. Again, this reflects the serious nature of these offences.

*Improving the enforcement of enforceable undertakings*

WorkSafe may accept an enforceable undertaking given by an alleged offender in the event of an offence being committed under the OHS act or the regulations, rather than prosecuting in the first instance. The undertaking commits the person to taking certain steps to remedy the breach within a specified time frame.

The current provisions make it difficult to enforce undertakings. Once an undertaking is accepted, any charges against the applicant in respect of the contravention must be withdrawn by WorkSafe or struck out by the court, and the court has no jurisdiction to reinstate the charges, even when the undertaking is not met. This undermines WorkSafe's ability to enforce compliance with the OHS act.

For these reasons, this bill proposes to introduce a specific offence of contravening an enforceable undertaking. It also introduces a mechanism to allow WorkSafe to prosecute the offence which was originally the subject of the undertaking if the undertaking is breached or withdrawn.

*Service by email*

The bill proposes to allow for provisional improvement notice and notices issued by WorkSafe inspectors to be served by email. Currently, notices have to be served in person or via mail. This amendment introduces a more efficient response to contraventions of health and safety laws and reflects modern work and communication practices.

**Dangerous Goods Act 1985***Expressly allow for the making of emergency asbestos orders*

Emergency asbestos orders have previously been made by the Governor in Council in response to large-scale bushfire emergencies that have damaged or destroyed multiple asbestos-containing properties. Expedient and safe removal of asbestos-containing materials in these circumstances is necessary to ensure the health and safety of the public and to assist communities in getting back to normal as soon as possible. These orders have allowed class B asbestos removal licence holder to temporarily assist in removing asbestos that would otherwise only be removable by class A asbestos removal licence holders. Strict conditions are included in the orders, including training, supervision and waste disposal obligations, to ensure that this work is done safely.

This bill proposes to amend the DG act to include an express power to allow the Governor in Council to continue to issue emergency asbestos orders. The amendments are necessary as a result of the consolidation of various subordinate instruments governing asbestos removal into the proposed OHS regulations 2017. This is another example of the Andrews government ensuring Victoria is appropriately prepared to address natural disasters.

**Workplace Injury Rehabilitation and Compensation Act 2013 and Accident Compensation Act 1985***Increase benefits for family members under the compensation legislation*

The Transport Accident Act 1986 allows reasonable costs to be paid to family members of severely injured or deceased workers for travel and accommodation where a person's injury requires them to be hospitalised, or the burial or

cremation is held more than 100 kilometres from their residence.

This bill proposes to amend Victoria's workers compensation legislation to ensure that similar entitlements are available under the WorkSafe scheme.

The amendment ensures that appropriate supports are provided to the families of severely injured workers and workers who have died as a result of a workplace injury.

*Clarifying the inclusion of casual loadings in a worker's pre-injury average weekly earnings*

The WIRC act sets out how a worker's pre-injury average weekly earnings are calculated for the purposes of determining their weekly payments.

This bill proposes to confirm that casual loadings which a worker was receiving prior to their injury are included in the calculation of their pre-injury average weekly earnings and are reflected in their weekly payments.

*Confirm that workers impacted by the decision of Aucote are validly covered under the WorkSafe scheme*

The decision of *Samson Maritime Pty Ltd v. Noel Aucote* (2014), the Aucote decision, expanded the ambit of the federal Seacare scheme to cover certain seafarer workers who were previously understood to be covered under state workers compensation schemes, including the WorkSafe scheme in Victoria. The federal government has subsequently passed legislation to reinstate how the Seacare scheme was previously understood to apply and retrospectively exclude these workers from coverage under that scheme.

This bill proposes to amend Victoria's workers compensation legislation, to confirm that impacted workers are validly covered under the WorkSafe scheme, as was previously understood to be the case.

*Clarify that a member of a medical panel or an expert giving advice to a medical panel cannot be compelled to give evidence relating in any way to their role and function as a member or expert*

The bill proposes to confirm an existing protection afforded to members of a medical panel and experts who give advice to a medical panel. The amendments will confirm that these members and experts cannot be compelled to give evidence relating in any way to their role and function as a member or expert. The rationale for the protection is to maintain the integrity of the panels and to encourage participation of medical panel members and experts. The protection is equivalent to protections afforded to members of the judiciary.

*Expanding reasons to review the approval of an employer as a self-insurer*

WorkSafe may review the approval of an employer as a self-insurer at any time. Without limiting this power, the WIRC act sets out specific triggers for those reviews, and a failure to notify WorkSafe of these events can constitute an offence under the WIRC act.

This bill proposes to expand the requirement to notify WorkSafe where the employer ceases to employ all workers. This is expected to improve compliance and awareness of

changes to self-insurers operations that may affect their ongoing approval as a self-insurer under the WorkSafe scheme.

*Amending the 12-month limitation period for prosecutions against self-insurers*

The WIRC act requires self-insurers to provide accurate and timely information about their financial liabilities, information regarding workers claims and changes to their corporate structure.

As breaches of these requirements are summary offences, WorkSafe can only prosecute within 12 months from the date on which the offence is alleged to have been committed. Often the failure to produce this information is not known to WorkSafe until sometime later as the provisions relate to financial and other internal dealings of self-insured employers of which WorkSafe has limited oversight.

This bill proposes to amend the 12-month limitation period for prosecutions against self-insurers so that it commences from the date that WorkSafe becomes aware of the alleged offence. This will ensure that self-insurers who fail to comply with their legislative obligations to provide accurate and timely information can be appropriately prosecuted.

I commend the bill to the house.

**Debate adjourned on motion of Mr MORRIS (Mornington).**

**Debate adjourned until Wednesday, 5 April.**

**LAND LEGISLATION AMENDMENT BILL 2017**

*Statement of compatibility*

**Mr WYNNE (Minister for Planning) 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 Land Legislation Amendment Bill 2017 (the bill).

In my opinion, 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 of the bill**

The bill will make small, but important, changes to the Transfer of Land Act 1958, the Subdivision Act 1988 and the Valuation of Land Act 1960 to improve the operation of these acts.

A primary purpose of the bill is to accelerate the general law land conversion process to ensure that all freehold land in Victoria can be dealt with under the Transfer of Land Act 1958. It is intended that the registrar identify freehold owners of general law land in Victoria and create a provisional folio of the land in the freehold owner's name.

The bill will amend the Transfer of Land Act 1958 to clarify the powers of the registrar to act when a notice sent by the

registrar to a landowner or customer is returned or not delivered. The bill will amend the Valuation of Land Act 1960 to provide valuation data in the same manner that property sales data is currently provided.

**Charter rights that are relevant to the bill**

*Section 13 — privacy*

Section 13 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 registrar holds records of general law land. This includes the name and address of the last owner registered against the land. As registration of a general law land transactions is not mandatory the details held by the registrar may not accurately reflect the details of the current owner. The bill introduces a mechanism for the registrar to verify the identity of the current owner and bring the land under the Transfer of Land Act 1958. In order to create a provisional folio of the register of land (the register), the bill permits limited information sharing. Information retained by the registrar/registrar-general will be checked against personal information held by municipal councils, statutory authorities or other persons to confirm the identity of the freehold owner of the general law land. The registrar will then create a provisional folio of the register in the owner's name.

The bill inserts a new section 26X of the Transfer of Land Act 1958. New section 26X(1) permits the registrar to make enquiries with municipal councils, statutory authorities or other persons (including financial institutions) for personal information that identifies who is the ratepayer or mortgagor of the land. Proposed section 26X(2) permits a municipal council, statutory authority or mortgagee to disclose personal information that identifies who is the ratepayer or mortgagor of the land to the registrar, i.e. names and addresses.

This personal information collected and held by a municipal council, statutory authority or mortgagee will be matched with information retained by the registrar/registrar-general that is already publicly available. The use of the personal information provided in this way will only extend to verification of the accuracy of the identified freehold owner in information retained by the registrar/registrar-general.

The amendments introduced by the bill only permit a municipal council, statutory authority or mortgagee to make disclosure of this information in specified limited circumstances. Proposed section 26X(2) states information must only be disclosed 'for the purpose of bringing land under this act'. This limits the disclosure of personal information to a specific purpose. The type of personal information that may be disclosed is also limited under proposed section 26X(2). Only personal information 'that identifies who is a ratepayer or mortgagor of the land' can be disclosed. The permitted disclosure serves a legitimate and necessary purpose. This purpose is not arbitrary and is authorised by law.

In addition, the personal information to be provided to the registrar is of a nature where complete privacy would not generally be expected by those persons whose personal information is relevant. That is, such personal information is routinely provided to the registrar for any person with an interest in land.

Further, existing section 114 of the Transfer of Land Act 1958 will apply to the information. It provides that any person

may access the information and documents registered or recorded on the register. This means that once a provisional folio is created, any new information collected under these new provisions in the bill can be publicly searchable.

The process of identification and creation of provisional folios of the register is intended to benefit freehold owners of general law land. Sections 14 and 15 of the Transfer of Land Act 1958 provide mechanisms for a freehold owner to convert general law land to land under the Transfer of Land Act 1958. The process enabled by this bill will accelerate that process and alleviate costs and burdens to freehold owners of general law land in bringing their land under the Transfer of Land Act 1958.

Personal information sought by the registrar and provided by a municipal council, statutory authority or mortgagee is the required information for making a conversion application. The bill does not enable the disclosure of any further personal information under proposed section 26X(2).

The proposed amendments do not limit or interfere with the rights to privacy contained in section 13 of the charter.

The valuer-general collects statewide valuation information and retains a record of the data under the Valuation of Land Act 1960. The bill proposes to provide statewide valuation information to the public in line with government policy to make data as widely available as possible.

The bill inserts into section 2(1) of the Valuation of Land Act 1960 a definition of 'releasable information'. The definition limits the data disseminated to the wider community from the valuer-general to de-identified data. Valuation information will only be searchable by land description (e.g. address). Searches based on an individual person will not be permitted under the proposed changes. Information on tenancy rents will not be available to the public. The value of a house or property does not constitute personal information under the Information Privacy Act 2000 as it does not relate to the identity of an individual, but rather, relates to a property.

The bill amends section 7E of the Valuation of Land Act 1960 to provide for access to releasable information upon payment of a fee and in accordance with ministerial policy. The change will make valuation information available in the same way as property sales information is provided under section 5(2) of the Valuation of Land Act 1960.

The proposed change will not make any personal information available by public search, only de-identified valuation information provided in the same manner as de-identified property sales information is currently provided.

Public searching of property valuation information will not affect personal privacy or a person's right to reputation. Public searching of valuations is currently available in other Australian jurisdictions. The amendments to sections 2(1) and 7E of the Valuation of Land Act 1960 do not limit or restrict the scope of the rights under section 13 of the charter.

#### *Section 20 — property*

Section 20 of the charter provides that a person must not be deprived of his or her property other than in accordance with the law.

While general law land will be converted without the request of the landowner, the landowner will be informed and will not lose any of their rights in the land. Converting the land from a

general law to land under the Transfer of Land Act 1958 will enhance the landowner's title. Converted titles will be covered by the government guarantee of title, providing added certainty for landowners.

The registrar's conversion of general law land to land under the Transfer of Land Act 1958 will not limit a property owner's right to property. The effect of proposed sections 26X and 26Y will only be to change the land from freehold general law land to freehold land under the Transfer of Land Act 1958 i.e. Torrens title land.

The proposed amendments remove the option for a general law landowner identified by the new procedure to hold land under the general law. However, the benefits to the landowner of bringing land under the Transfer of Land Act 1958 will eclipse any concerns about a landowner no longer having this choice. The benefits to the landowner in gaining Torrens title to land and to the registrar in greater efficiencies in maintaining the register, together with the ability to transact electronically in land transactions, are legitimate objectives for the proposed change.

Proposed section 26Y will convert a provisional folio of land to an ordinary folio after 15 years. Any person with a competing interest in the land will be required under the proposed changes to make a claim to the land before the 15-year period lapses, or lose any rights in the land. This 15-year window for a person with a competing interest to make a claim is a reasonable limit to any potential property right. This is a sufficient and non-arbitrary period after which no further claims may be made. The conversion of a provisional folio at 15 years is necessary for the purpose of completing the bringing of general law land under the Transfer of Land Act 1958.

The proposed sections 26X and 26Y do not limit the right to property contained in section 20 of the charter. The bill does not limit the rights of landowners or any other person with competing interests because the proposed changes are in accordance with law and serve legitimate objectives.

#### *Section 24 — fair hearing*

Section 24 of the charter provides that a person who is 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. The courts have determined procedural fairness to be co-extensive with the right to a fair hearing.

The bill will amend section 113(7) the Transfer of Land Act 1958 in relation to the powers of the registrar when a notice sent by the registrar to a landowner or customer is returned or not delivered.

Civil proceedings have been interpreted by the courts to include administrative proceedings. However, the amendment to section 113(7) does not relate to administrative proceedings. The bill clarifies what the registrar may do when a notice sent by the registrar is returned or not delivered. Notices from the registrar may be sent in relation to numerous administrative matters such as requests for further information or notice of an application being made where the person appears to have an interest in the subject land. The changes made by the bill do not relate to the registrar's participation in litigation. In litigation the registrar complies with the relevant court rules and the Victorian model litigant guidelines.

The amendment to section 113(7) will provide for the registrar to continue with an action when a notice is returned or not delivered. This means that in some specific instances a person may not receive a notice. However, the registrar will only proceed with an action when an attempt has been made to give notice. When a person has failed to keep their address current in the register or a customer has failed to keep their contact details up-to-date the registrar should not be prevented from acting on another person's application or updating the register. The requirement on the registrar to have attempted giving notice before proceeding is a reasonable measure to ensure as much as possible that a person is notified of any intended action by the registrar. For this reason this amendment is consistent with the procedural fairness aspect of the fair hearing right even though it does not relate to proceedings attracting section 24 of the charter.

The bill does not expand the registrar's powers to take an action without notice. The amendments to section 113(7) only extends the same treatment as other notices sent by the registrar to electronic notices.

The powers of the registrar replicated in proposed section 113(7) are consistent with section 24 of the charter.

Consequently, in my view and for the reasons given, the rights to privacy, property and procedural fairness are not limited by the bill.

Hon. Richard Wynne, MP  
Minister for Planning

### *Second reading*

**Mr WYNNE** (Minister for Planning) — I move:

That this bill be now read a second time.

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

I am pleased to introduce the Land Legislation Amendment Bill 2017. The bill makes a number of small, but important and necessary, changes to the Transfer of Land Act 1958, the Subdivision Act 1988 and the Valuation of Land Act 1960 to improve the operation of these acts.

The bill:

- promotes greater efficiency in the conveyancing process and enables the registrar of titles to more effectively maintain the register of land;

- improves the efficiency of the process for registering plans of subdivision; and

- enables the valuer-general to provide statewide valuation information to the public in line with the government policy on information accessibility.

The accurate and timely recording of dealings in land is fundamental to the Torrens system of land titles. Victoria's system of land administration and conveyancing is highly efficient in ensuring transactions in freehold land are registered promptly and accurately. This in turn provides for the integrity of property ownership and transactions.

### **Improving efficiency in conveyancing**

A central element of Victoria's system for registering land is the conveyancing process. Conveyancing is the process of transacting in estates and interests in land and is increasingly being conducted electronically. Victoria has benefitted from and will continue to benefit from harmonising processes with other Australian jurisdictions to support a national electronic conveyancing network.

This bill amends the Transfer of Land Act 1958 to better align with other Australian jurisdictions. In 2014 priority notices were introduced by amendment to the Transfer of Land Act 1958. Priority notices are used to protect, for 60 days, the interest of a person intending to lodge dealings. For national consistency, it is now proposed to introduce an application to extend a priority notice so that it is effective for 90 days. Currently South Australia and New South Wales provide for an extension of priority notices and other jurisdictions are proposing to follow.

### **Bringing general law land under the act**

General law land is the system of land ownership that predates the Torrens system of title by registration of estates and interests in land. In this system title to land is shown through demonstrating a chain of dealings in land from the current owner back to the original grant from the Crown. The Transfer of Land Act 1958 provides a superior means of transacting in land and better protects a person's interest in land. The bill introduces measures that enable the registrar to bring land under the act by requesting information that identifies who is a ratepayer or mortgagor of a parcel of land. This information will be used to assess whether the registrar's and registrar-general's records for general law land show the correct owner and then enable the registrar to create a provisional title for that land. Provisional titles will be converted to full (ordinary) titles after 15 years.

### **Improvements to efficiency**

Certain amendments to provisions of the Transfer of Land Act 1958 are needed to improve customer service and efficiency for both customers and the registrar's office.

One particular instance of where the Transfer of Land Act 1958 requires amendment to facilitate operational improvement relates to caveator's consents. Caveats operate as a mechanism to notify a claim to an interest in land and ensure the caveator is notified before any future dealing in that land is registered.

In some circumstances, a caveator's consent to the registration of an instrument is required. Currently the Transfer of Land Act 1958 requires a caveator's consent to be physically submitted to the registrar. This means a transaction requiring a caveator's consent cannot be fully processed electronically. The proposed change does not remove the requirement to obtain a caveator's consent but rather it allows the registrar to receive confirmation that consent has been obtained by paper or electronic means.

### **Streamlining processes and greater clarity for users**

The bill introduces several amendments to improve the operation of the Transfer of Land Act 1958 and clarify existing functions and processes.

One example of this is the simplification of the process for registering changes in proprietorship due to the vesting of land by legislation or court orders. The streamlined process will provide efficiencies for customers and their representatives, and should result in quicker updates of ownership in the register.

The bill will also enable the registrar to make vesting orders, and remove mortgages, in some circumstances when proof of payment cannot be provided and the limitations of actions period has expired. These situations are rare and often arise many years after the property has been purchased or the mortgage has been paid. At this stage it may not be possible to obtain the necessary transfer of land or discharge of mortgage. The new provisions will greatly assist homeowners who find themselves in this position.

#### **Registering plans of subdivision**

Plans of subdivision under the Subdivision Act 1988 are registered by the registrar of titles and allow for a property to be subdivided into smaller parcels, shown as lots on a plan. On registration of a plan certain information must be provided to the registrar, as set out in the Subdivision Act 1988. A number of these items are currently provided in a separate document. To streamline the plan registration process, the bill amends the Subdivision Act 1988 to provide flexibility in the method of providing the required information and who is to provide it.

#### **Valuation information**

The valuer-general collects valuation information under the Valuation of Land Act 1960. The bill provides for this information to be supplied in the same way as property sales information. Property sales information is released under ministerial policy direction with fees being set by the valuer-general in line with government policy on information accessibility.

#### **Conclusion**

In conclusion, the Land Legislation Amendment Bill 2017 will improve the efficiency of transacting in interests in land. The bill will facilitate bringing more land under the Transfer of Land Act 1958 and offer the benefits, and safeguards, of Torrens system of title by registration to more members of the community.

The bill will improve the process for registration of plans of subdivision under the Subdivision Act 1988.

The bill will also facilitate an easier and more consistent method of making valuation information available by amending the Valuation of Land Act 1960.

I commend the bill to the house.

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

**Mr WYNNE** (Minister for Planning) — I move:

That the debate be adjourned for two weeks.

**Mr PESUTTO** (Hawthorn) — I move:

That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion of the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed'.

Now more than ever the Leader of the Opposition's motion to establish a select committee to investigate the roting by the members for Melton and Tarneit needs to be considered. The need is greater than it was when it was first moved because now we have the initial findings of the Audit Committee into what has gone on, and far from settling all the questions that we and others have about the conduct of the roting members for the seats I have mentioned, there are even more questions that need to be answered now.

The committee's report, which was read out by the Speaker yesterday, outlined a number of very serious matters that raised further issues for investigation and mean that the Leader of the Opposition's motion needs to be debated and adopted immediately as public confidence in this government declines and our great state becomes a shambles.

What did the Audit Committee say about the former Speaker's conduct? It is scathing in a diplomatic way, but nevertheless it is scathing. It says that the former Speaker intended to live in Queenscliff but never actually did. He registered for electoral roll purposes, for drivers licence purposes and did so for many months, but never actually moved there.

The question we have, among many, is if you were intending to move to a place outside your electorate, why would you submit the paperwork to claim an entitlement when you had not yet moved there? Why would you do it? Who embodies the principles and values of this place and thinks it is okay to say, 'I'm going to claim the entitlement before I fulfil that entitlement to go over there'? It concludes, saying that that intention was never fulfilled. That tells us something very serious about the conduct of the former Speaker.

But it gets even worse in relation to the former Deputy Speaker. He was calculating, it was premeditated, it was deliberate and it was intentional. He did everything he possibly could to make sure at all times he lived as far away from his electorate as possible so he could get the dough, so he could get moolah and stick it in his penny pockets. That is what he wanted to do.

The report by the auditors shows very clearly that he moved from Lake Wendouree in April 2014 to Ocean Grove. Well, how interesting and convenient is it for the former Deputy Speaker? There are no utility records, no

drivers logs and some dubious, vague agreement with his family members. We do not know who.

This is all based on conversations that the auditors had with the member for Melton. And do you know what else? How self-serving is this: according to the auditors, they could not speak to the family members. Why? Because the member for Melton told them his family members did not want to talk to them. Why? I will tell you why. It was a fraud. It was a con. There never was a family arrangement. He was ripping off taxpayers for years — for seven years he did it.

We need to suspend the business of this house, and we need to go straight into the establishment of this select committee because the things I have mentioned are only the tip of the iceberg. Let me tell you, Deputy Speaker, that we need to go into this matter because there are at least three statutes which are engaged by this. The Members of Parliament (Register of Interests) Act 1978 makes it very clear in the code of conduct in section 3 that members must adopt as their primary responsibility the fulfilment of their public responsibilities. Secondly, it also provides that we, as members of this house, must do nothing which brings discredit upon this house.

What the member for Melton did was calculated. It was designed to rot an entitlement. The electoral acts at a Victorian and a federal level are also engaged. It is clear that what they claimed was not the truth. This is no longer an issue about whether it passed the pub test. No, we have gone beyond that. This is now an issue of how severely did they break the law. On taxation legislation — stamp duty, land tax and everything else, including personal taxation — did they break the law? Let us get on to the serious business of the Leader of the Opposition's select committee motion.

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

**Ms ALLAN** (Minister for Public Transport) — I will only make a few comments on this debate. I understand very well what the opposition are attempting to do. The fundamental flaw — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The member for Hawthorn, this is your motion. Perhaps you would like to hear what the Leader of the House has to say.

**Ms ALLAN** — As was made very clear in the Legislative Council this morning, the President of the Legislative Council, who I believe is also the chair of the Audit Committee, has made it clear that the report

that concerns the members for Melton and Tarneit will be made available tomorrow. Clearly that is an appropriate way to deal with these things, because of course this is a report of the Parliament, not a report of the government. It contains matters that go to those items that have been identified in the opposition's general business motion. I would suggest that this is not a motion that should be considered until the facts have been laid before the Parliament and the public.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I am having trouble hearing the Leader of the House.

**Ms ALLAN** — I would suggest that this is a pre-emptive move by those opposite because, as has been clearly outlined by the President of the Legislative Council, it is appropriate that the full and final report be made available. It is being made available tomorrow. The government, through the Premier, made it very clear that we were keen for that to happen as quickly as possible. That is happening tomorrow.

Once that happens tomorrow, once that report is made available, then it can obviously be considered further. I would suggest that this attempt by those opposite should be seen for what it is: it is more about them than dealing with the substance of the matters. I support the original recommendation of the adjournment as put by the Minister for Planning.

**Ms RYAN** (Euroa) — I rise to support the motion as put by the member for Hawthorn that we should immediately progress to establishing a select committee as proposed by the Leader of the Opposition into the reporting by the member for Melton and member for Tarneit.

The reality is that those on the opposite side of the house are too scared to bring on this motion. They are too scared because they have discovered through the course of question time over the last several weeks that their former colleague, who is still a member of the Labor Party, was living in a caravan. They are too ashamed to bring on this motion. They are too ashamed to see that report by the Audit Committee come to light. They voted in the other place. The Premier's right-hand man commanded that that report should not be tabled early. If they truly believed that this was about due process, then they would have seen that report actually tabled in the upper house yesterday so that we could see the details of that report.

PricewaterhouseCoopers, the independent auditors, had found that the member for Melton had been

opportunistic, that he had been low-rent, that he had had no formal lease at Ocean Grove. In fact, in their words:

... it is difficult to argue ... that he intended ...

his caravan to be his long-term principal place of residence.

On the evidence that we have available, it would seem that the member for Tarneit did not even have a caravan, let alone a residence, in Queenscliff. The second residence allowance was very clearly established to assist country MPs who need to be in Melbourne for Parliament, for their shadow ministerial or their ministerial duties, or their committee work. It was not established so that city-based MPs could establish their caravans by the sea. It was not set up for that purpose, and Victorians deserve to see a full explanation. They do not want to see this Premier continuing to run a protection racket for these MPs, and they deserve to see a full copy of the Audit Committee's report.

We should have already had that. If those opposite had not acted in the upper house to block that report from being tabled, we should have that now. Victorians deserve a full copy of that report. The two men who —

**Ms Allan** — On a point of order, Deputy Speaker, in terms of factual contributions to the debate. I think it is important to remind the house that this is not a report for the government to release. If the member for Euroa wishes to command —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I cannot hear the Leader of the House.

**Ms ALLAN** — If the member for Euroa wishes to demand the release of the report, I suggest she talk to the President of the Legislative Council.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I cannot hear the Leader of the House to make a ruling on whether it is a point of order or not a point of order. Perhaps you would allow me the courtesy of actually listening to the Leader of the House. Leader of the House, have you finished your point of order?

**Ms ALLAN** — Yes.

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

**Ms RYAN** — The two men who have clearly rorted these allowances, the member for Melton and the member for Tarneit, held esteemed and prestigious positions within this Parliament. They have ripped off the people of Victoria while holding positions that should demand respect and accountability and a high level of transparency. They have let Victorians down. This was no aberration. This was not a failure to have their paperwork in order. This was systemic, and it was a deliberate rorting of taxpayers money.

The Labor Party has no excuse for blocking the release of the Audit Committee report in the upper house yesterday. They are continuing to run a protection racket for those opposite, and they are busy tying themselves in knots to protect these two members. They are so busy trying to save their own jobs that they will not even defend the jobs of the 1000 people in Gippsland who are about to be out of work. That is the appalling reality of this. The only jobs Labor cares about are their own.

In summary I would like to quickly finish with this quote:

We should not allow any member of Parliament on either side of the house, whether they are Labor, Liberal, Nationals or Independent, to rort their entitlements. That is not what we are here for.

**An honourable member** — Who said that?

**Ms RYAN** — Who said that? The member for Melton.

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

**Mr PEARSON** (Essendon) — I rise to oppose the member for Hawthorn's motion. These are serious —

*Honourable members interjecting.*

**Mr PEARSON** — Are you done? Are you ready?

**The SPEAKER** — Order! Can we please hear the member for Essendon?

**Mr PEARSON** — These are serious allegations, and these serious allegations have been the subject of an inquiry and a report by the Audit Committee. That Audit Committee was chaired by the President of the Legislative Council, Mr Atkinson, who is a longstanding member of the other place, representing the Liberal Party. This report has been produced. It is not the government's report, as the Leader of the House said; it is the report of the Parliament.

The President has, quite rightly in my opinion, determined that it is fair and reasonable for that report to be publicly released, and it will be released tomorrow. So it is clearly quite premature for those opposite to now attempt to bring on this debate to establish a select committee, because as the Leader of the House rightly said, this report needs to be publicly released. I think all members, as well as members of the media and the public, are entitled to understand the nature of the inquiry and the evidence that was gathered and to review that report quite carefully. That is an appropriate course of action; that is what should occur. We in the Legislative Assembly should be able to get on with the job of continuing to debate the legislation that forms part of the government business program.

I know those opposite like to ride roughshod over process when it suits them, but now is not the time for that. We have got work before us that must be done that is consistent with the government business program. The President — your President — has indicated that the report will be released tomorrow, so the member for Hawthorn's motion should be defeated.

**Ms STALEY (Ripon)** — I rise to support the member for Hawthorn's motion. These are extremely serious allegations that we are dealing with here, and they apply to formerly very senior members of this place, in other words the former Speaker and the former Deputy Speaker. They are not random members of the government backbench. These are people who had the confidence of the house to uphold the rules. That was their job. Their job was to uphold the rules for all of us. Yet what have we seen? We have heard from the report so far that the previous Speaker, the member for Tarneit, had an intention to live somewhere but never, ever did. An 'intention to live' somewhere does not actually mean you are living somewhere. We can all intend to do great things, but the reality falls somewhat short.

**Mr Pesutto** — He was 'gunna' do it.

**Ms STALEY** — He was a 'gunna', that is right. That is right, member for Hawthorn, he was 'gunna' do it. Then of course we come to the member for Melton, who not only claimed a second residence allowance for many years despite not representing an electorate in the country but also clearly rorted that allowance by planning to live in a caravan — —

**Mr Katos** — A demountable.

**Ms STALEY** — It is a demountable, I have been advised by the member for South Barwon. Last time I looked a demountable is not a home. It is not very large. It is not somewhere he would have actually lived,

and in fact there is no evidence that he actually ever did live there.

The motion from the member for Hawthorn which we are seeking to bring forward is about serious issues that go to the heart of the governance of this chamber, yet once again the government is opposing it. They can go for hours on their motions. They moved a motion today, and they went on and on and on because their legislative program was light on. They debated it for hours and hours and hours. Yet we bring up a motion, and what happens? Not only do we have the Leader of the House telling us that the government will oppose it, but when we have the Deputy Leader of The Nationals seeking to make a contribution on this motion, the Leader of the House gets up to make a point of order to wind down the clock — yes, that great democrat, the Leader of the House.

Again I come to why we are here. Why have we spent all our question times on this? Why have we been seeking more information? It is because these people are rorting and it is a huge pattern among those opposite. Not only do we have the members for Tarneit and Melton rorting their allowances but we also have the other rorts that we have seen by members of this government. I am really wondering what the next set of rorts will be. We have had the red shirts. We see the government continually trying to block that debate. They are trying to stop the Ombudsman from doing her job. They are now in the High Court. How many hundreds of thousands of dollars has Labor paid in legal fees to get this to the High Court in order to protect their rorting their way into government? Various members, particularly in the other place, including Jenny Mikakos, have admitted that she did not know the electorate officers she signed for.

Then they get into government, and it is not enough. It is not enough that you get into government. It is not enough that you have the big bucks and the levers of power. It is not enough. You just have to take more. What about the poor Victorian taxpayers? There is no limit to what these people will take and take and take. We are left in a position where the members for Tarneit and Melton have very, very serious allegations against them. It is very likely that they will have to face criminal charges. When we seek to move a motion to have that properly examined, we are shut out — —

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

**Mr HIBBINS (Pahran) (By leave)** — As I understand it, we have a motion here put by the opposition to move directly onto their motion to set up

a select committee into the conduct of the member for Tarneit and the member for Melton. This is similar to a motion that they put forward last sitting week, and when that motion was put forward we were still waiting on the report from the Audit Committee into the use of the second residence allowance by those members.

We are advised that the report by the Audit Committee will be made available tomorrow. In the meantime, we have had the Speaker read out a statement or a letter from the President of the other place indicating that the member for Tarneit was unable to demonstrate that his primary residence was the one that he was stating it was and that the member for Melton appeared to have had an arrangement where he was able to keep on receiving the second residence allowance without actually having any sort of connection with or place of residence in the house that he was claiming to be his primary residence.

Now the opposition is seeking to set up a select committee to look into these matters. Our preferred method or response would be that the Privileges Committee actually look into these matters. I think that would be the most appropriate response. The Privileges Committee would then look at what should be the response then or should any sanction be put on the member for Tarneit and the member for Melton. I think that would be the appropriate process. I understand a similar process was undertaken in the previous Parliament in relation to the former member for Frankston, so we would be urging for that process to go through and for this matter to be referred to the Privileges Committee. We will not be supporting the setting up of the select committee at this stage.

**The DEPUTY SPEAKER** — Order! The Minister for Planning has moved that debate on the Land Legislation Amendment Bill 2017 be adjourned for two weeks. The member for Hawthorn has moved an amendment:

That the words ‘for two weeks’ be omitted with the view of inserting in their place ‘until consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed’.

The question is:

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

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

*Ayes, 46*

Allan, Ms  
Andrews, Mr

Kilkenny, Ms  
Knight, Ms

Blandthorn, Ms  
Bull, Mr J.  
Carbines, Mr  
Carroll, 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

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

*Noes, 39*

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

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

**Amendment defeated.**

**Motion agreed to and debate adjourned until  
Wednesday, 5 April.**

**MINERAL RESOURCES (SUSTAINABLE  
DEVELOPMENT) AMENDMENT  
(LATROBE VALLEY MINE  
REHABILITATION COMMISSIONER)  
BILL 2017**

*Statement of compatibility*

**Mr NOONAN (Minister for Resources) 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 Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017.

In my opinion, the Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

### Overview of the bill

The Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017 (the bill) aims to establish the office of the Latrobe Valley Mine Rehabilitation Commissioner, who will be responsible for investigating, monitoring and reporting to the minister and the Victorian community on the activities and strategies being implemented to rehabilitate coal mine land in the Latrobe Valley region.

The commissioner's role is to provide assurance to the community that public sector bodies and Latrobe Valley licensees are planning for the rehabilitation of coal mine land, to support the participation of community and local stakeholders in the development of the strategy, and to promote the effective implementation of the rehabilitation of coal mine land.

In order to fulfil these objectives, the commissioner has powers to carry out investigations and audits, coordinate rehabilitation planning activities and provide advice, reports and recommendations to both the minister and the Victorian community.

The bill also provides that the minister must prepare a regional rehabilitation strategy by 30 June 2020, which plans for the safety, stability and sustainability of coal mine and adjacent land, and the rehabilitation of coal mine land in the Latrobe Valley region.

### Human rights issues

#### *Right to privacy*

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 bill contains provisions that may give rise to interferences with the right to privacy, as set out below, but any such interferences will be neither unlawful nor arbitrary and so are compatible with the right. Further, the charter is only relevant to those provisions that impact individuals, as opposed to corporations. As the majority of provisions that are relevant to the right to privacy relate to occupiers of coal mine land, which are corporations, the discussion below is limited to any natural persons who occupy land adjacent to coal mine land (and who may be affected by the commissioner's powers of entry and inspection).

#### *Entering and inspecting land without consent*

The minister may refer a matter relating to the rehabilitation of coal mine land, the regional rehabilitation strategy or rehabilitation planning activities to the commissioner for investigation. Clause 5 of the bill inserts a new part 7A into the Mineral Resources (Sustainable Development) Act 1990.

Within this new part, division 4 sets out the powers of the commissioner or an authorised officer (together, authorised persons) to enter and inspect land for the purpose of investigating the referred matter. Under new section 84AR an authorised person may enter coal mine land or land adjacent to coal mine land without consent to carry out a referral investigation. While on the land, the authorised person may inspect the land, take measurements of any thing on the land and make any still or moving image or audiovisual recording that the authorised person believes on reasonable grounds is relevant to the referral investigation.

Before entering the land, the authorised person must produce his or her identification to the occupier and take all reasonable steps to notify the occupier of the land. The power of authorised persons to enter land without consent may only be exercised between 9.00 a.m. and 5.00 p.m. and does not extend to entry to residential premises. If the occupier of the land is not present when the authorised person enters the land, the authorised person must leave a notice setting out the time and purpose of entry, a description of things done while on the land, the time of departure and the contact details of the authorised person.

In my view, while the exercise of these investigatory powers may interfere with the privacy of an individual in some cases, any such interference will be lawful and not arbitrary. As noted above, the bill places significant limitations on when an authorised person may enter and inspect land adjacent to coal mine land. The matter must be referred by the minister and relate to the rehabilitation of coal mine land, the regional rehabilitation strategy or rehabilitation planning activities. The authorised person may only enter land adjacent to coal mine land if the commissioner believes on reasonable grounds that it is necessary to enter that land for the purposes of carrying out the investigation. The powers are also constrained by the terms of reference set by the minister.

An important purpose of the bill is to provide assurance to the Victorian community that public sector bodies and Latrobe Valley licensees are planning for the rehabilitation of coal mine land and implementing the regional rehabilitation strategy. The power to enter and inspect coal mine and surrounding land is necessary for the commissioner to effectively investigate referred matters and provide advice and reports to the minister and community. There is significant public interest in ensuring that the commissioner is able to access and inspect relevant land.

Public sector employees or inspectors may be authorised to assist the commissioner in carrying out investigations in order to improve the efficient and effective functioning of the commissioner's office. Authorised officers are subject to additional limitations in that their powers may be limited to a specific investigation and it is still the commissioner who must be satisfied that it is necessary to enter the land.

#### *Publication of commissioner's investigation reports*

New division 8 of part 7A of the act provides that the commissioner's investigation report and annual report must be published on the internet. Information in these reports is intended to relate to Latrobe Valley licensees and public sector bodies only. To the extent that reports may contain information derived from an investigation of land adjacent to coal mine land, it will be limited to the matter under investigation and will not extend to personal information of

the occupier. I am therefore satisfied that the reports will not contain any information that is personal so as to attract the right to privacy as protected under the charter.

**Property rights**

Occupiers of land adjacent to coal mine land have a right under section 20 of the charter to not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

The bill contains provisions that may engage this right, but do not limit it.

In the course of conducting an investigation on coal mine land or adjacent land, the commissioner or authorised officer may take and keep samples of any thing found on the land. This power is limited to samples of things that the authorised person believes on reasonable grounds are relevant to the investigation. The power of authorised persons to remove property is also subject to the numerous safeguards mentioned above in the context of the right to privacy, including that the authorised person can only enter the land in certain circumstances and must leave a notice describing what was done on the land if the occupier is not present.

In my view, the specific and confined circumstances in which an authorised person can take samples from the land and the fact that this power is necessary for the commissioner to adequately monitor and report on rehabilitation planning activities in line with the commissioner's functions, means that any interference with property occasioned by the bill is in accordance with law and therefore compatible with the charter.

**Right to presumption of innocence**

Section 25(1) of the charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right in section 25(1) is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that he or she is not guilty of an offence.

New sections 84AS and 84AT of the act, inserted by clause 5 of the bill, make it an offence for occupiers of the land which the commissioner or authorised officer wants to enter under division 4 of part 7A to, without reasonable excuse, refuse or fail to provide such assistance as the commissioner or authorised officer may reasonably require to enter or inspect the land. This obligation to provide assistance does not extend to providing documents or other things, which are covered by separate provisions and only apply to Latrobe Valley licensees and public sector bodies.

This 'reasonable excuse' exception may be seen to place an evidential burden on the accused, thereby engaging the right in section 25(1) of the charter. However, requiring the accused to raise evidence as to a reasonable excuse does not transfer the legal burden of proof onto the accused. Once the accused has given evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution who must prove the essential elements of the offence. Furthermore, the bill

preserves the right to protection against self-incrimination by providing that it is a reasonable excuse for a person to refuse or fail to do any thing if doing so would tend to incriminate the person.

For these reasons, in my opinion, new sections 84AS and 84AT do not limit the right to be presumed innocent.

The Hon. Wade Noonan, MP  
Minister for Resources

*Second reading*

**Mr NOONAN** (Minister for Resources) — I move:

That this bill be now read a second time.

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

Overview of the bill

The main purpose of the bill is to amend the Mineral Resources (Sustainable Development) Act 1990 to create the Latrobe Valley Mine Rehabilitation Commissioner, detail the commissioner's functions and powers, and to require the minister to prepare and publish a Latrobe Valley Regional Rehabilitation Strategy.

In February 2014 a fire broke out at the Hazelwood coal mine which lasted 45 days and had significant adverse impacts on the local community.

In April 2016 the Hazelwood mine fire inquiry found, among other things, that 'the current regulatory system is ill equipped to solve complex problems regarding rehabilitation'. To address this matter the inquiry report recommended that, by 30 June 2017, the government should establish an independent Latrobe Valley Mine Rehabilitation Commissioner as a statutory appointment by amendment to the Mineral Resources (Sustainable Development) Act 1990.

In June 2016 the Andrews government committed to meet this recommendation through the Hazelwood Mine Fire Inquiry Implementation Plan.

This bill will amend the Mineral Resources (Sustainable Development) Act 1990 to create the Latrobe Valley Mine Rehabilitation Commissioner.

The commissioner will be appointed by the Governor in Council, on the recommendation of the minister, for a period not exceeding five years.

The commissioner's functions are to monitor and audit rehabilitation activities and report to the minister; inform the public of the results of rehabilitation activities and associated matters; convene meetings of relevant stakeholders; and to carry out investigations as referred by the minister.

To refer an investigation the minister must publish a notice in the *Government Gazette*.

In the course of undertaking such an investigation the commissioner is empowered to enter and inspect coal mine land and adjacent land, and obtain documents and other

things which the commissioner believes on reasonable grounds are relevant to the referral investigation.

The bill provides safeguards against the improper use of these powers.

Before entering any land the commissioner must first produce identification to the occupier and taken all reasonable steps to notify them of the entry. These powers can only be exercised during business hours, and do not extend to residential premises.

With regard to obtaining documents and other things, this power is restricted to the Latrobe Valley licensees and public authorities listed in the act.

I commend the bill to the house.

**Debate adjourned on motion of Mr SOUTHWICK (Caulfield).**

**Debate adjourned until Wednesday, 5 April.**

**PORTS AND MARINE LEGISLATION  
AMENDMENT BILL 2017**

*Second reading*

**Debate resumed from 8 March; motion of  
Mr DONNELLAN (Minister for Ports).**

**Mr HODGETT** (Croydon) — I rise to lead the debate on the Ports and Marine Legislation Amendment Bill 2017. I declare at the outset that I hold a marine licence endorsed to operate a powered watercraft (PWC). In other words, I hold a recreational boat licence and am endorsed to ride a jet ski even though I do not own one of those vessels.

I also at the outset take the opportunity to put on record my thanks to Peter Corcoran, the director of marine safety at Transport Safety Victoria, Paul Salter from the Department of Economic Development, Jobs, Transport and Resources, and in particular Murray Newton, the adviser to the Minister for Ports, for their time, for providing a bill briefing and for answering the many questions that I raised that are obviously of interest to us on this side the house and to the stakeholders we engage with. Mr Newton was as late as this week still clarifying some information for us. I have seen some email exchanges over the course of the last day, so I am particularly grateful for that information. As shadow minister, I have been grateful to get information and assistance in relation to preparing for my contribution on this bill.

We all know the purpose of the bill is to remove the ability of children between the ages of 12 and 16 to apply for a personal watercraft endorsement on their marine licence. This in effect would restrict children

aged 12 to 16 from operating a personal watercraft, or jet ski, as we know them, without adult supervision or not by themselves. That is the main thing we have looked at in this bill, but of course the bill does have a number of other main provisions. I intend to speak briefly on all of them.

One of the main provisions in the bill removes the ability of children aged 12 to 16 to drive a personal watercraft such as a jet ski by themselves without an adult being on board. It also permits waterway managers, such as Gippsland Ports, to relocate, seize and dispose of things abandoned on waterways under the waterway manager's control and the recovery of all associated costs of relocating, seizing and disposing of abandoned things. The bill applies safety duties to local port managers and to persons who manage boating activity events. One of the other major provisions is to provide for the maintenance of the knowledge, skills and medical fitness of vessel pilots. I will say at the outset that the coalition is not opposing this bill. However, we wish to make a number of points in relation to the main provisions where we have concerns, and we will raise some points on behalf of stakeholders.

I will provide a few stats, or a few facts and figures, on jet skis. There are 6600 users aged from 12 to 16 years of personal watercraft vessels in Victoria. Bombardier recreational products has a 70 per cent market share, Yamaha has 18 per cent of sales, while Kawasaki and Honda are both other major players in this space. The industry employs several hundred in Victoria through dealerships, distribution, servicing and so on, and there are low-powered vessels available, such as Bombardier's Sea-Doo Spark, which is rated at 60 horsepower. These have a maximum speed of 60 kilometres an hour — roughly 25 knots, if my maths is correct. The cost of a jet ski can range from \$7000 up to the more powerful models costing \$25 000 — hence I am not an owner of one of these. So these are a substantial investment.

Usually when the topic of jet skis comes up, it stimulates debate in and around the responsible riding of them. We do not often focus on the age group that is mentioned in the bill here. There have been complaints about inappropriate or antisocial behaviour on them, noise, nuisance value, speed or about them coming in too close to shore or too close to swimmers — those sorts of things. We know that the areas of Safety Beach near Dromana, Half Moon Bay near Black Rock and Pykes Creek Reservoir near Ballan are some of the areas where this behaviour has been observed.

I note that when this bill was introduced into the house there was a bit of radio commentary on it, and on talkback radio the calls went immediately to this sort of behaviour. Unfortunately, again, it is the minority of people spoiling it for the majority in the industry, or for the operators or users, if you like, because from personal experience, when it comes to boating, by and large, people who operate personal watercraft or jet skis are responsible riders — they ride in a responsible way. They are sensible. They operate them safely. So, again, it is usually only a small number of people that give these watercraft a bad name, but it is a bad name that they do give them, and that is why people are quite annoyed about the speed and noise in some of these things. So much so that, in the course of the bill briefing we noted that personal watercraft have just been banned from Sydney Harbour for that exact reason — those that enjoy the harbour and everything the city has to offer do not want jet skis interfering with that. That is a fairly drastic initiative. We do not want to see that in Port Phillip Bay, of course, but again we have people raising questions about the operation of jet skis.

When the coalition first looked at this bill, I have to admit that our immediate concerns — some people raised these — were: ‘Are we being a nanny state? Are we over-regulating?’. Surely we want kids, 11 to 16-year-olds, to get active and get outside, to engage in recreational activities. We want children to be able to operate jet skis or boats, or other machinery — motorbikes, cars. We want them to actually show a bit of responsibility around how to use them, how to operate them safely and, in relation to a jet ski, how to ride them at a safe speed and get some experience.

Certainly the information that was given to us by Transport Safety Victoria is that jet skis are now over three times faster than what they were a number of years ago. You are talking about something that has 300 to 350 horsepower. They are actually like a missile on water. They can go from a standstill to top speed in a few seconds. If you move away from the argument of being a nanny state, you do seem to explore more the issues of safety. These are young children we are talking about. At 15 and 16 they are starting to grow up and become young adults, but 11 and 12-year-olds are quite young to be in control of such a powerful vessel on the water.

We were told that 12 to 16-year-olds are more at risk in the serious incidents category, and that they were over-represented in that category. There is a significant amount of under-reporting, where a child might be injured in that age group and parents take them off to hospital with a broken bone or something. So often these stats do not get recorded. I think there is a role in this — I

will come back to this later in my contribution — for Transport Safety Victoria. Indeed they assured us that they would be doing this, in terms of some of their education initiatives in advising users of the changes, to get some of these data and stats out there. I will come back to that, because some people question us about this data and about the stats — are we particularly picking on this category of people, and what is the evidence to back that up? But certainly the information that was given to us by Peter Corcoran, Paul Salter and Murray Newton showed that the 12 to 16-year-old category is over-represented in serious incidents.

I own a boat. I do not own a jet ski. I was up at Bonnie Doon, enjoying the serenity on the long weekend — just a day trip up there — and Transport Safety Victoria officers were there, doing a top job, I might add. Greg was the gentleman who came and spoke to us, checked the safety equipment in our boat et cetera. There were certainly people up there on the Eildon Dam that day who were not complying — it is a tough job for the officers to go and point out that you cannot ski from the shore and what the rules are. They do a wonderful job. I hasten to add that my boat passed; it had all the required things in it. I am sure it will make its way back to the minister that my boat complied. On a serious note, Greg was telling us that there are about nine incidents a day up at Eildon around that holiday period and around the long weekend, and he said that many of them are unreported, not so much on jet skis. He was talking about the biscuits towed behind boats and about kids being knocked out and broken bones, but it just goes to show you that there are a number of unreported incidents.

We are not opposing the change. We think a job lies ahead of it for the department. Certainly the stories from the water police and departmental officers are that it makes sense to have adequate adult supervision, and that is expected to reduce the observed injury rates and potentially save lives. So we are not opposing that. As I said, I think the job ahead for the department is to get out there and inform people of these changes.

One of the provisions of the bill talks about applying safety duties to local port managers and to persons who manage boating activity events. In the minister’s second-reading speech the example was mentioned of the Anaconda ocean paddling event, which was held in 2011 and involved some 600 participants. Another example of why this is a good addition to this legislation was a kite-surfing event where there were about 100 participants all told and about 15 got into difficulty. They had trackers on them. They hit their trackers for someone to come and get them — they needed assistance — and in this instance we were informed that by the time the people were picked up by

these trackers, the organisers had packed up and the event was over. So in fact people rely on Life Saving Victoria or other voluntary groups to actually perform some of that search and rescue. This provision is actually designed to get local organisers and persons who manage those boating activity events to take some responsibility or have provisions in place for that. That was a terrific example that was given to us — you know, if people do get into difficulty, they hit their tracker, and a reasonable person would expect organisers of the events to have something in place where people come out and assist those people. Again, we are not opposing that, and we think that is certainly a good addition to the bill.

The bill provides for the maintenance of the knowledge and skills and medical fitness of vessel pilots. I note that there was an exchange of emails back and forth from the minister's office. Vessel pilots were one of the stakeholder groups that we engaged with. Basically, as I understand it, what happens now is that once accreditation or competencies are tested or issued once. Under this provision they have got to be kept up to date. You might have an example where a pilot might take five years leave and go off overseas or do a different job. They might come back into that role and the question arises: how do you test their competency? Have they lost any of that competency? Are their knowledge and skills up to date? That is what that provision is designed to deal with, and again it is a common-sense provision in the bill.

Finally, an area I want to touch on is a provision in the bill to permit waterway managers to relocate, seize and dispose of things abandoned on waterways under the waterway manager's control and recover associated costs of relocating, seizing and disposing of abandoned things. When I was fortunate enough to be in the position of Minister for Ports this was an issue that came up from time to time. In fact you would be quite surprised at the number of vessels that do get abandoned or left out there. This provision is strengthening a waterway manager's ability or powers to do something about that.

I was looking for a few examples last night. Down at the port of Portland there was the old boat, the *Jumanji*. It was left for some time and was at risk of sinking. I am informed that the owner did not have the money to get it restored or to move it, so it sat there for a long, long period. The council had to pull it out with a crane eventually and cut it up on land. It was a difficult operation. It could have broken up on lifting, resulting in spilling the debris and fuel into the water. Certainly Jim Cooper, the CEO of the port of Portland — a terrific and very talented, skilful guy down there — has

spoken in the past about his frustrations in dealing with these vessels.

Waterways managers tell me that they have got no leverage. If it is a decent boat that you have got there — a cruiser or something with value; some of them are worth up to \$900 000 each — you can threaten that if they do not fix it, move it or do something with it, you will seize it, and you might be able to get a return back off that. I appreciate that for many people, when they buy an old vessel it is their passion and their hobby. They get the vessel with the intention of restoring it, doing it up and using it for a particular purpose. But if it sits around for a long period of time, it is of course a risk for diesel spillage into the waterway. If it sinks, and I used the example of the boat in the port of Portland before, it can cost a lot of money: \$100 000 to pull it out of the sludge with a crane. In the port of Portland's case — \$100 000 — you have to write a lot of business to recover that sort of cost. So in the past the only tactic for the waterway manager has been nagging or trying to coerce the owner to do the responsible thing with the vessel. These changes in the bill will strengthen the waterway managers' capacity to deal with these situations.

I was fortunate to talk to Nick Murray up on the Gippsland waters. He gave me an example of the *Sylvester Leone*. It was out of survey and unregistered. I understand the business has gone into receivership — this is a current example — and the receivers are refusing to take ownership of the vessel. It has no commercial value. It is a 100-tonne vessel, and it is leaking bilge water into the inlet. They are really at a loss as to how they can deal with this. Again they welcome the changes in this bill, and we are not opposing those because it will actually be useful for waterway managers to be able to deal with those vessels.

In the time I have got left — —

**Mr Richardson** — Plenty of time.

**Mr HODGETT** — In the plenty of time I have got left, we raised issues at the briefing and were satisfied with the responses we got. Some of our stakeholders raised similar points. I just raise them to encourage the minister's office to take the opportunity to engage with industry and talk about these issues so people get a better understanding of why some of these changes are coming about. The CEO of the Boating Industry Association of Victoria — a terrific organisation, and no doubt the minister has regular contact with them — raised some matters with us. I will raise some of these here:

I have consulted with BIAV members and the theme of their response is to open further discussions on the fact that retaining the current licensing criteria but implanting controls to regulate the speed and capacity restrictions to enable younger members of our community the opportunity to enjoy this great pursuit of water activities and ensure that the health benefits of the outdoors environment provides.

They have also asked that before the implementation of any legislation, the technology of the new model PWCs be taken into account as many of them have the ability to have speed restrictions programmed into them, have the ability to slow with braking technology, and for the owner/parent to be responsible for their conduct.

I also note that there is proactive promotion by the PWC industry of a responsible code of conduct being actively distributed and displayed by retailers to potential buyers and existing riders of the craft, and also distributed widely with the registration renewals to nearly 20 000 owners.

To summarise, further education and awareness is the key to ensure acceptable and responsible conduct on the water. Both ourselves and the PWC industry are behind this effort, not legislation.

I was reliably informed at the briefing that this option was looked at, but only some manufacturers have the ability to restrict speeds on their products, so to implement that as opposed to what is proposed in this bill would disadvantage some manufacturers in the market. If my interpretation of it is correct — that they cannot all do it — then it is obviously not something that will work to improve safety for those 12 to 16-year-olds. Therefore the bill goes to the further extent of removing that endorsement option for the marine safety licences. Clearly the industry has got an issue with that, so the minister or the department perhaps might look to these matters and engage with stakeholders before implementing the changes in the bill. We accept that that was said at the briefing, and perhaps if industry were more aware or understood that, I think that would help the passage of these changes going through.

A representative of Bombardier Recreational Products spoke positively about the responsible rider code of conduct leaflet, and that is deployed throughout the personal watercraft (PWC) retail network and at the handover of every new PWC. It is great to see that responsible ownership and responsible behaviour on these vessels is getting out there into the market. As I said before, and I make the point again, it is the minority of people that give these vessels a bad name; the majority are responsible users. The point that Bombardier Recreational Products made, similarly to that raised by the Boating Industry Association of Victoria, was that because of new vessel selection and technical advancements, new-age PWC, now have programmable speed restrictions and brakes. So they

asked whether that had been considered, as opposed to removing the ability for children aged between 12 and 16 to drive one without adequate adult supervision.

So again I implore the department — and they have got a bit of a job ahead of them there — to perhaps go and engage with that industry and say, ‘This is the reason that was not chosen, because only some manufacturers can do it’. Certainly Bombardier say it is the industry’s belief that effective enforcement together with education and awareness are the essential, key elements to ensuring acceptable rider behaviour, and we totally agree with that.

Finally, as I have said, having had the honour and the pleasure to have formerly been the Minister for Ports, I know the terrific work that Transport Safety Victoria do and I know the terrific work that Maritime Safety Victoria do. I think we have come a long way in the past four to six years in terms of educating users of personal watercraft about their behaviour and how it impacts on people so that everyone can enjoy recreation on our waterways. I think they do a terrific job.

We are not opposing this legislation. We think there are some good aspects in this, as I have mentioned. It will achieve a number of things that are wanted in the industry, and it will assist in a number of areas. I will leave my contribution there. I know we have a number of speakers on our side of the house who wish to make a contribution on this, so I will leave my contribution at that.

**Mr J. BULL** (Sunbury) — I am very pleased to have the opportunity to speak in favour of the Ports and Marine Legislation Amendment Bill 2017. I should also declare that I hold a marine licence with a personal watercraft endorsement and that I thoroughly enjoy my time on the water, both in the boat and on a jet ski. I will talk about some of those personal experiences a little later in my contribution.

**Mr Pearson** interjected.

**Mr J. BULL** — I certainly know that the member for Essendon enjoys his time on the water as well. The opposition speaker, the member for Croydon, spoke about the fact that in his view the vast majority of people do the right thing on the water, and I certainly agree with that. Most people that I see follow the rules, have the required safety gear on board and have their vessels regularly serviced, and I certainly believe this is the result of good governance, good regulation and certainly good education around the marine safety area. However, there are a number of concerns about the current regulations, and I will go to those shortly.

This is an important bill. Overall it has five key objectives, those being to facilitate improvements in safety by addressing gaps in the scope and coverage of safety duties under the Marine Safety Act 2010; to enable more efficient and effective management of state waters by amending waterway rule-making powers and providing powers to local ports and waterway managers to deal with abandoned vessels; to — and this one I will come to at length later on in my contribution — reduce public safety risks by making specific changes to licensing requirements for pilots and masters of recreational vessels aged 12 to 16 years of age; to support more effective cross-portfolio enforcement and facilitate cost savings by removing unnecessary limitations on the disclosure of marine licensing and registration information to enforcement authorities; and, finally, to reduce red tape to enable cost savings to be achieved by making minor and technical amendments.

I want to focus the majority of my contribution this evening on the changes made to jet ski laws, and these are certainly important changes. There is no doubt, as I mentioned earlier, that Victorians love their water. Whether it be time on Port Phillip Bay, time on the wonderful lakes right across regional and rural Victoria or time on rivers like the Murray, we see a great deal of water-based activity. We are certainly lucky to have those areas to go to and enjoy time with family and friends, especially in the summer months. Like many Victorians, I was fortunate enough to grow up with boats, and some of my best childhood memories are of being on the water. Whether it is skiing, fishing, swimming or snorkelling, these are some of the best ways to spend a day.

What I was certainly fortunate enough to have grown up with, though, was the message around safety on our waterways. Tragically we see far too many lives lost on the water, whether they are drownings, boat accidents or, more recently, accidents involving jet skis. These have been all too common. Our water police, coastguard, fisheries, lifeguards and supporting agencies do a wonderful job in working with the community to keep people safe and to enhance education around water safety. I do want to put on record my support and appreciation for these agencies, the hard work that they do and the important role that they play each and every day right across the state.

In recent years, though, we have seen significant investment in safety and education and the delineation of boating zones in Port Phillip Bay. Throughout the state these help to manage and address those safety risks associated with the interaction between vessels and swimmers, and at all times we should really be trying to keep vessels and swimmers apart and make

sure that those regulations are followed strictly. Despite these investments, though, we continue to see, certainly with personal watercraft, with jet skis, a number of very concerning incidents, often involving very serious injuries. The messages around jet ski use do quite often, I believe, get through, but we know that there is a small group that unfortunately are not following the rules.

The Andrews Labor government recognises that action must be taken to address unsafe conduct and is developing new compliance, monitoring and enforcement strategies to target those who continue to operate illegally, threatening of course their own safety and the safety of others. That is why this bill this evening includes a related measure aimed at reducing injuries to minors and avoiding the loss of life. As I have mentioned, minors between the ages of 12 and 16 years may currently apply for and obtain a restricted marine licence, which is the type of licence that I had. However, restrictions that are imposed on those 12 to 16-year-olds mean that they must not operate at speeds greater than 10 knots, operate between sunset and sunrise or tow persons or other vessels. So skiers or the like cannot be put behind a jet ski.

As a minor, as I mentioned, I personally held this type of licence. It is important to recognise that education from an early age around boats and around any vessels on the water is important. If we are able to encourage young people to get involved in marine activities, as they go on and reach adulthood they will be conditioned to learning about those safety regulations, and these are important things.

However, at this point in time, we know that minors who hold restricted licences are able to have those endorsed so that they can operate a jet ski, as I mentioned. That is shown on your licence card with a personal watercraft endorsement. People using jet skis generally do so with the intention of operating at speeds significantly more than 10 knots, and this is the crux of this issue. Unsupervised use of jet skis by minors is therefore seen by many as inconsistent with the purpose of restricted licences.

I know that a number of members will have spent time on the water, either seeing a jet ski or riding one themselves. They are very powerful, very fast vessels that have a great rate of acceleration and which can be an incredibly powerful and dangerous vessel if used incorrectly. They are a whole heap of fun — 300 horsepower plus. They can turn incredibly sharply, on a dime. You can only imagine a minor, someone 12 to 16 years old, who gets behind one of these vessels. It is not putting the foot down; it is squeezing the clutch, if you like, and off the jet ski

goes, so you have to be incredibly careful especially around piers and ports and most importantly around other people swimming in the water.

This bill prohibits minors from having their licences endorsed, so they are not able to operate a jet ski without supervision, a move that I wholeheartedly support. Supervised operation of jet skis by minors is still possible of course, so there will continue to be avenues available to learn responsible jet ski operation, which is the education element I mentioned before. However, the government believes that a clear signal needs to be sent to parents and guardians that minors who are not adults cannot be held accountable to the same extent and are not permitted to operate jet skis without supervision. So it is the supervision element within the change that is absolutely critical. This is expected to decrease injury rates and of course potentially save lives. In effect this bill requires that there is adult supervision at all times. This is expected to reduce those injury rates that I just mentioned, which is something that I am very supportive of.

The bill covers a number of other areas, which I mentioned earlier in my contribution. The Marine Safety Act 2010 imposes duties on a range of different parties to identify risks and implement measures that minimise safety risks so far as practicable. The bill addresses gaps in safety duties and safety requirements that have been identified as a consequence of incidents on state waters in recent years. The bill applies safety duties to managers of events held wholly or partly on state waters. This will ensure that Transport Safety Victoria has the capacity to act to ensure risks are minimised. That was something in the bill briefing that was of particular interest to me, fundamentally around the responsibility in relation to events and how we manage as a state and as a government which is responsible for those events that happen on the water, how many people are attending and what safety practices have been put in place to ensure that the event as a whole can run smoothly and soundly.

The bill, as I have mentioned, covers a number of different areas. I am particularly supportive of the changes to regulations around jet skis. Victorians love their time on the water, whether it be fishing, swimming, snorkelling, diving or skiing. These are important activities. The Andrews Labor government is committed to ensuring that all Victorians have the chance to have fun on the water in a safe, responsible and sustainable way, and I commend the bill to the house.

**Mr T. BULL** (Gippsland East) — It is a pleasure to rise and make a contribution to the Ports and Marine Legislation Amendment Bill 2017. As we have heard

from the first two speakers on this bill, one of the main points is to remove the ability of children between the ages of 12 and 16 to apply for a personal watercraft endorsement on their marine licence and to restrict children aged 12 to 16 to only use a personal watercraft — and we are primarily talking about jet skis here — with an adult on board. This is a change that I am aware will impact a number of young people around the state, including many in my electorate. Representing the region that has the magnificent Gippsland Lakes, I know that we have a high prevalence, a high use and a high ownership of personal watercraft in the East Gippsland area. Amongst that cohort we do have a group of younger people who have indeed been taught appropriately and properly to use these watercraft with safety as the primary focus around their hobby.

We also have an environment where we have a lot of visitors over peak holiday periods, from the Christmas holidays right through to the Easter school-holiday period. An enormous number of people come into the area. There is a massive influx that involves all sorts of water users — swimmers, snorkellers, yachties, motorboat people and of course our personal watercraft or jet-ski operators. Despite the massive expanse of the Gippsland Lakes we often have a lot of interaction, and often not intended interaction, between these water users.

Being a regular user of the Gippsland Lakes myself — I have got a couple of boats and my boat licence and love nothing more than getting out there — I can say that I have seen incidents of younger people on personal watercraft down around the ages of 12 and 13. They just do not have the wherewithal. Whilst we have got a large cohort that have been educated properly around safety issues, there is also a cohort at the age of 12 that simply do not have the wherewithal to operate what is a very fast-moving piece of machinery in and around other water users.

I have a daughter who is 12 years old now. She is getting her head around doing her times tables and her basic English and the like. I would not even think of having my 12-year-old daughter, who has been brought up on the water and spends a lot of time on the boat with me, operating a vessel that can reach 60 kilometres an hour around other water users, including swimmers and snorkellers and the like. She simply does not have the wherewithal. More time and more development in her personal life is required before I would trust her to undertake such an action in a safe and appropriate manner.

Whilst I am aware that there will be some who are unhappy with this, I am comfortable with holding back

the use of personal watercraft from those ages, particularly around 12 and 13. It then becomes a matter of where you draw the line. Is 15 old enough? Is 16 old enough? The government has gone with 16, and that is something that I accept. But the basis of what I am trying to get through is that 12 and 13 are absolutely, definitely too young. There is no doubt about that.

In relation to the changes that are being made here today, we also need to take into account the need for strong levels of enforcement for all personal watercraft users. You do not have to go too far into the Christmas period to catch an idiot hooning around the Gippsland Lakes while inappropriately close to swimmers. These are people who are well and truly over the age of 16. Last Christmas we had issues with our unique Burrunan dolphins around the entrance to the Gippsland Lakes. People were chasing them on jet skis, completely unaware of the rules and regulations that were in place. It was great to see some of those people apprehended and given a bit of an education on appropriate and inappropriate use of personal watercraft.

Another part of the bill that I want to touch on is the move to permit waterways managers to relocate, seize and dispose of vessels abandoned on waterways and to recover all associated costs relating to the seizing and relocating of these vessels and indeed, in what is probably the most important aspect, disposing of them in an appropriate manner. Gippsland Ports is one such waterways manager. While this amendment talks about other things, it is clearly more about abandoned vessels.

We have seen a number of occasions over recent years where it has been a huge financial burden on waterways managers such as Gippsland Ports to address issues relating to abandoned vessels. We have seen cases where we have had abandoned boats that have been leaking fuel and oil into the Gippsland Lakes. It then becomes an environmental problem, and I guess the effort that is required to clean up and rectify these problems runs into many, many thousands of dollars. You also then have the element of removal. This amendment goes a fair way towards alleviating the cost burdens and therefore making sure that there is not an enormous loss of finance from the waterways manager in relation to addressing these issues.

While we are talking about this being a great cost to waterways managers, these waterways managers raise their fees by levying boat users on the Gippsland Lakes. We pay our mooring fees, we pay our berthing fees and we pay our general licensing fees. This is a cost that comes out of that for people who have not been prepared to do the right thing. This is an element of the bill I support. We have seen a lot of this, and it has been

a thorn in the side of Gippsland Ports for quite some time, and I am sure that this element of the bill will certainly be very well received by them.

The third element of the bill that I wish to talk on applies safety duties to local port managers and to persons who manage boating activity events. There are a number of boating activities that occur on the Gippsland Lakes. We have Marlay Point yacht races, we have speedboat races, we have kayaking events and we have various other yachting events, state championships, national championships and the like; we have all sorts. This element of the bill means that if you want to run a waterway activity, you have to have in place the appropriate safety measures. For instance, if you want to coordinate or organise an event that might attract anywhere in the vicinity of 10, 20, 30 boats — up to hundreds — you have to have the right safety measures in place.

We have had instances where people have organised on-water events involving multiple vessels and someone has got into trouble and then the call has been made to the volunteer agency, which in some cases has not even been made aware that these events are occurring on the waterway. Whilst the majority are very well run — the majority of these events are very well coordinated — and the discussions have taken place with those appropriate rescue and safety agencies, it is not always the case that this occurs, and it always should be put in place before something goes wrong.

I understand that this will involve in many cases using the existing safety services that will respond normally anyway, but this will ensure that discussions take place between them and the organisers. It will ensure that those who are organising these events do not just take it for granted that the regular safety and rescue organisations are going to come in and cover it. It will ensure that that discussion takes place and that they are fully aware, before the event is staged, of what is going on and can take the appropriate actions to be ready to respond.

I will finalise my contribution by saying, back on the primary focus of this bill, relating to personal watercraft, that they are vessels that can reach over 60 kilometres an hour and that we have unfortunately seen in the news on many, many occasions the repercussions that inappropriate use can have. It can result in fatalities, as we have seen. In many cases it can result in extremely serious and lifelong debilitating injuries, and I have no objection, based on what I have seen firsthand, to making the age limit for personal watercraft users higher and providing for a greater responsibility over those who are in that age bracket to ensure that they have appropriate adult supervision

when they do take to the water. I have no doubt that this will result in a safer marine environment, not only on the Gippsland Lakes but across all of Victoria.

**Mr PEARSON** (Essendon) — What a great honour it is to be able to rise to my feet tonight. For the very first time, Acting Speaker Dimopoulos, you have been elevated to a lofty position. Acting Speaker, when you ascended to the chair for the first time I noticed how comfortable you seemed, how relaxed you were and how natural it was, so congratulations, well done and welcome to the team — of acting speakers, that is.

I am delighted tonight to make a contribution on the Ports and Marine Legislation Amendment Bill 2017. I am particularly interested in a number of aspects of this bill. I note the member for Mornington and deputy chair of the Public Accounts and Estimates Committee (PAEC) is at the table. You too are a member of PAEC, Acting Speaker. I think it is important that one aspect of the bill enables more effective cross-portfolio enforcement and administrative cost savings by removing unnecessary limitations on disclosure of marine licensing and registration information to enforcement authorities.

As you would appreciate, Acting Speaker, those of us on PAEC have a particular penchant for the reduction of unnecessary regulation and for greater levels of coordination and efficiency in order to more efficiently expend taxpayers funds. I think we would all be in furious agreement — most of us, I should say — about the importance of having better and more efficient delivery of public services.

The reality is that there are a number of state and commonwealth agencies that require or seek access to vessel or operator information for the purposes of enforcing or monitoring compliance. The challenge to date, though, and what this bill seeks to address is that Transport Safety Victoria is only permitted to disclose this information in limited circumstances. So clause 27 of the bill will establish a new regime for the use and disclosure of information, which I understand is modelled on disclosure provisions in the Road Safety Act. I think wherever we can look at trying to ensure that agencies are able to access information as quickly and easily as possible is a very good thing.

I listened to the member for Gippsland East's contribution earlier. I too have a 12-year-old daughter. Unlike the member for Gippsland East we live north of the Yarra. We are about 20 minutes away from the bay. We have not spent a lot of time on the water, but I agree wholeheartedly with the member for Gippsland East's contribution; my eldest girl would just not be put in a

situation where she could be in charge of a jet ski. I just think that would be completely and utterly irresponsible and risky. She is probably one of my more compliant and obedient children compared to some of the others in my brood — —

**Mr Morris** — She doesn't take after her father.

**Mr PEARSON** — No, she does not take after her father. Introducing legislation like this to address these issues is important. I note also that the legislation is informed by the fact that there have been instances where you have got higher numbers of young people, minors, presenting at hospital accident and emergency departments with greater levels of injury. There is a higher rate of injury. This is really about making sure that you use the data you acquire to establish better public policy outcomes.

This is very similar to the work that has been undertaken in this state, which really started under Steve Crabb, when he was Minister for Transport, with the establishment of the Transport Accident Commission, to try to collect data and understand very clearly what the underlying cause of road trauma and road injury is and you legislate as a consequence of that. What we are seeing here is a natural extension of that to water-based activities to ensure that you have got the right and appropriate checks and balances in place to make sure that people are not unnecessarily injured. Where you have instances where injuries are more likely to occur, you can take actions around that.

I note too that for the first time the bill will ensure, in relation to pilots of large vessels as they come into port, a higher level of assurance in relation to their being medically fit and competent. I think this is a really important initiative. A very good friend of mine is a pilot. Pilots are required to undergo annual medical checks to make sure that they are okay. Very tragically, just before Christmas another pilot — a constituent of mine who was pretty fit at 48 — had a massive heart attack and died. That caused enormous trauma for his family but also prompted some further investigations in relation to how this was able to happen. Thankfully, when it happened he was not flying, in charge of an aircraft or at its controls; he was at home with his wife and children. When people are in charge of large vessels or vessels that have a lot of people on board or where there is a risk of damage or great trauma were something to go wrong, you need to have those checks and balances in place to make sure a person is medically fit and competent.

I noted in preparing my contribution on this bill that the Port Phillip Sea Pilot organisation was founded on 17 June 1839, and the very first sea pilot for the port of

Melbourne was George Tobin, who received a commission from Governor Gipps of New South Wales. Again I think you will appreciate this, Acting Speaker Dimopoulos, as well as the member for Mornington, because the condition for this was that ‘the appointment must not bring any expense on the government’.

The service was very much privately owned and operated as a way of trying to reduce government expense. Obviously since that time pilots have played a great role in this state. For those members who are not aware of this, our pilots are basically people who are very, very familiar with Port Phillip Bay. With the decline in sea traffic in Western Port Bay, the Western Port facility was closed down in the 1990s, and they now operate one base. Effectively they are long-serving captains of merchant vessels who know the bay very well. They go out, greet ships and help guide and steer them into the port of Melbourne. They perform a vitally important role — making sure these vessels dock safely and easily — because the reality is that, as the member for Gippsland East said in his contribution, these vessels could potentially be carrying a lot of hazardous goods.

If you look at bunker fuel that is used to power most oceangoing vessels, it is like a really thick, crude oil — almost like a really base fuel. The problem with that is that if you look at our marine environment and marine parks, which were a fabulous initiative introduced by the Bracks government in its first term, you would not want to have a vessel like that losing control, running aground, having its hull ripped open and spraying bunker fuel into the bay. The deleterious impact that would have on the bay would be quite profound.

The bill also goes to making sure that there is action to address abandoned vessels. That means that port and waterway managers have the power to relocate, seize and dispose of abandoned vessels and to recover the cost of disposal from vessel owners. I think that is a really important issue. Obviously one of the risks is that with the various tax havens that most shipping vessels run out of, you need to be careful to make sure that the owners of those vessels comply with the law, particularly if they are larger vessels, and that action could be taken to address that. I would assume that in most cases we are talking about smaller vessels that are privately owned by residents of the state of Victoria, so I do not think it is likely to be an issue, but I just raise it.

It is a comprehensive piece of legislation. It is great to see there is a focus on efficiency and improved service. It is great to make sure that our younger people are protected on our waterways. I will end in the manner I commenced, Acting Speaker: you do this job with great aplomb, and it is wonderful to see you in such an elevated position.

**Mr MORRIS** (Mornington) — I must say I thought the representative of the boating capital of Victoria, the member for Essendon, might have got his pilots confused when he was doing his research, but he got to the right sort eventually.

As the explanatory memorandum notes, this bill makes a range of changes to the ports and marine legislation and to a number of other acts. The government claims in the explanatory memorandum that the bill will result in improved management of marine safety risks, improved public safety, more efficient and effective management of state waters and that it will also provide some administrative savings. Of course as we have heard in the debate thus far the principal area of interest is personal watercraft, and I do not have an interest to declare in that area; I do not hold a marine licence. But there are a number of other important changes as well as the proposed changes to the personal watercraft age limits.

The bill refers to accountability, and in particular accountability in the form of Transport Safety Victoria and providing them the opportunity to acquire their accountability requirements, and indeed there are explicit references to that role in clauses 7 and 9 of the bill. There is no reference in the second-reading speech, though, to clause 8, which I must say I found a little surprising. Clause 8 inserts a new part 2.2B in the principal act, ‘Safety duties of persons who manage boating activity events’. It imposes a requirement that so far as is reasonably practicable the organisers of an event — and an event is defined — will ensure the safety of participants. I think that is an entirely reasonable thing to do, and there is an example given in the second-reading speech of an event that had some problems and resulted in more than 100 rescues. So I have no problem with the concept. I do note, however, the severity of the proposed penalties and the fact that an offence against section 25A(1) of new part 2.2B is considered to be an indictable offence.

The penalties are particularly steep: 1800 penalty units for a natural person and 9000 penalty units for a body corporate. In dollar terms, that translates to a maximum penalty of almost \$280 000 for an individual and some \$1.4 million for a corporation. So they are very steep penalties. I am not saying they are excessive, but they are very steep, and given the substantial nature of those fines, I was a little surprised that the minister did not provide greater explanation in the second-reading speech.

The bill goes on to provide examples of the type of information that must be provided to participants and the type of events that are anticipated by the bill. They include a number of things: boat races, open water swimming races, water sports, even down to school

kayaking excursions. Again, given the substantial nature of those fines, I trust that the minister will make sure that people are made aware of the consequences of their actions.

The second matter I want to talk about is the issue of the additional compliance requirements for sea pilots or for marine pilots. In particular the bill provides powers, which do not exist currently, for the safety director to have oversight — and the member for Essendon referred to this — of the medical fitness of marine pilots and also provides the capacity to impose conditions on marine pilot licences.

Of course the principal group operating in Victoria — not the only group but the principal group — are the Port Phillip Sea Pilots. As the member for Essendon said, they were established in June 1839. When you consider that that was 11 years before the foundation of the colony of Victoria, that certainly has to be one of our longest running private organisations. You would have to say over the intervening years, the 178 years they have been operating, they have served the state and the colony before it very well. Of course we have a large volume of international trade now and have had for many years, and when you consider the few incidents and at how well they have operated, it is perhaps difficult to see what justification there is for imposing further red tape on that organisation. Again there is potential justification in a conceptual sense, but unfortunately there were no examples given in the second-reading speech to indicate why that extension of government powers was necessary.

It would also be remiss of me not to mention, in connection with Port Phillip Sea Pilots, the terrific success of Hart Marine of Mornington, which now build the pilot boats for the Port Phillip pilots. Indeed prior to the global financial crisis Mal Hart was better known for producing high-performance racing yachts. Many of those figured very successfully in the Sydney to Hobart and other similar races. With the onset of the global financial crisis that particular source of business dried up, and he has now turned to a new career building pilot boats.

Back in June 2015 there was a report of the handover of a new pilot boat, and the report says in part:

This vessel embodies the culmination of 15 years of extensive design, research and modelling from the renowned French naval architect Pantocarene.

‘Corsair’ represents further steps forward in terms of the function and overall capabilities of a modern pilot boat. Constructed of fibreglass and displacing 28 tonnes, the vessel is 18.55 metres long, 5.50 metres wide, has a draught of 1.55 metres and a depth of 2.30 metres.

They are all, I am pleased to say, built in Mornington. Most importantly, though, they are self-righting, and they are designed in such a way that they can come up and continue operating. The engines are fixed securely enough so that they do not fall through the cabin in the event of a capsize, and the boat is exceptionally safe. The particularly important part is that that means the pilots can continue operating when, with other vessels, they would have to cease operation and the port would have to close.

Mal is now supplying boats, or has supplied boats, not only to the Port Phillip Sea Pilots but to the Geraldton port authority in Western Australia; Rio Tinto in Western Australia at Dampier; Esperance Ports Sea and Land, also in Western Australia; the Port Kembla port in New South Wales; Chevron’s Barrow Island site in Western Australia; Flinders Ports in South Australia; and the Tasmanian Ports Corporation. It is a real success story. It is a great example of adaptability, ingenuity and just plain hard work from a master craftsman. He has built up a tremendous team — more than 70 people are involved there — and I am sure his success will continue for many years.

I do want to get to the issue of personal watercraft, because it is clearly an important issue for anyone who has the sort of coastline I have along Port Phillip Bay. Those members who have been in the house for some time will understand that Parliament has taken successive steps to deal with a range of conflicts between swimmers and those using watercraft, but clearly there are still some issues.

These personal watercraft, if they ever were, are no longer low-powered machines. They have 350-horsepower engines, good acceleration, as another speaker mentioned, and are capable of travelling 60 kilometres an hour or more. Unfortunately the users of these craft are over-represented in terms of injuries. They represent only 10 per cent of the total fleet, but 25 per cent of injuries occur as a result of these vessels.

We also understand that most of the people causing problems with these craft are not in the 12 to 16 age group; they are in their 20s or they are in their early 30s. We have regular reports, and I have them on the table in front of me, of incidents that occur during the summer months, and they are more frequently in this age group. There is clearly a small group of people who are causing some problems. I do not have a particular issue with taking unsupervised 12 to 16-year-olds out of the equation; I think it is reasonable for them to still be able to use the craft supervised. However, I am not sure that we are actually solving the problem by taking these kids out without dealing more specifically with the hoon element that definitely cause problems in my part of the

world. It is about sharing that great resource of Port Phillip and our waterways evenly between all people.

**Debate interrupted.**

### DISTINGUISHED VISITORS

**The ACTING SPEAKER** (Mr Dimopoulos) — Order! Before I call on the member for Broadmeadows, with the house's indulgence I want to acknowledge the good folks in the gallery from the electorate of Bentleigh.

### PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017

*Second reading*

**Debate resumed.**

**Mr McGUIRE** (Broadmeadows) — I am really delighted that this bill has come to the Parliament. I want to acknowledge the Minister for Ports for introducing it, because at its heart it has a critical proposition about providing better public safety and clamping down on 12 to 16-year-olds using a jet ski without having a licensed adult with them. I remember this coming up. In the last Parliament I was on the committee that examined this issue, and it was one of those revelations when we actually realised that you can be as young as 12 and effectively be in control of a vehicle that has 350 horsepower. If you made the comparison of would that be allowed if you were on the road on a motorbike, the answer clearly is no. I am delighted to see that this issue has now worked its way through the system.

I recall a contribution that the member for Albert Park made in the last Parliament about a fatality in the St Kilda area. He raised his concerns at that time. It is good to see that the whole process has evolved and that there is bipartisan support for it, because despite significant investment in safety education and the delineation of boating zones, a small group of jet-ski users continue to engage in unsafe conduct that is of significant concern to local communities where jet ski operations are concentrated. This conduct threatens the safety of swimmers and other water users. Of course we want to enjoy beach recreation and we want to make it as safe as it possibly can be. The government is responding to community concerns by investing in a targeted package of compliance, monitoring and enforcement activities.

This bill includes a related measure aimed at reducing injuries to minors and avoiding the loss of life. Minors aged between 12 and 16 who hold restricted licences

are currently able to have those licences endorsed so they can operate jet skis, as I outlined in the opening. The available evidence indicates that a disproportionate number of minors are being injured on jet skis when compared with the rate of injury observed in other age groups. This data and anecdotal evidence provided by the water police, Transport Safety Victoria and local waterway managers support the view that there is a genuine safety problem that needs to be addressed.

The bill makes an amendment that prohibits anyone under the age of 16 from having their licence endorsed so they are not able to operate a jet ski without supervision. The supervised operation of jet skis by minors is still possible, so there will continue to be avenues available to minors to learn responsible jet-ski operation, but in effect the bill requires that there is adequate adult supervision at all times. This is expected to reduce observed injury rates and potentially save lives. That is the significant reform within this bill. It goes on to look at a range of other propositions as well. I want to commend the bill to the house on that particular issue.

The Marine Safety Act 2010 imposes duties on a range of different parties to identify risk and implement measures that minimise safety risks so far as is reasonably practicable. The bill also addresses gaps in safety duties and safety requirements that have been identified as a consequence of incidents on state waters in recent years. It applies safety duties to managers of events held wholly or partly on state waters. This will ensure that Transport Safety Victoria has the capacity to act to ensure that risks are minimised.

It is a commonsense bill. It has got better scrutiny. It has got better accountability, and it should deliver better safety, which is really what we all want for anyone who is on the beach and particularly for adolescents who are still learning how to judge safety and take care of themselves. On that basis I commend the bill to the house.

**Business interrupted under sessional orders.**

### ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

### Goldcare Lifestyle Village Pakenham

**Mr BATTIN** (Gembrook) — (12 475) My adjournment matter is for the attention of the Minister for Public Transport. I ask the minister to come out to Goldcare Lifestyle Village Pakenham to visit the

residents who have signed a petition in relation to buses and bus access from Goldcare. Goldcare is located on Toomuc Valley Road. It is just down from Beaconhills College, and there is a bus route that already passes by not far from them. All they are asking for is an extension of the bus route to go from the college down to where Goldcare is located.

It is a fairly large facility. There are a lot of residents. Hundreds of people have signed a petition to try and get action on this down there. They would love the opportunity to meet with the minister to discuss the issues, and they believe it is just a simple rerouting of the current bus that goes past, which would give them the ability to use the local bus service. To walk from Goldcare up to the main bus service at the highway at the moment would be quite dangerous. There are a lack of footpaths and other issues, and the intersection where the bus stop is is considered quite a dangerous intersection already. So the action I seek is for the minister to come down and visit the residents of Goldcare.

### **Bentleigh electorate schools**

**Mr STAIKOS** (Bentleigh) — (12 476) My adjournment matter is for the attention of the Minister for Education and concerns the Virginia Park and Chassis Brakes site in Bentleigh East, known as East Village. The action I seek is that the minister ensure that the Victorian School Building Authority works closely with the owners of the precinct to secure land for a future school. In total East Village comprises around 24 hectares of land, which its owners are now seeking to redevelop. It will be up to locals to judge the merits of the owners' plans, but I believe this presents our community with the unique opportunity to plan for a new school — an opportunity that we will probably never see again. People move into our area because we have fantastic local schools. This is a great thing, but it does mean that demand is increasing rapidly. As the local member I am determined to maintain the quality of our local schools, so I strongly believe that school needs should be factored into any future development. Given the significant enrolment pressures at McKinnon Secondary College we seriously need to consider whether there should be a second campus for that school.

I am proud that the Andrews Labor government is making Victoria the education state and that it is not just a slogan on a numberplate. It has been my greatest pleasure as the member for Bentleigh to secure funding for our local schools after four years of neglect. This year we are commencing construction on new buildings at Bentleigh Secondary College, McKinnon Secondary College, Tucker Road Primary School, Berendale School and more. Bentleigh Secondary College has

seen a \$13.4 million redevelopment, and McKinnon Secondary College has a \$9 million Victorian certificate of education centre. It has only been Labor governments that have invested in McKinnon Secondary College — every Labor government since John Cain. By contrast, the last Liberal government to invest any money in McKinnon Secondary College was led by Henry Bolte, all the way back then.

McKinnon Secondary College currently accommodates nearly 2200 students on the one site, so it is important that we look to the future. McKinnon currently has one of the smallest enrolment boundaries in Melbourne, and I personally would be opposed to reducing the size of that enrolment zone any further. That is why we must consider a second campus. I ask the Minister for Education to ensure that the Victorian School Building Authority works closely with the owners of the precinct to secure land for a future school.

### **Bainbridge College**

**Ms KEALY** (Lowan) — (12 477) My adjournment matter is for the Minister for Education, and the action I seek is to fund the redevelopment of Bainbridge College in Hamilton. I have visited Bainbridge College on a number of occasions. It is a fantastic school. It has a wonderful school community. They do have wonderful school outcomes, whether it is academic results or the production of wonderful young adults who are doing great things in the local community, taking on the world and making Hamilton proud. The staff group is led by Rob Vecchiet, a great principal, and he does a great job supporting his fabulous staff in supporting their students.

I have been to the school on a number of occasions. I do not know if anybody else has been there, but certainly the college is on a sprawling campus. There are a number of buildings. Some of those buildings are not used any longer. Some of them are in dire need of repair, with damage to ceilings, walls and roof lines, and it desperately needs funding. We recognised that. The National Party recognised that prior to the last election, and we made a funding commitment to redevelop Bainbridge College.

We saw last year that the Labor government funded a planning study for Bainbridge College. My understanding is that planning study has now been completed. It is no longer time for delaying tactics and trying to put off this redevelopment. It is desperately needed, so I therefore urge the minister to immediately fund redevelopment of Bainbridge College to ensure that those students are able to access the best possible educational opportunities in country Victoria.

### Community legal services

**Ms SPENCE** (Yuroke) — (12 478) My adjournment matter is for the attention of the Attorney-General, and the action I seek is that the Attorney-General provide an update on how the cuts by the federal Liberal Turnbull government will affect community legal services in my electorate and what the Andrews Labor government is doing to ensure that residents have access to good-quality legal advice regardless of their income.

I have spoken about the importance of community legal centres and their services in this place on several occasions. As a volunteer solicitor with the former Broadmeadows Community Legal Service, I know how important they are. Without the vital work that these services provide in Yuroke many people simply would not get the advice and support they need when facing legal issues, the implications of which can be dire.

It is alarming to me and the Yuroke community that the federal government has abandoned the community legal service sector, with savage cuts of nearly 30 per cent of commonwealth funding. On behalf of all those that rely on community legal services, I thank the minister for his work in this area and I look forward to his response.

### Eastern Community Legal Centre

**Ms McLEISH** (Eildon) — (12 479) My adjournment matter tonight is for the Attorney-General, and the action I seek from the Attorney-General is to provide the necessary funding and support to ensure that the Yarra Ranges branch of the Eastern Community Legal Centre in Healesville is able to remain open. The Eastern Community Legal Centre offers free legal assistance from its offices in Healesville and at outreach locations in the east, a very valuable service to the area.

The federal and state governments both provide funding to the community legal sector. However, under new federal-state arrangements the state government is the one who determines the level of funding for each community legal centre. I put it to the Attorney-General that he is the one to determine the split and how that is happening rather than pass the buck again to the federal government. I implore you to provide the appropriate level of funding to this valuable community service. It was a tough fight to get this office established, and after four years of campaigning to establish the service in Healesville locals are now being told their hard work was all for nothing.

I certainly commend the work of the Yarra Ranges office. It can be tough because the Yarra Ranges itself is Melbourne's largest municipality, and it has pockets of severe economic and social disadvantage. I visit the centre frequently. I speak to the workers there, and we refer many constituents to their service because they do such a great job. Since they have been open, these are some of the areas they have worked in: 203 instances of family law, representing 35 per cent of their work; 118 matters of family violence and intervention orders, which is 21 per cent of their work; and 109 criminal law and traffic offences, representing 19 per cent. There are other areas of law and general civil law that they deal with.

Interestingly and very importantly they have had some 455 clients, and 61 per cent are women. This is quite telling because the areas of disadvantage in the Upper Yarra certainly experience family violence, and I know that the Andrews Labor government spruiks their work in the area of family violence. I know that they should have a large pool of money to put forward to that. The service is critical for local residents, who deserve access to legal advice and who deserve to protect their rights. This service, as I said, assists many women living in rural and isolated areas who are facing domestic violence. Many have partners who have access to firearms. I find this quite disturbing, and I am equally disturbed that the Attorney-General and members of the government seem to think that this is a federal government matter when they have the power to determine where that funding goes — they can chop up that pool as well — so I call on the Attorney-General to look after this legal service in my area.

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

### Eltham electorate planning

**Ms WARD** (Eltham) — (12 480) My adjournment matter is for the Minister for Planning, and the action I seek is for the minister to advise me on how the new *Plan Melbourne* residential zone changes will help protect the suburbs that comprise my seat of Eltham. As I know the minister is aware, my electorate is a beautiful and unique part of Melbourne. I am regularly contacted by residents who fear the loss of local character because of rogue developers who do not care about the amenity of our community but are instead focused on making as much money as they can, as quickly as possible. We do have excellent and honourable developers living and working in my community. However, we are experiencing some who appear to be intent on overdeveloping our area: excessively removing trees and vegetation — some

illegally; designing residences that are not reflective of local character; invading privacy such as looking directly into backyards; providing inadequate parking; stretching height limits; and so on.

Our outer suburbs are experiencing increased pressure on infrastructure, and my electorate is no exception. At the moment large developments are being proposed in central Eltham, such as one with over 100 apartments. My residents do not want overdevelopment, excessive subdivision and the resulting lack of amenity, including lack of privacy and access to car parking. As such, I ask the minister to advise me how *Plan Melbourne* will protect my local residential areas from inappropriate development and overcrowding and ensure our neighbourhood character is preserved.

### Moonambel water supply

**Ms STALEY** (Ripon) — (12 481) My adjournment matter is to the Minister for Water. The action I seek is that she secure funding for technical assessment and design work and infrastructure construction for the delivery of quality water for Moonambel in 2017. Moonambel is a small village within Ripon, but it is a very important one for tourism and the wine industry. There are many outstanding vineyards around the Moonambel area. There is also quite a lot of accommodation, with 120 visitors able to be accommodated overnight.

The Pyrenees Shire Council is seeking funding of \$250 000 for the technical assessment and then \$8 million for infrastructure construction to deliver a reticulated water supply to Moonambel. There has already been quite a lot of work done on this project. There is water within the Avoca system that could deliver a safe and secure water supply to about 60 dwellings and three major tourist venues, and it would have sufficient capacity to encourage further investment by local tourism operators and vignerons.

This project has been in the making for some time. The Pyrenees shire initially received funding for the first stage of investigations, but they have been unable to secure funding to get the project going. Within this area we have some really important wineries. We have got Summerfield, Taltarni and Blue Pyrenees, and all of these important wineries would benefit enormously from having reticulated water instead of relying on very brackish groundwater and rainwater tanks for supply. It is about time that the government gave an answer to the Pyrenees shire in relation to this project. It is urgent. This is a fast-growing area that would really benefit if only the government would put some money in here, so I am asking the Minister for Water to do so.

### White Night Ballarat

**Ms KNIGHT** (Wendouree) — (12 482) My adjournment matter is for the Minister for Tourism and Major Events. The action I am seeking from the minister is that he visit Ballarat and outline the economic benefits to Ballarat of White Night Ballarat. White Night was held on 3 March and was a terrific event. The streets of Ballarat were filled with people, and in fact the *Ballarat Courier* estimated the crowd to have been about 40 000 people. Ballarat was well and truly alive with activity, and tens of thousands of people got to enjoy the very best that Victoria has to offer in our beautiful, historic city.

Art and performance was everywhere through the centre of the Ballarat CBD and venues such as restaurants were full. All of this happened on a beautiful evening with the typically cloudless skies that a Ballarat summer presents. As I was heading home at about 3.00 a.m. I walked past restaurants that were full of people. In fact I wanted to pull an all-nighter but my husband, the old Mark O'Brien, said no. He put his foot down and insisted.

I received the following email which I think describes just one story about White Night and one experience. I quote:

... my partner and two kids — went to White Night — it was brilliant. We'd booked a hotel as soon as it was announced.

We are a great example of a positive impact for you.

Two adults, two kids — hotel, food, drinks, filled up on petrol for the way home — wasn't extended because of a family event back in Melbourne ...

We loved it because it wasn't scary huge numbers like Melbourne, because we booked early we were only a block from the action —

Her partner —

and I were both tweeting and Facebooking from the event.

I loved that Ballarat people were so excited wherever we went and when we said we'd come up from Melbourne especially for it you could tell they were kind of proud.

The minister's visit to detail the benefits of White Night to the city would be a great way for those benefits to be highlighted and would be a great boost to locals who always knew that Ballarat was the best place for White Night.

### WorkCover

**Ms BRITNELL** (South-West Coast) — (12 483) My adjournment matter is for the Minister for Finance,

and the action I seek is that the minister review the WorkCover system to ensure that it is not systematically rorted by those seeking to make dishonest claims. I have had representations from multiple employers in my electorate who have raised concerns with me that the current WorkCover system, which is designed to offer protection to workers, is currently easily and dishonestly manipulated by any individuals who may seek to misuse the system.

The worker in any business is absolutely imperative. You cannot run a business unless you have people that work with the management of that business. It is appropriate that we have a system such as WorkCover in place to protect workers and their families, should injuries occur during the course of their employment. I have run businesses and understand that employees are vital to a business. They worked with us to make our business successful, and their role was valued and appreciated. Any employer who does not understand this will see their business fail. It is a basic concept. This symbiotic relationship and respect between employers and employees means that employees, families, businesses and the community are as a result stronger and we flourish as a society.

However, I am regularly being told by employers in my electorate that the WorkCover system does not encourage that mutual interaction required for business success. I have been given numerous examples of specific cases where the system is being rorted by dishonest individuals. The net result is a cost of millions of dollars to WorkCover's liabilities and thousands of dollars in the cost of increased premiums for individual businesses.

In one example I was told that there was no evidence of the employee having lifted a heavy item that was said to have caused an injury. No injury was complained of or recorded at the time, and yet a claim was subsequently put in to WorkCover and accepted. Then just as a doctor was readying the employee to return to work a further complaint was lodged and the doctor was changed, beginning the process again. 'Doctor shopping' makes it possible for employees to move about until they get the medical certificate they seek, and the current WorkCover system seems powerless to prevent this.

There was another case described to me where independent medical investigators stated that an employee could return to work on light duties but another doctor still deemed the employee unfit. A return to work was enforced but the employee decided to go overseas. No leave was approved but the worker travelled anyway, with 28 days funded by WorkCover.

One business also told me of many instances where social media shows staff doing far more than their medical plans indicate they are capable of, but the employer is frustrated because their insurer will not use that evidence to prove a fraudulent claim. Surely this is an area the minister's department can look into.

These are just a few of the individual cases presented to me. It seems a compo culture has returned to Victoria. Fraudulent claims take away a business's ability to make a margin, grow and employ more people. This has a flow-on effect on families and the community. Fraudulent claims also mean that there is less money available to pay for benefits for genuinely injured workers — the very people this system needs to protect — and less time for WorkCover to focus on supporting and assisting these workers.

Minister, a lax WorkCover system makes business and the community weaker — it affects us all. I ask the minister to ensure the WorkCover system is not being abused. I also ask the minister to put in place policies and procedures to ensure this is the case so that workers who have been genuinely injured can be looked after and businesses — —

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

### **Frankston and District Basketball Association**

**Mr EDBROOKE** (Frankston) — (12 484) My adjournment matter is for the Minister for Local Government, and the action I seek is that the minister visit my electorate to discuss concerns regarding the Frankston and District Basketball Association stadium. I would like the minister to visit the Frankston electorate and meet with a delegation of my constituents regarding the basketball association that services over 13 000 people in the Frankston and surrounding electorates. People play basketball at 11 o'clock at night, and that is why we have this project, which is funded by all levels of government and the basketball association. The project is worth \$12.7 million. But it has stalled because of a failed renegotiation of the lease with the local council. It is a great project. It is a project that our community desperately needs. We know that sport is the glue that holds the fabric of our community together in Frankston. Builders are still on-site but they have been instructed to cease their operations. It is in my constituents' best interests to know exactly what is going on and why this project has stalled, so I look forward to the minister visiting Frankston.

**Mr Watt** — I raise a point of order, Deputy Speaker, in relation to the member for Eltham's adjournment matter. On page 3, *Rulings from the Chair* specifically states:

The adjournment debate should not become a second question time, the distinction being that question time is an opportunity to seek information whilst, conversely, the adjournment debate is an opportunity to give information which members consider require attention.

The member for Eltham clearly asked the minister to give advice on how the changes to the planning zones affect her electorate. She has clearly sought information, which is not within the standing orders and not within the guidelines of *Rulings from the Chair*. She has clearly sought information rather than giving information which requires the attention of the minister. I therefore ask you to rule her adjournment matter out of order.

**Mr Pakula** — On the point of order, Deputy Speaker, I do not know why the member for Burwood insists on wasting everybody's time with these frivolous points of order. The member for Eltham clearly asked for the Minister for Planning to visit her electorate, so that was an action, and on that visit to provide an update about how the *Plan Melbourne* residential zones would help the Eltham community. That is clearly an action. It is in keeping with many, many, many other adjournment matters that are dealt with on the adjournment debate, and I would ask you to rule the adjournment matter raised by the member for Eltham within the standing orders.

**The DEPUTY SPEAKER** — Order! My advice is that asking for advice and a visit is indeed within the structure of the request for an adjournment matter. I rule the point of order out of order.

**Mr Watt** — On a point of order, Deputy Speaker, during the adjournment debate I was specifically listening to the member for Eildon during her contribution, and the member for Bentleigh was clearly out of his place, yelling and screaming in the chamber — —

**The DEPUTY SPEAKER** — Order! There is no point of order. The member for Burwood will resume his seat.

**Mr Watt** — I have been ejected from this chamber for doing exactly the same thing.

**The DEPUTY SPEAKER** — Order! There is no point of order. The member for Burwood will resume his seat. I have ruled that there is no point of order.

**Mr Watt** — On a further point of order, Deputy Speaker, it is clearly disorderly and not within the rules for a member of Parliament to be yelling and screaming in this chamber. I know this because I was ejected from the chamber only some 3 hours ago for a very similar thing. The member for Bentleigh was out of his place, and it is not in the standing orders for him to be yelling and screaming. I find it — —

**The DEPUTY SPEAKER** — Order! The member for Burwood will resume his seat. There is no point of order.

**Mr Watt** — On a separate point of order — —

**The DEPUTY SPEAKER** — Order! I have ruled. If this is a further frivolous point of order — —

**Mr Watt** — On a different point of order, Deputy Speaker, my point of order relates to the consistency of the rulings from the Chair. When a member is out of their place yelling and screaming, they should be treated the same whether they are on this side of the chamber or on that side of the chamber. The fact that you ignored the member for Bentleigh when he — —

**The DEPUTY SPEAKER** — Order! Member for Burwood, I have ruled on that point of order. You are casting reflections on the Chair. I ask you to desist, and I warn you.

## Responses

**Mr PAKULA** (Attorney-General) — The member for Gembrook raised a matter for the Minister for Public Transport seeking that the minister attend the Goldcare aged facility in Pakenham to discuss bus routes. I will convey that to the Minister for Public Transport.

The member for Bentleigh raised a matter for the Minister for Education seeking that the minister ensure that the Victorian School Building Authority work with the owners of East Village to secure land for a future school. I will convey that to the minister.

The member for Lowan raised a matter for the Minister for Education seeking that the minister fund the redevelopment of Bainbridge College in Hamilton. I will convey that to the minister.

The member for Eltham raised a matter for the Minister for Planning, which we have already discussed during the adjournment debate, and I will convey that to the Minister for Planning.

The member for Ripon raised a matter for the Minister for Water seeking that a technical assessment and design be done for the delivery of quality water in Moonambel, and I will pass that on to the Minister for Water.

The member for Wendouree raised a matter for the Minister for Tourism and Major Events seeking that the minister visit Ballarat to discuss the economic benefit of White Night.

The member for South-West Coast raised a matter for the Minister for Finance seeking a review of WorkCover. There is a lot I could say about that contribution, but I will leave it to the Minister for Finance, who I know will dispatch it with elan.

The member for Frankston raised a matter for the Minister for Local Government asking that the minister visit to discuss concerns in regard to the council's treatment of the needs of the Frankston and District Basketball Association.

There were two other matters raised for me: one by the member for Yuroke and one by the member for Eildon in regard to community legal centres (CLCs). Rather than respond twice on the same matter, let me say, first of all in regard to the member for Yuroke's contribution, the government is keenly aware of the potential impact of the pending cuts by the federal government that are due to come into effect on 1 July this year. The government, as the member I hope knows, has taken a range of actions to try to buttress the finances of our CLC sector over the past two years, which I will go into more detail about in my response to the member for Eildon.

The member for Eildon raised a similar matter in her adjournment debate, and I would describe the contribution and the request as somewhat extraordinary and a bit disappointing. The fact is that the commonwealth is from 1 July this year going to cut some \$3 million from Victorian community legal centres. That is not the total of the commonwealth cuts; they are making these cuts to community legal centres right across Australia. Other states and territories, in particular New South Wales, which has a Liberal government and which agrees with the position of the Victorian government, are going to feel those cuts very keenly as well.

The Victorian government in anticipation of reduced funding from the commonwealth has done a number of things already. The Victorian government in our first budget funded \$2 million for the Community Legal Centre Assistance Fund — \$1 million a year over two

years — which enabled us to make substantial grants to community legal centres for a range of projects over the last two years. In addition to that we have made another \$3.7 million worth of funding allocations through the Family Violence Duty Lawyer Fund and the family violence fund. That has created, as I say, a range of grants up to \$50 000 a year and up to \$100 000 a year depending on the grant round that the CLCs have applied for, and those grants are in place as we speak. So in total over the past two years, above and beyond the normal state contribution to community legal centres, the state has made funding allocations of some \$5.7 million.

In her contribution the member for Eildon somewhat extraordinarily suggested that the way that the state government could ameliorate the effect of the commonwealth cuts on the Yarra Ranges community legal centre would be to somehow through the reallocation of funds top up the Yarra Ranges CLC.

**Ms McLeish** interjected.

**Mr PAKULA** — I say to the member for Eildon that I am simply responding to the suggestion you made. The suggestion you made was that we are responsible for how the funds are allocated, so we can move the money around. I just remind the member for Eildon that there are a range of other community legal centres, somewhere between 10 and 20 — I think it is around 17 — that are all going to suffer from the commonwealth cuts. In the last couple of weeks alone, apart from meeting with Michael Smith from the Eastern Community Legal Centre, which runs Yarra Ranges, I have met with the Northern CLC, I have been in Thornbury to meet with a CLC and I have met with the Springvale Monash Legal Service, and all of those centres — —

**Ms McLeish** interjected.

**Mr PAKULA** — I say to the member for Eildon that all of those centres are going to suffer from these federal government cuts. So if the suggestion of the member is that those other centres, which are already going to suffer significant cuts, sometimes in the vicinity of \$120 000 a year, should suffer further by me reallocating funds away from them and giving them to one community legal centre, I have to say that she should make those representations to those other CLCs.

The state government has done an enormous amount already — as I say, \$5.7 million worth of funding above and beyond the normal funding to our CLCs over the last two years. We continue to advocate to the commonwealth to not proceed with these cuts on

1 July, and rather than ask the state government to reallocate funding away from other CLCs, which are going to suffer, it would be much more useful, not just to this government but to state and territory governments around the country of both political persuasions, if the member for Eildon and her colleagues joined with me in asking the commonwealth, beseeching the commonwealth, not to proceed with the \$3 million worth of cuts on 1 July.

I have great sympathy for the Eastern Community Legal Centre and indeed its outreach service in Healesville, which I have visited, but I say to the member for Eildon that if she were to have a conversation with Mr Smith, as I suspect she must have, then she would know that he agrees with the position of the state government, which is that the commonwealth should not proceed with these cruel cuts.

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

**House adjourned 7.33 p.m.**

