

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 19 June 2018

(Extract from book 8)

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By authority of the Victorian Government Printer

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The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

(from 16 October 2017)

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

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

Acting Speakers

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

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The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
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Battin, Mr Bradley William	Gembrook	LP	Naphine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio ⁴	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
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Kilkenny, Ms Sonya	Carrum	ALP	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Knight, Ms Sharon Patricia	Wendouree	ALP	Ward, Ms Vicki	Eltham	ALP
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McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Williams, Ms Gabrielle	Dandenong	ALP
McGuire, Mr Frank	Broadmeadows	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ ALP until 7 March 2017

⁵ Nats until 28 August 2017

⁶ Elected 14 March 2015

⁷ Died 23 August 2017

⁸ Elected 31 October 2015

⁹ Resigned 2 February 2015

¹⁰ Elected 18 November 2017

PARTY ABBREVIATIONS

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

Legislative Assembly committees

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

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

Legislative Assembly select committees

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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Tuesday, 19 June 2018

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

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (12:03) — Order! We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

Interjections from gallery.

The SPEAKER — I remind members of the gallery that there are no photos permitted.

CONDOLENCES

Eurydice Dixon

Mr ANDREWS (Premier) (By leave) (12:04) — Violence against women has no place anywhere — in our homes, on our streets, in our schools, TAFEs and universities, in our workplaces, in our parks. If any of us thought that this awful problem of violence against women was behind us, the tragic, tragic death of 22-year-old Eurydice Dixon in Princes Park has shown us so very painfully that we still have a long journey to travel.

I said last night that Eurydice Dixon, a born performer, deserved to be remembered for how she lived her life, not the terrible circumstances in which her life ended. That was a right that was denied her and has been denied generations of Australian women, because we know that one woman every week dies at the hand of a partner, current or former. We know that family violence is the leading contributor to death and disability for women 45 years and younger. We know from statistics, from testimony, from so many painful and tragic stories that the number of women who have likely been assaulted by men at some stage in their lives is too large to really comprehend, too large to measure and too large to imagine its impact, its influence, its pain and loss and grief.

But it is a profound call to action, and it is why Victoria, at its best, delivered this nation's first royal commission into family violence and indeed violence against women. It is why I would hope that all of us can be united in the full delivery of each and every one of the 227 recommendations from that groundbreaking piece of work. And it is why, whilst all of us feel the pain and the loss, a sense of emptiness, a sense of

futility, the pointless waste of such a promising and beautiful young life, we must take this opportunity — we are obliged to take this opportunity — to make it very clear that this is a gendered issue. It is not women who are committing these acts against men. It is not men who are losing their lives in these tragic, lonely circumstances. The death of Eurydice Dixon is not only a matter of great sadness; it is also a poignant reminder that when it comes to the safety of women, we have to do so much more.

Bad outcomes, sometimes tragic outcomes, for women start with bad attitudes towards women. We have called that out, and we have to continue to call that out. We have to continue to speak up. Whether it be as partners or as fathers, particularly fathers of boys, we, all of us, as men and all of us as Victorians have not only an obligation and an opportunity but also a chance to do something special out of such a terrible tragedy, and that is to work hard — to work really hard — to change attitudes and values and then with absolute certainty to change outcomes.

Eurydice Dixon did nothing wrong. Women, who are all too often the victims of these sorts of violent acts, do nothing wrong. This is not about them. This is not a commentary about them or their behaviour. This is a commentary about men, some of whom have appalling attitudes that lead to tragic and terrible outcomes.

On behalf of the government and on behalf of the people of our great state we offer our condolences, our sympathies, our love, our thoughts and our prayers to the family of Eurydice Dixon.

I will just finish by saying that last night was a very emotional night. It was very powerful and very emotional. Despite the sadness of that gathering, it did make you proud to be Victorian and to think that at the worst of times we come together to support each other and to stand firm for the things that we know to be important, and they are that everyone should be treated equally and that everyone should be safe.

Mr GUY (Leader of the Opposition) (By leave) (12:09) — The streets around Princes Park were packed last night as 10 000 Victorians, mainly young women, came out to honour the life of a brave young woman whose life was appallingly cut short. The lights were switched off at 6.00 p.m., candles flickered, friends held each other, cars stopped. There were tears and reflections for a life lost violently, tragically, unnecessarily. Eurydice Dixon was just 22. She had her life ahead of her. Her father and also her partner were always there to support her next life move — her pursuit of a career in the arts. Her name is not one we

should be remembering this way. Her name is one we should have been honouring for her work and her performances in entertainment as part of our nation's cultural scene.

That she died so young and that she died in such circumstances means that she joins a list of women whose names remind us of the fact that women spend untold moments of their lives contemplating their safety when they should not have to — Masa Vukotic, Karen Ristevski, Jill Meagher. Women take responsibility for their own safety because, frustratingly and tragically today in Melbourne, they have to. As my female staff tell me, they have to carry heavy torches in their handbags. They share their journeys with friends. They text on safe arrival home — things they should not have to do. It was not Eurydice's fault that a man decided to make himself a monster. She was young, she was brave, and we will remember her for much more than the way in which she passed.

While it is important we have this motion, we must also acknowledge that words do not stop crime; actions do. Words are meaningless if they are not followed up with action, with reform and with changes that keep all Victorians safe, particularly women and children. I do not ever want to be speaking on a motion like this again. I want our state to be a safer one, where no-one has to change their behaviour because our city is less safe than ever before. Melburnians love their city. We love its charm, its character, its people. However, many, many people are concerned about these instances, and about the rise in crime and violence against the people. The latest statistics show that it has never been as high as it is today. Enough is enough. We want our safe Melbourne back. We want these heinous crimes to stop, because no family should have to go through what Eurydice Dixon's family is living through right now — a bright, vivacious young woman taken so violently, taken far too soon. Rest in peace, Eurydice Dixon.

Ms HUTCHINS (Minister for Women) (*By leave*) (12:12) — Over the past week Victoria has been in mourning. Eurydice Dixon was a bright, aspirational woman who had hopes and dreams, family and friends who loved her. She was denied her right to get home safely. She was denied her right to life. So was Qi Yu, so was Jill Meagher, so was Tara Costigan, so was Stephanie Scott, and these are just a few names in recent years — 30 women have been murdered this year alone.

Ninety-eight per cent of sexual assaults in Australia are committed by men. We have a gendered violence crisis in this country, and 10 000 people in Princes Park last night said, 'Enough is enough'. Two days ago I

received a private message from an old friend on Facebook. The woman who sent this gave me her permission to read this and share this with you today. She said:

I am one of the ones no-one talks about. I was raped in 2012 and held hostage for eight hours being repeatedly sexually assaulted and being told he would bury me in the outback and no-one would ever know where I was. If I talk about it, all I receive is silence. This is a story of a survivor — no-one marches or supports me.

These are her words. This is my friend whom I never knew. I stand with her, and I am sure everyone in this house would too. It is why the government is implementing 227 recommendations of the Royal Commission into Family Violence. Today, like every other day, support women, respect women and believe women.

Ms KEALY (Lowan) (*By leave*) (12:14) — Last night I stood with 10 000 Victorians in Princes Park with my parliamentary colleagues — the member for Euroa, Georgie Crozier and Ed O'Donohue in the other place — to mark the senseless and horrific rape and murder of 22-year-old Eurydice Dixon. Women and men, young and old, people who have lived in the area their entire life and country students from nearby colleges — we all stood in silence to mourn the loss of Eurydice. We remembered a vibrant young woman, a comedian with a wry sense of the ridiculousness of life, a woman who had aspirations to take her comedy to the UK, a woman who had an interest in childcare studies and children, a woman who was raped and murdered while simply walking home from work — a comedy gig in the city.

As I studied the faces around me at Princes Park, I saw people stony-faced, some emotional, some angry, some with a tear rolling down their cheek, others looking strong and defiant. Like others I was drawn into thoughts of myself walking home alone, at any hour, in any location, and wondering, 'What if the next person being remembered at a candlelight vigil was me, my family member, my friend, my colleague?'

As Victorians we have an expectation of community safety. We believe we should all be able to walk home safely. This is not unreasonable, as many people do it every single day. But sadly here we are in Victoria with another woman senselessly raped and murdered. This is a story that Victorians are tired of hearing, and we want action.

I remember other women who were recently senselessly raped and murdered by serious sex offenders — people they did not know. Karen Chetcuti was taken from her home in Whorouly in country

Victoria — raped and murdered. Jill Meagher was taken while walking home in Brunswick — raped and murdered. Masa Vukotic was taken while walking through a park in Balwyn North — raped and murdered. For these women and other nameless women who have been lost to rape and murder without knowing their attacker, without taking high-risk actions, without logic, we need to do more than just installing more CCTV cameras in the city. None of these cameras would have saved Eurydice or prevented any of the other recent rapes and murders of women across Victoria. Our community must not just feel safe; we must be safe.

There is no doubt in my mind that anyone who commits a hideous rape and murder has significant mental illness as a serious sex offender. This is not to say that they should receive any leniency in sentencing. Far from it. The penalty for raping and murdering an innocent woman should be harsh and strong, with no soft-touch approach of bail or cutting deals for a short sentence or hiding behind illness of any kind.

The reality is that our mental health system is underfunded and sluggish and slow to respond. It is under-resourced, and funding cuts in recent years have just increased the pressure. We are getting worse at identifying people with mental illness when they are young to provide intervention and support so that they do not harm themselves or others. We have a responsibility to do more, to be proactive in identifying and stopping serious sex offenders before they rape and murder, to not just look at the feel-good measures but to address the real issues.

While we do not know who the next person will be who commits a vile act of rape and murder in this state, we must do more to identify and stop them before they offend and another life is needlessly and tragically lost in the most vile and horrific way, because Victorians do deserve to be able to walk home without fear of assault or bashing or rape or murder. We all deserve to live in a safe community. Eurydice deserved that too, but the Victorian system failed her in the worst possible way.

I extend my deepest sympathies to the family, partner and friends of Eurydice Dixon. May she rest in peace.

Ms SANDELL (Melbourne) (*By leave*) (12:18) — Yesterday I too stood with thousands and thousands of Melburnians at the vigil in Princes Park to remember Eurydice Dixon, a young woman, deep thinker, budding comedian, daughter, sister and friend.

Eurydice and her family are members of my electorate. I did not know Eurydice personally, but I do know her

family through their tireless work as activists and advocates for more public housing and against public housing privatisation. They have sat in my office to tell me their story and about their campaigns. I have joined them at their rallies and events. So it breaks my heart to think about what they are going through right now, and I know that they are in all of our thoughts this week.

As a woman, it makes me feel sick that this could happen in my electorate, in my neighbourhood — a place that I have walked through, that I have ridden my bike through, alone, in the dark, many, many times after a night out in the city. I did this because there were no trams running at night, or because there was no public transport direct to my home, or because I could not find or afford a taxi when I was a student, or simply because I thought I was safe walking through that park. That sense of safety has been absolutely rocked. I guess these things hit closest to home when they happen somewhere that you know so well and where you can imagine it might have been you or your daughter or your friend.

I would like to thank the organisers of the vigil last night for allowing us space to reclaim our park. The sense of holding that space in the dark and in the silence together was incredibly powerful. I also want to thank those who have reignited the conversation — once again, unfortunately — about how we can end men's violence against women wherever it occurs, in public or in private, because one woman killed by a man is one woman too many. We have had dozens of women killed by men this year in our country, most by someone they knew and most by someone who purported to love them.

I know that everyone in this place is shocked and horrified at the crime that was committed in Princes Park, and I hope that we all want to do something to stop it ever happening again, but that requires us to actually do some pretty hard work: to properly fund the programs in our schools, workplaces and elsewhere that try to actually get rid of the attitudes that lead a man to believe he is entitled to a woman's body or to invade her space; to properly fund mental health services; to properly fund family violence services; and to change the way that we, in often subtle and unintentional ways, place the blame for violence on women in the way that we talk about these horrific crimes.

Women are not to blame for society not being safe for them. Those who make it unsafe are to blame, and it is up to all of us, especially here, to change society to make it safer for women and to make it safer for everyone, because this should never, ever have

happened to Eurydice and it should never happen to anyone else either.

The SPEAKER — Members, I think it is appropriate for us to rise in our places for a moment of reflection.

Honourable members stood in their places.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS**

School buses

Mr GUY (Leader of the Opposition) (12:23) — My question is to the Premier. The Willsher family of Cobden have eight school-age children, four in primary school and four who attend Warrnambool College. Up until this year all eight children have travelled on the same school bus to and from school each day. However, when their daughter Ella began year 7 this year, your government ruled she was no longer entitled to travel on the school bus as she has always done, with the Minister for Education referring to Ella on 7 June as ‘an ineligible, non-approved traveller who is not permitted to board the bus in the afternoon’. Your government has now instructed her school to physically remove Ella from the bus if she tries to catch it to return home in the afternoon with her siblings and, bizarrely, to take her to the local police station for collection by her parents. Premier, how could you and your government be so callous and out of touch as to have this young girl forcibly removed off a school bus and taken to a police station simply because you refuse to apply common sense to help this family?

Mr ANDREWS (Premier) (12:24) — I thank the Leader of the Opposition for his question and for the questions that he raises in relation to the Willsher family. I think perhaps the best thing that I can do and the most important thing for me to do is —

Honourable members interjecting.

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

Mr ANDREWS — This is a very serious matter that has been raised —

Honourable members interjecting.

The SPEAKER — I ask members not to shout across the chamber.

Mr ANDREWS — And on that basis I am more than happy to make inquiries of the department of education in relation to this particular matter.

Mr Battin interjected.

The SPEAKER — The member for Gembrook is warned.

Mr ANDREWS — I will advisedly test each of the claims that have been made by the Leader of the Opposition, follow up on the specifics of this case and take action if that is appropriate. This is a serious matter and it will be taken seriously by me and my office and we will make further inquiries.

Honourable members interjecting.

The SPEAKER — I warn the member for Bass, the member for Warrandyte and the Minister for Roads and Road Safety.

Supplementary question

Mr GUY (Leader of the Opposition) (12:25) — The Willsher family have one car, eight kids, are struggling to pay the bills and your government now wants to force them to drive Ella 10 kilometres a day to catch a bus to a different school because you will not allow her on the same bus as her seven siblings. Premier, Ella’s parents are watching question time online today. Can you tell them why it is more of a priority for you and your government to legislate to pay money to political campaigns rather than to help struggling families like the Willsher family, whose 12-year-old daughter you have kicked off a school bus?

Honourable members interjecting.

The SPEAKER — Order! The level of noise in the chamber is unacceptable. All members should consider themselves warned. I will remove members shouting across the chamber.

Mr ANDREWS (Premier) (12:26) — As I was saying in the answer to the substantive question, this is a serious matter and I am more than happy to confirm what exactly has gone on here, and if there are —

Mr R. Smith interjected.

Mr ANDREWS — Well, the member for Warrandyte did not ask this question with a reference to other legislation — legislation that he has been quite supportive of privately, I think. This is a serious matter and we will follow through as I have outlined —

Honourable members interjecting.

Mr ANDREWS — Quite the friend of electoral reform until today, it would seem.

Ministers statements: Rod Laver Arena

Mr ANDREWS (Premier) (12:27) — I am delighted to be able to inform all honourable members that I was able to visit Rod Laver Arena this morning with the Minister for Industry and Employment to check on progress — a massive redevelopment at that wonderful centrepiece in our precinct, the MCG, in Olympic Park, of course AAMI, and so many other facilities that are critical to jobs and visitors, tourism, the vibrant nature of our city and our state. There is nearly \$1 billion — \$975 million worth of investment going on down there at the tennis centre —

Interjections from gallery.

The SPEAKER — Order! I will suspend the sitting of the Parliament for 15 minutes and order the gallery to be cleared.

Persons escorted from gallery.

Sitting suspended 12.27 p.m. until 12.45 p.m.

Mr ANDREWS (Premier) (12:45) — So there is a \$975 million investment in Melbourne Park. As one of the premier sporting precincts anywhere in the world, it is very important that we invest to make sure that facility is fit for purpose and fit to continue to hold a bigger and better Australian Open. It is a great concert venue — consistently in the top five concert venues by bookings anywhere in the world. That is all about jobs, and it is all about setting us up for the future.

Of course that redevelopment and our visit to Melbourne Park was also an opportunity to confirm that later today we will introduce Australia's first legislation to write into law our local content guarantees both in terms of purchasing local content and employing apprentices, cadets and trainees, making sure we embed Victorian skills in these Victorian major projects. The minister and I met with some apprentices today. They are getting their start because of our policies. They will get their start in the future because the laws of this state are not negotiable. Local content is at those record levels, and skills attainment is part of the road, rail, hospital and school infrastructure agenda that we are delivering. There are more Victorian jobs and Victorian skills, setting us up for the future. This is exactly as it should be. This record investment is funded by Victorian taxpayers and it should benefit Victorian taxpayers and businesses, and that is what the law of the land will state.

The SPEAKER (12:46) — Order! Before calling the Leader of the Opposition, I would like to welcome to the gallery Paul Jenkins, a former member for Ballarat West.

Energy prices

Mr GUY (Leader of the Opposition) (12:47) — My question is again to the Premier. GBP Australia is an abattoir in Poowong employing 170 local people. Their electricity bills have risen to \$180 000 per month — a 50 per cent increase. This business, like many others, has to compete on the export market and just cannot cope with power bills rising as steeply as this — to the highest they have ever been. These 170 local jobs are now at real risk. Premier, apart from telling this business to shop around, how will you guarantee that your failure to do something about record high power prices will not cost these 170 workers their jobs?

Mr ANDREWS (Premier) (12:47) — I thank the Leader of the Opposition for his question. I would not be, if I was him, bemoaning the notion of shopping around. The whole market is based on that — the whole market privatised by those opposite. They were big fans of shopping around when they privatised the market. They were very big fans of shopping around when they privatised our energy assets — big fans of shopping around then. But no matter their change of heart; I can confirm, as I did last week, that the government — multiple ministers in different portfolios — has been administering very strong support for businesses who are doing it tough as a result of energy prices. I am more than happy to have representatives of the relevant department reach out to this particular business and provide them with advice and support, and potentially direct financial assistance, under those schemes that we have announced.

There are a couple of different funds, one of \$42.5 million. That does relate specifically to gas, and I am uncertain about whether this is an electricity and gas issue or one and not the other for this particular business. We can follow that through and will be able to provide that assistance. There is then a further \$90 million in relation to assessments and audits to drive the most efficient practice in every single business, and there are something like 20 000 businesses that have taken us up on that scheme and are better placed today than they have ever been because of that. That is not to say that that will be relevant for every single business, but there are many — indeed 20 000 businesses — that have taken us up on that offer.

What is more, I was at Stockyard Hill just last week to turn the first sod on the Southern Hemisphere's biggest wind farm — a wind farm that could never have been built under the planning policy of those who drafted that planning policy to scuttle renewable energy and wind farms. Who might that be? Of course we know — although maybe those opposite do not know — that more supply puts downward pressure on prices.

Who was that planning minister? Who was that planning minister that almost destroyed renewable energy in this state? I thought he would take a point of order and self-identify, but he has not. It is of course the Leader of the Opposition. We will work with this business, as we have done with literally thousands of other businesses and households.

Honourable members interjecting.

Mr ANDREWS — I would not be criticising shopping around — the market you built is based on it.

Supplementary question

Mr GUY (Leader of the Opposition) (12:50) — For 26 years B. J. S. Prime Quality Meats has been a family owned and run butchery in Ringwood. Their power prices have recently risen by 55 per cent, a cost they cannot afford. Premier, your Treasurer recently told this Parliament that Victoria was currently experiencing the best of times. Can you please tell businesses like B.J.S. Prime Quality Meats how a 55 per cent increase in monthly power bills constitutes 'the best of times'?

Mr ANDREWS (Premier) (12:51) — I thank the Leader of the Opposition. Let us just confirm again the commentary from those opposite opposed to supporting households to shop around on the Victorian Energy Compare website. I do not know whether they will stand up and say it, but their position is — and let *Hansard* record it — they are opposed to 50 —

Honourable members interjecting.

The SPEAKER (12:51) — Order! The member for Bass will leave the chamber for the period for 1 hour. I have warned members to cease shouting across the chamber, and the member for Hawthorn should act cautiously.

Honourable member for Bass withdrew from chamber.

Mr Guy — On a point of order, Speaker, on relevance. I asked a very straightforward question about B. J. S. Prime Quality Meats. Their bills have gone up by 55 per cent. I have referenced the Treasurer saying

that he believed Victoria was going through the best of times, and I have asked the Premier to explain how this could possibly be the case. I ask you to bring him back to answering a straightforward question.

The SPEAKER — Order! It is a very broad question. I rule the Premier is being responsive.

Mr ANDREWS — The answer to the previous question in large part deals with the fact that we are providing support to individual businesses, providing —

An honourable member — Why don't you actually give them some power?

Mr ANDREWS — Those who are opposed to more supply can hardly lecture people about prices, and to those opposite — you are opposed to more supply because you are opposed to renewable energy every single day of the week.

Honourable members interjecting.

The SPEAKER (12:52) — Order! The Premier will resume his seat. The member for Macedon and the member for Kew will leave the chamber for the period of 1 hour.

Honourable members for Kew and Macedon withdrew from chamber.

Mr ANDREWS — Every single business that is availing itself of targeted support from this government needs to know that those opposite are opposed to the Victorian renewable energy target and will put planning controls back in to stop any renewable energy in this state, and yet they pretend to care about prices.

Ministers statements: employment policy

Mr CARROLL (Minister for Industry and Employment) (12:53) — I rise to inform the house about the Andrews government's *Local Jobs First* policies and how they are helping young people get their start in their careers on some of our most significant city-shaping projects. Under those opposite there were four wasted years. When we came to government we knew we had to get the economy growing again and strengthen it. Our infrastructure program alone speaks for itself: 88 strategic projects in three and a half years versus their eight, an incredible \$50 billion of infrastructure investments under the Andrews Labor government versus only eight strategic projects under them.

It was a pleasure to join the Premier at Rod Laver Arena today. It is what you would have to consider to be one of the most active assets in the whole state. There has been a lot of talk of lazy assets lately — clearly assets focused on Exhibition Street. But we know Rod Laver Arena, one of the icons of Melbourne and often a place of fierce battle that would make the Cormack Foundation blush, is a place where we are seeing record investments and —

Honourable members interjecting.

The SPEAKER — Order!

Mr Clark — On a point of order, Speaker, the minister is yet again commencing to depart from making a ministers statement and to debate issues. I ask you to warn him of his obligation to comply with sessional orders and to return to making a ministers statement.

The SPEAKER — The minister did momentarily move away from making a statement. I ask the minister to make a ministers statement.

Mr CARROLL — Under our record infrastructure investments we are shaping the city for the 21st century. I want to mention the member for Oakleigh and that wonderful announcement we saw on the weekend, with those level crossings finally gone all the way from Carnegie to Hughesdale. He is to be congratulated, as is the Minister for Public Transport, for that wonderful project that has got Victoria moving again.

We are also making sure we leave no Victorian behind through our social procurement framework. This policy complements our infrastructure program. It ensures Victorians at risk, women experiencing family violence, Aboriginal Victorians and some of the most disadvantaged members of our community also get an opportunity to shape our city and work on a project that is fit for the 21st century. We are leaving no stone unturned as we get on with the job. After four years of sleep mode we have got record infrastructure, and we are making sure apprentices and everyone comes along for the ride.

Energy prices

Mr GUY (Leader of the Opposition) (12:55) — My question is again to the Premier. Altona Dry Cleaners is a small family business, like many across Melbourne serving its local community. Their power bills have risen 40 per cent; their gas bills, 35 per cent. They simply cannot afford to keep operating with such huge rises in energy, particularly electricity, costs. Your minister told the Public Accounts and Estimates

Committee last week that with more energy supply into the market, economics 101 will tell you that prices come down. The same economics 101 will also tell you that with less energy supply in the market, prices go up. Premier, will you now finally admit that ripping 1600 megawatts out of the system with the abrupt closure of Hazelwood has increased prices by far more than the 85 cents a week you said it would.

Mr ANDREWS (Premier) (12:56) — The Leader of the Opposition has asked me a very similar question that he has asked in the past. Of course the government did no such thing, and I reject each and every element in his recycled question. He hates renewable energy; happy to recycle, though. You have asked that question five different ways at five different times, and my answer is exactly the same. The government did no such thing. Engie, a multinational company, is getting out of fossil fuels in Europe and in Australia.

Mr Burgess interjected.

Mr ANDREWS — The member for Hastings knows better apparently than the managing director of said company. The member for Hastings apparently knows more about Engie's business than the managing director. You have asked this question, and it has been comprehensively answered. You are simply wrong.

Supplementary question

Mr GUY (Leader of the Opposition) (12:57) — Premier, in the previous question you said in relation to power prices that you have encountered businesses that are in better places than they have ever been. Premier, can you now name a single business whose energy bills are lower now than they were in 2014?

Mr ANDREWS (Premier) (12:58) — I thank the Leader of the Opposition for picking up on the comment that I made. I was of course speaking in relation to those businesses that have availed themselves —

Honourable members interjecting.

Mr ANDREWS — There are 20 000 of them, in fact, that have sought and received —

Honourable members interjecting.

Mr ANDREWS — Well, you come back to me on the youth unemployment rate, mate, and then we will be happy to.

Honourable members interjecting.

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

Mr ANDREWS — There are 20 000 businesses that have received support from our government.

Mr Guy — On a point of order, Speaker, on relevance, it was a straightforward supplementary question. The Premier says he has 20 000 examples. I am asking if he can name just one.

The SPEAKER — I understand the point of order. The Premier is being responsive to the question.

Mr ANDREWS — There are 20 000 businesses across the state that have undertaken energy upgrades, using less energy and improving their circumstances. I am happy to get the Leader of the Opposition a full list if he wants. I will get him a full list of all of them, and he can explain to them why he would no doubt cut the very policy that is supporting them to cut their bills.

Ministers statements: police resources

Ms NEVILLE (Minister for Police) (12:59) — I rise to update the house on the significant investment that we are making in Victoria Police and the jobs this is creating in law enforcement. The police academy right now is bursting at the seams. We have already put in place 1000 additional sworn police officers since we were elected. We now have 1274 new police to come out over the next year — 100 a month. We have over 10 000 applications for these police positions. We have got new recruits that are boosting the front line, and it is making a difference, with our crime rate down 9.5 per cent. The crime rate is down lower than it was in 2014.

These new police officers are just one part of the investment we are making in new jobs and enhancing our law enforcement capability. There is \$15 million for the Victoria Police Monitoring and Assessment Centre. We have got more than \$100 million to roll out mobile technology, \$200 million in a dedicated police assistance line to be based in Ballarat and over \$100 million in forensic capability and new staff. We have got money going into drug and alcohol buses — 10 of those — which are being built and jobs are being created in Ballarat and Derrimut. And all the jobs are right here in Victoria — all the construction jobs — including our new purpose-built police centre, the first since the 1940s, with 1000 construction jobs. All of this is about driving down our crime and making sure our community is safer.

But what is clear is that what does not make inroads into the crime rate, make our community safer or enhance the capabilities of Victoria Police, making sure

we have got the right skills and jobs, is when you cannot even be trusted to keep your own money safe by your own fundraising arm, when your organisation does not even trust you about how you might use your money and you cannot even be trusted in relation to the internal fight, who is running the organisation and who is in charge. Those things do not make you safer.

Energy prices

Mr D. O'BRIEN (Gippsland South) (13:01) — My question is to the Minister for Veterans. The Sale RSL and Community Club is an 800-member not-for-profit organisation that is a gathering point for veterans and their supporters and families in the Shire of Wellington. The club has big debts and is struggling to survive, but it is just staying afloat. However, their power bill has now risen from just over \$4000 per month last year to \$8000 per month this year. Given so many RSLs such as the Sale RSL and Community Club are suffering massive financial strain and are at risk of closure because of Victoria's highest power bills ever, what have you done to ensure that these clubs continue their vital role of supporting our veterans and that they will not close after almost 100 years of service because they cannot now pay their energy bills?

Mr EREN (Minister for Veterans) (13:02) — I thank the member for his question. Veterans are obviously a big part of our lives, and the RSL play a tremendous role in making sure veterans do not miss out on a decent quality of life. Therefore we as a government have provided assistance to veterans, and some \$400 000 over four years has been allocated for the welfare of veterans and their families. Of course that money goes —

Ms Staley interjected.

The SPEAKER (13:03) — Order! The member for Ripon will leave the chamber for the period of 1 hour.

Honourable member for Ripon withdrew from chamber.

Mr EREN — That money — that \$400 000 — goes towards assisting veterans and their families with power bills and associated costs. So that is —

Mr Clark — On a point of order, Speaker, on the question of relevance, this was not a question about assisting RSLs in relation to welfare, it was about assisting RSLs in relation to paying their power bills. I ask you to bring the minister back to answering that question.

The SPEAKER — Order! The question as I understood it asked the minister what he had done to support RSLs in the face of increased power bills —

Honourable members interjecting.

The SPEAKER (13:04) — The member for Warrandyte will leave the chamber for the period of 1 hour.

Honourable member for Warrandyte withdrew from chamber.

The SPEAKER — I do not uphold the point of order.

Mr EREN — There is also \$277 000 that was provided through the Anzac Day Proceeds Fund to RSLs, Legacy clubs, Vietnam veterans and other ex-service organisations. As I have indicated, some \$400 000 is provided to the veterans community in terms of assisting them with their power bills and other associated costs.

Supplementary question

Mr D. O'BRIEN (Gippsland South) (13:04) — Sale RSL is part of the RSL's bulk buy of electricity. Many other clubs are also struggling with power bills that have increased to their highest levels ever. Given the many RSL clubs that cannot afford these massive increases, will you now consider compensating these clubs for the costs your government's failed energy policies have forced on them?

Mr EREN (Minister for Veterans) (13:05) — I do not think the member is listening. As I have indicated in my previous answer, some \$400 000 has been provided for the welfare of veterans to ensure that —

Mr D. O'Brien — On a point of order, Speaker, on the question of relevance, the first question was in relation to supporting RSLs. The supplementary question was with respect to what the government would do to support RSLs with their energy bills, not the individual veterans that the minister is now talking about. We are talking about the RSLs that are struggling with massive increases in energy costs.

The SPEAKER — I ask the minister to come back to answering the question.

Mr EREN — These matters of course may be directed to another minister in relation to the power bills, but can I just say that our record is very clear in terms of government. We work very closely with the RSL and other ex-service organisations to

accommodate their needs, and we will do so into the future. If the RSL seeks assistance from the state government, we are there in terms of the assistance that they need, and we are there with the \$400 000 that we provided for veterans' social welfare.

Ministers statements: employment

Mr PALLAS (Treasurer) (13:06) — It gives me pleasure to rise to update the house on the record strong jobs growth that Victoria is experiencing right across the state. The latest employment statistics from the Australian Bureau of Statistics bear this out.

Since taking office the Andrews government has created nearly 350 000 jobs, with more than 211 000 of those jobs being full-time positions. That is five times more than those opposite managed. Unemployment is now at 5.1 per cent — the lowest rate since January 2012, just before it soared to 6.7 per cent under the previous administration. That is because those opposite closed TAFEs, cut jobs and dithered around infrastructure projects, unlike this government. On this side of the house our focus is on jobs, and part of our record jobs growth is of course attributable directly to the Victorian Industry Participation Policy — and a shout-out to the great Minister for Industry and Employment. It is all about ensuring that we buy local and we hire local, whether it be for level crossing removals, new trains, roads or new hospitals.

The other employment program getting some attention at the moment is the Liberal lawyer program, where those lawyers seeking to get a bit of money have found a great and worthy beneficiary due to the in-fighting that is going on in the Liberal Party. Meanwhile, we are ensuring that apprentices and trainees get a chance to hone their skills and their craft on big projects through our Major Projects Skills Guarantee, which of course ensures that jobs are there for the future for our young people. That said, the Liberal Party will be giving apprentices like plucky Marcus Bastiaan an opportunity — he came in like a wrecking ball. Those on this side of the house love Miley Cyrus. Those on the —

The SPEAKER — Order! The minister's time has expired.

Murray Basin rail project

Mr WALSH (Murray Plains) (13:09) — I am just wondering if he voted for Mark Butler or not, that is all.

The SPEAKER — Order! Does the Leader of The Nationals have a question?

Mr WALSH — The Leader of The Nationals does have a question, and my question is to the Minister for Public Transport. Minister, I refer to the exposure by the Rail Revival Alliance that second-hand rail track has been used on the Maryborough to Ararat line, reducing the ability of this track to meet design standards for speed and weight of trains. Minister, why has your expensive bungling of yet another transport project led to the once-in-a-lifetime opportunity to upgrade the Murray Basin rail lines being wasted —

Honourable members interjecting.

The SPEAKER (13:09) — Order! The Minister for Roads and Road Safety will leave the chamber for the period of 1 hour.

Minister for Roads and Road Safety withdrew from chamber.

Mr WALSH — Minister, why has your expensive bungling of yet another transport project led to the once-in-a-lifetime opportunity to upgrade the Murray Basin rail lines being wasted by the use of second-hand rail line?

Ms ALLAN (Minister for Public Transport) (13:10) — I thank the Leader of the National Party, and I take this question as a sign that they have now walked away from the bipartisan approach we have had on the Murray Basin rail project. I take it that you have abandoned the project — that is a great shame! Even as recently as a couple of weeks ago the National Party members in the other place were singing its praises and claiming it as a project all of their own.

Honourable members interjecting.

The SPEAKER — I warn the member for Hastings again.

Mr Guy — On a point of order, Speaker, on relevance, I am not sure whether the transport minister is trying to answer a question of her own, but she is not answering the question of the Leader of the National Party, which was around second-hand railway track being used. I ask you to bring her back to answering this straightforward question.

The SPEAKER — Order! The minister to come back to answering the question.

Ms ALLAN — I am sure the National Party love it when the Liberal Party try and help them out on these matters. The Leader of the National Party has repeated some claims that have been made by the Rail Revival Alliance. The Rail Revival Alliance have been making a

number of claims about this project that have proven to be incorrect. It is disappointing: the Leader of the National Party perhaps should have sought a briefing on the project and a briefing on the claims. Given his previous bipartisan support for the project, he might have wanted to check whether the Rail Revival Alliance were not just peddling another bunch of inaccurate claims about this project.

I addressed this issue extensively last sitting week and indeed before the Public Accounts and Estimates Committee the week before. In the break last week I had the opportunity to continue a range of discussions with representatives of primary producers and industries across the region. We are determined to deliver this project. It has taken a Labor government to deliver this Murray Basin rail project. It has taken a Labor government to complete the business case, and it has taken a Labor government to add the Murrayville spur line —

Mr Burgess interjected.

The SPEAKER (13:12) — Order! The minister will resume her seat. The member for Hastings will leave the chamber for the period of 1 hour.

Honourable member for Hastings withdrew from chamber.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, this was a very clear question to —

Ms ALLAN — I have answered it.

Mr Walsh — No, you have not answered it.

Ms Allan interjected.

Mr Walsh — This was a very clear question to the minister about why has she bungled this project by using second-hand line. I ask you to bring her back to answering that question about the use of second-hand line on this track rather than the things that she is talking about.

The SPEAKER — Order! The minister is being responsive to the question that was asked. The minister has concluded her answer.

Supplementary question

Mr WALSH (Murray Plains) (13:13) — Minister, I refer to recent media reporting of your mismanagement of the Maryborough to Ararat rail line project. Minister, have you contacted any electronic media outlets who have reported on this issue and attempted to bully them or their journalists, including by threatening legal action,

if they continue to do their job by reporting the facts about yet another transport project you have botched?

Ms ALLAN (Minister for Public Transport) (13:14) — I thought the Leader of the National Party was a bit better than that, because he would know that that is not how we have engaged on this project. It is absolutely untrue — the allegation he has made against me in his question is untrue. What is true though is that it took a former Labor government to buy back the rail freight network that was sold off by the previous Liberal-National government —

Honourable members interjecting.

Ms ALLAN — You sold it off! It was on its knees, and it has taken a Labor government to rebuild it.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, this is not about who bought or sold railway tracks. This is about whether the minister was actually bullying journalists about their reporting of the facts of how she has bungled this rail project.

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

Ms ALLAN — Coming back to the claim, the member has made a very serious claim that I absolutely categorically deny. I have not bullied any journalist on this matter or indeed any other matter. For the Leader of the National Party to say otherwise is an outrageous slur that demeans — absolutely demeans — the position of the Leader of the National Party.

Ministers statements: high-capacity metro trains

Ms ALLAN (Minister for Public Transport) (13:15) — It brings me great joy to talk about my visit to the Newport Railway Workshops last week with member for Williamstown to celebrate the commencement of manufacturing on the high-capacity metropolitan trains — of course, trains that are being manufactured here in Victoria, thanks to our government's local content policy that is being further supported by the Minister for Industry and Employment in his bill that is being introduced this week. Sixty per cent local content delivers over 1100 jobs in our local rolling stock industry; 15 per cent of these will be apprentices and 7 per cent will be from disadvantaged backgrounds.

Last week we met with a number of former Toyota workers — former automotive industry workers who have got a new career and a new start, thanks to our investments and thanks to the policy settings we put in

place. We have to remember why we need to employ former automotive industry workers; it is because the automotive industry in this state was run out of town by the federal Liberal government, cheered on by the former Liberal state government that did not lift a finger to stop the demise of the automotive industry here in Victoria. We have been determined to support the manufacturing industry and breathe new life into our rolling stock industry, and we have been able to do that through our order of high-capacity metro trains.

The member for Williamstown and I met last week with Michael. Michael told us his story. He is a former Toyota automotive industry worker. He worked there for 14 years and is now working at the Newport facility, and so were three other women who worked in the Toyota supply chain making the seats for Toyota cars. They are now working as mechanical engineers on our high-capacity metro trains —

Mr Noonan interjected.

Ms ALLAN — The member for Williamstown is right — he is very happy. This is what happens when you invest, and this is what happens when you get the policy settings that support Victorian jobs.

Mr Watt — On a point of order, Speaker, I have a constituency question, 14 325, which was a question to the Minister for Housing, Disability and Ageing. It was due to be answered some time ago. I asked it on 9 May, so that question is clearly overdue, and I would ask you to get the minister to answer the question. This is becoming quite regular with ministers not answering questions. I know it is not just me that the ministers are ignoring or planning on being belligerent with when it comes to these sorts of things. I would ask for you to get the minister to actually chase up that particular —

The SPEAKER — Order! The member for Burwood has raised his point of order. Does he have any further matters he wishes to raise?

Mr Watt — Yes, I do have an adjournment matter that was to the Minister for Police, 14 337. It was about the Burwood police station, and I do ask that the minister answer the question. It is an adjournment matter that my constituents are genuinely concerned about regarding the closure of the Burwood police station. It was asked, once again, on 9 May. I would have expected that with 30 days the minister has had ample time to answer the question. I would ask that you do chase it up with her. It is becoming quite disappointing that my constituents have to put up with belligerent ministers, and the disrespect that these ministers show this chamber should not be accepted.

The SPEAKER — The member for Burwood will resume his seat.

RULINGS BY THE CHAIR

Questions without notice

The SPEAKER (13:19) — Order! Last sitting Thursday the member for Gippsland South took a point of order and asked me to review the responsiveness of the Minister for Sport's answers to a substantive and supplementary question about commentary at estimates hearings and the Docklands stadium upgrade. Having reviewed the transcript I consider the answers to be responsive.

The manager of opposition business asked me to review the responsiveness of the Premier's answers to the substantive and supplementary questions about comments made by the Acting Chief Commissioner of Police and the closure of various police stations. In answering, the Premier said that he would have to confirm the proposition being put to him in the question before providing an answer. That in itself is not unresponsive because it addresses the principle of the question. However, it does suggest that the Premier should come back to the member with an answer. The Premier has provided a written response, which I will arrange to have published on the questions and responses database for the information of members.

CONSTITUENCY QUESTIONS

Brighton electorate

Ms ASHER (Brighton) (13:20) — (14 557) My question is to the Minister for Public Transport, and I am delighted she is in the chamber to hear my question. Will the minister fund a shuttle bus service to key stations servicing the Sandringham line in the Brighton electorate? The background to this is a report in the *Bayside Leader* dated 8 May 2018 in which it is reported that Bayside council and Public Transport Victoria are surveying commuters regarding a potential pilot program of a shuttle bus to stations within my electorate. There is a significant car parking problem at stations in my electorate, and I have previously raised this matter with the minister — for example, at Brighton Beach station there are only 170 spaces and at Middle Brighton station there are only 120. There are people who would use this service if they could get to the station, so I reiterate: will the minister please fund a shuttle bus service as discussed by her department with the council?

Yuroke electorate

Ms SPENCE (Yuroke) (13:21) — (14 558) My question is to the Minister for Families and Children. What opportunities are available to support facilities for children and families in the Yuroke electorate, such as the proposed Merrifield West northern community hub project? Many young families choose to buy or build their first home in the Yuroke electorate. Indeed housing growth in the Mickleham and Yuroke suburbs was ranked as the fastest in Australia in 2016–17. The Andrews Labor government's significant local investment in new and improved facilities for these parents and their kids has provided access to preschool, child and maternal health services, and other community facilities close to home. As the Yuroke electorate continues to grow, I would welcome any information the minister can provide on opportunities to provide further support for these much-needed community facilities.

Gippsland East electorate

Mr T. BULL (Gippsland East) (13:22) — (14 559) My question is to the Minister for Energy, Environment and Climate Change, and the information I seek is when she will meet with the East Gippsland Shire Council regarding the Lakes Entrance critical asset protection program. As the name implies, this is a matter of critical importance to the Lakes Entrance township, which is one of the state's iconic tourist destinations along with being a critical port for commercial fishing in Victoria — the largest in the state. The program involves the replacement of lake foreshore and Bullock Island seawalls, which range from being 50 to 120 years old and are at or nearing the end of their functional life. I understand the Department of Environment, Land, Water and Planning, which has overall responsibility, submitted a business case earlier this year with a proposal for remediation, repair and replacement of these assets, but unfortunately funding was not included in this year's budget. I therefore would like to know when the minister will make herself available to meet with council so she can be briefed on the project and strongly consider providing this funding.

Carrum electorate

Ms KILKENNY (Carrum) (13:23) — (14 560) My question is for the Minister for Public Transport. I have been contacted by local residents who catch the train at Seaford railway station. This is a busy station, which boasts a wonderful kiosk, run by Corrine, who sells fabulous coffees and snacks to peak-hour commuters, but there are no toilet facilities at Seaford station. Minister, my constituents would like to know: are there

plans for toilet facilities at Seaford station? These would provide very welcome relief for commuters.

Sandringham electorate

Mr THOMPSON (Sandringham) (13:24) — (14 561) My constituency question is directed to the Minister for Public Transport. On behalf of local traders in Cheltenham and Mentone I ask: when will the contract be signed for the grade separation via cutting method for the separation of road and rail at Park Road, at Charman Road and at Balcombe Road?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) (13:24) — (14 562) My constituency question is to the Minister for the Prevention of Family Violence: when will Victoria's landmark plan to address the state's biggest law and order issue, family violence, be implemented in Broadmeadows? All reforms in *Ending Family Violence: Victoria's Plan for Change* are designed to be delivered in partnership with the community and implement the 227 recommendations of Australia's first Royal Commission into Family Violence. This will have a major social impact and complements the impact of the government's other law and order strategies.

I am delighted to report to the Parliament that new figures show the crime rate in the Hume local government area is down by 8.1 per cent. This underscores the value of the Andrews Labor government's investment in recruiting more than 3000 police officers — Victoria's biggest law and order recruitment drive. Impact on the ground is being felt. I recently visited police officers in the Broadmeadows electorate and can confirm how hard they are working. The effectiveness of their crackdown on crime is being reflected in the latest crime statistics.

Melbourne electorate

Ms SANDELL (Melbourne) (13:25) — (14 563) My question is to the Minister for Education. Minister, will the government provide funding to Kensington Primary School to fix their school hall, provide better accessibility and improve their run-down playgrounds? Last week I met with two grade 6 students at Kensington primary, Olivia and Thalia. These wonderful young women explained to me that one of their fellow students who uses a wheelchair often struggles to access the school because of the design of the pathway and lack of an intercom, and they have some great ideas to improve the situation. I also met with the principal, who showed me inside the school

hall, which is literally falling apart. Tattered pieces of insulation hang from the roof, the internal wall cladding looks like it has never actually been properly finished and the walls are exposed. One part of a playground was closed while I was there because it is no longer safe and needs upgrading. I know this is just one of many schools in a similar situation, with a huge maintenance backlog across the state. The Kensington school community would love to meet with the minister to show him around their wonderful school and talk about any improvements that need to be made, and I would be more than happy to work with the government to make that happen.

Yan Yean electorate

Ms GREEN (Yan Yean) (13:26) — (14 564) My constituency question is to the Minister for Education. Can the minister advise how Yarrambat Park primary school, currently under construction in Doreen, will benefit the new school community, the Orchard Road Community and Early Learning Centre next door, sporting clubs such as the Yarrambat Basketball Club — the Phantoms — and the broader neighbourhood community located in Doreen and Yarrambat around the farming property previously known as Ashley Park?

Rowville electorate

Mr WELLS (Rowville) (13:27) — (14 565) My question is to the Minister for Roads and Road Safety. Minister. What plans do VicRoads have to upgrade the intersection of Henderson Road and Ferntree Gully Road in Knoxfield? I raised the problems with Henderson Road in Parliament in 2015. This is just one more example of how Labor's appalling failure to invest in local roads is making life difficult for drivers in Knox. Commercial trucks and residential cars sit waiting through many light sequences to turn right into Henderson Road. These queues of traffic then block through traffic on Ferntree Gully Road, leaving traffic at a standstill. All of this could be easily fixed by lengthening the turning lane and upgrading the turning arrow signals. Traffic studies have shown traffic through this intersection will double once the commonwealth-funded Henderson Road bridge is constructed. Knox drivers have waited long enough.

Ivanhoe electorate

Mr CARBINES (Ivanhoe) (13:27) — (14 566) My constituency question is to Minister for Emergency Services. I seek information on the progress of the demolition of buildings on the corner of Waterdale Road and Altona Street in West Heidelberg to allow for

construction of the new \$3 million Victoria State Emergency Service (SES) headquarters for the Northcote SES unit. That covers of course the local government areas of Darebin, Yarra and Banyule. Temporary fencing has been erected. There are some 36 volunteers working out of the Northcote SES location in Alphington. They responded in 2016–17 to some 734 requests for assistance. That was a 70 per cent increase on the 2015–16 year. The existing site is not fit for purpose. We are really looking forward to welcoming them to West Heidelberg in new, purpose-built headquarters. This is an opportunity for local community members to join the SES, get the training and serve their community along with those dedicated volunteers of the SES at Northcote whom we look forward to welcoming to West Heidelberg.

VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018

Introduction and first reading

Mr CARROLL (Minister for Industry and Employment) (13:29) — I move:

That I have leave to bring in a bill for an act to amend the Victorian Industry Participation Policy Act 2003 and for other purposes.

Mr CLARK (Box Hill) (13:29) — I ask the minister to provide a brief explanation of the bill.

Mr CARROLL (Minister for Industry and Employment) (13:29) — I thank the member for Box Hill. We are very committed. With this legislation we will enshrine the Victorian Industry Participation Policy and our Major Project Skills Guarantee requirements in legislation. The bill will also establish a Local Jobs First commissioner and enforce compliance with both our Victorian Industry Participation Policy as well as our Major Project Skills Guarantee commitments. Ultimately this legislation will put Victorian workers and businesses first.

Motion agreed to.

Read first time.

ENVIRONMENT PROTECTION AMENDMENT BILL 2018

Introduction and first reading

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (13:30) — I move:

That I have leave to bring in a bill for an act to reform the legislative framework for the protection of human health and the environment from pollution and waste, to amend the Environment Protection Act 2017, to repeal the Environment Protection Act 1970, to amend the Mineral Resources (Sustainable Development) Act 1990 and to make consequential amendments to other acts.

Mr CLARK (Box Hill) (13:30) — I ask the minister to provide a brief explanation further to the long title.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (13:30) — The bill will implement key reforms in the Andrews Labor government's response to the independent inquiry into the Environment Protection Authority Victoria. The bill will introduce a general environmental duty as the core of a preventative regulatory scheme. The bill also provides for increased penalties and sanctions to reflect the significance of environmental wrongdoing, and it provides for more flexible, efficient, targeted, proportionate and timely regulation of waste, contaminated land, pollution and other matters.

Motion agreed to.

Read first time.

RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018

Introduction and first reading

Mr PAKULA (Minister for Racing) (13:31) — I move:

That I have leave to bring in a bill for an act to amend the Racing Act 1958 to establish a Victorian Racing Integrity Board, to establish the Victorian Racing Tribunal for all codes of racing, to provide for greater transparency and enhanced integrity in the control of racing industries, to consequentially amend the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Mr T. BULL (Gippsland East) (13:32) — I ask the minister to provide an extended explanation of the bill.

The SPEAKER — The minister may be able to provide a brief explanation to the house.

Mr PAKULA (Minister for Racing) (13:32) — The member will get an extended explanation tomorrow, but I will give him a brief one now. The overall objective of the bill is to ensure the highest possible standards of integrity in the Victorian racing industry. The bill will provide thorough and independent oversight of the performance and integrity-related functions of industry regulatory bodies, ensuring that integrity is not compromised by commercial interests or

other factors. It will provide for an independent, robust and transparent disciplinary framework.

The bill will amend the Racing Act 1958 to establish a Victorian Racing Industry Board and a Victorian Racing Tribunal (VRT). It will provide that tribunal with additional powers, including requiring a person to attend and to answer questions under oath or affirmation. It will introduce offences for failing to comply with a summons of the VRT, knowingly giving false or misleading information or refusing to be sworn in or answer a question at the VRT. It will limit appeals to VCAT to appeals on penalty and occupational licensing decisions. It will clarify the racing integrity commissioner's board of inquiry powers. It will provide VRT with statutory immunity. It will clarify the functions of the Greyhound Racing Victoria (GRV) board with regard to licensing and regulation, vary the number of GRV board members and deal with a number of other matters.

Motion agreed to.

Read first time.

PREVENTION OF FAMILY VIOLENCE BILL 2018

Introduction and first reading

Ms HUTCHINS (Minister for the Prevention of Family Violence) (13:33) — I move:

That I have leave to bring in a bill for an act to establish the Family Violence Prevention Agency and the board of the Family Violence Prevention Agency and to appoint the chief executive officer and for other purposes.

Mr CLARK (Box Hill) (13:33) — I ask the minister to provide a brief explanation further to the long title.

Ms HUTCHINS (Minister for the Prevention of Family Violence) (13:34) — The bill will establish the Family Violence Prevention Agency, to be known as Respect Victoria, and provide for the functions, powers and duties of the agency. It will establish a board and provide for the appointment of the chief executive officer. Also, Respect Victoria will focus on research, evaluation and community engagement in order to prevent family violence in all its forms.

Motion agreed to.

Read first time.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

Management, governance and use of environmental water

Mr J. BULL (Sunbury) presented report, together with an appendix and transcripts of evidence.

Tabled.

Ordered that report and appendix be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 9

Mr J. BULL (Sunbury) presented *Alert Digest No. 9 of 2018* on:

Crimes Amendment (Unlicensed Drivers) Bill 2018

Flora and Fauna Guarantee Amendment Bill 2018

Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018

Local Government Bill 2018

Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018

Treasury and Finance Legislation Amendment Bill 2018

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Acting Clerk:

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2018 under s 303

Gambling Regulation Act 2003 — Amendment of the Public Lottery Licence under s 5.3.19

Ombudsman — Investigation into the administration of the Fairness Fund for taxi and hire car licence holders — Ordered to be published

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

Ballarat — C210
 Boroondara — C278
 Cardinia — C239
 Darebin — C166
 Golden Plains — C77, C79
 Greater Geelong — C349
 Greater Shepparton — C192, C193 Part 1, C197, C203
 Hepburn — C63
 Kingston — C152
 Latrobe — C110
 Melton — C194
 Moonee Valley — C182
 Moorabool — C78
 Stonnington — C249, C266
 Whitehorse — C193

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 72

Occupational Health and Safety Act 2004 — SR 71

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 59, 69, 71, 72

Documents under s 16B in relation to the *Associations Incorporation Reform Act 2012* — Reporting Exemption Order for Incorporated Associations 2018

Victorian Law Reform Commission — Access to Justice: Litigation Funding and Group Proceedings — Ordered to be published.

MARINE AND COASTAL BILL 2017

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

SERIOUS OFFENDERS BILL 2018

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

ROYAL ASSENT

Messages read advising royal assent to:

13 June

Liquor and Gambling Legislation Amendment Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

State Taxation Acts Amendment Bill 2018

19 June

Appropriation (Parliament 2018–2019) Bill 2018
(Presented to the Governor by the Speaker).

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Major Projects)
 (13:38) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 21 June 2018:

Flora and Fauna Guarantee Amendment Bill 2018

Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018

Local Government Bill 2018

Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017.

I will just make a few comments on the program that is outlined for the week, noting on the way through that this is the last sitting week before a shortish winter break and we resume again in late July.

Mr Carbines interjected.

Ms ALLAN — Well, some people may have been on a longer break, member for Ivanhoe, as you may want to expand on in your contribution later on.

An honourable member interjected.

Ms ALLAN — No, no, I was not talking about the member for Ivanhoe's break. Let the record be clear: I am not talking about the member for Ivanhoe's break. He is working around the clock, as I know very well

from the time we have spent together at the beautiful new Rosanna railway station, but I digress.

Mr Pesutto interjected.

Ms ALLAN — The member for Hawthorn should not push us off focusing on talking about the government business program for the week ahead. As you will note, Deputy Speaker, there are five bills on the program. Each of them has significance and importance in their own right and I am confident will attract significant debate and consideration by members of the chamber. I have noted that the opposition has expressed a keenness to take the Local Government Bill 2018 into the consideration-in-detail stage. I will confer with the minister, and if we have time towards the end of the week, we will consider that opportunity. We have just seen two bills return from the upper house that will need to be considered. I indicate to the opposition at this point in time that we will consider those tomorrow to give the opposition an opportunity to be ready for that process.

We also have, I believe, a number of speakers who wish to make a contribution on the take-note motion on the budget, noting the message we have just received from the Council that the budget has successfully passed through the Legislative Council. We think it is a successful budget and one that will deliver great outcomes on the ground in local communities, so we are very pleased about the support of the Parliament for the budget. However, there continues to be an opportunity in this place for interested members to make their contribution on behalf of their local communities on the 2018–19 budget. With those few comments and observations, I once again optimistically commend the motion to the house.

Mr CLARK (Box Hill) (13:41) — The government business program this week proposes to deal with a range of bills, all of which require careful consideration. Some raise very important issues of policy; all of them have issues of detail that need to be carefully scrutinised. The Local Government Bill 2018 in particular is a very large bill which is a complete rewrite of the Local Government Act 1989, and as the Leader of the House has indicated, we on this side of the house believe it should be at the top of the list for consideration in detail in this house. I remind the house that a government pre-election commitment was that consideration in detail of bills in this chamber would be standard, and the government has gone nowhere near honouring that election promise during the course of this Parliament. We believe that if any bill is to be considered in detail this week, it should be the Local

Government Bill, as indeed should many more bills if the government were to honour its election promise.

The opposition will again oppose the government business program this week. I am sure it will come as no surprise to the Leader of the House or other members to know that the reason we do so is that yet again the government is failing to deal with the serious allegations of roting and abuse of office that have been laid against so many of its members. In a week where the government is seeking to legislate so as to be able to help itself to even more public money, it is particularly pressing that this issue be dealt with. We had the very serious matters that led to the resignation of the former Speaker and former Deputy Speaker. These persons were appointed to high office in this chamber in the expectation that they would uphold the standards of the Parliament, yet they have resigned in disgrace after matters were exposed about their behaviour and their claiming of public money. Similarly we had the Ombudsman's report into the artifice that was the red shirts rort, and again this is a matter that this house should be dealing with.

As I have said time and again, in the history of Westminster parliaments around the world when matters such as this arise — when such serious allegations and events occur — the house should take and has previously taken responsibility for dealing with those matters, yet Labor governments in Victoria and in particular this Labor government have refused to allow that to be done. We can all remember how loudly the Labor Party called for action to be taken in relation to the former member for Frankston. That was action that the government of the day also believed needed to be taken in light of the matters that were raised and the Ombudsman's finding. Under the previous coalition government the right thing was done. That matter was referred to the Privileges Committee, it was investigated thoroughly by that committee, a detailed report was provided and the house took action on the basis of that report.

That is the sort of process and procedure that should be followed. It would show that the Labor Party do have a respect for the standards and the decencies that should be observed, that they do not seek to rort public money and that when any of their number are found to have misused public money and to have abused the standards with which they should comply and which they should uphold, those members are held to account. That has been the longstanding tradition of Westminster parliaments, but it is one that the current Labor government have chosen to treat with contempt when it comes to their own.

The contrast between their strident calls for action in relation to the former member for Frankston and their point-blank refusal to allow any accountability or any proper process in relation to their own members could not be starker. Time and time again there has been opportunity for this house to deal with that matter — to refer the issue to the Privileges Committee or to constitute a special select committee to look into these matters — and time and time again the government has refused to do so. It continues to be a disgrace, it continues to show the two-faced hypocrisy of the Labor Party and it is why we continue to oppose the government business program.

Mr PEARSON (Essendon) (13:46) — I am delighted to join the debate on the government business program. I rise in support of the Leader of the House's motion. I am not quite sure if the member for Box Hill writes his own speeches or not, but if he has someone in his office who wrote this particular speech 18 months ago, he really should start paying that adviser royalties, because he recycles that speech week in, week out. It is the same turgid speech —

Honourable members interjecting.

Mr PEARSON — If the member for Box Hill is not the author of this particular piece of fiction, I hope he is paying his staff appropriately well, or whoever is the author of said piece —

Mr Pesutto — Come on, Danny, where's the classical reference?

Mr PEARSON — Now that the member for Hawthorn has invited me, I feel obliged to quote *Meditations* by Marcus Aurelius. It is a joy whenever I rise to speak on the government business program, because as Marcus Aurelius would say:

Perfection of character is this: to live each day as if it were your last, without frenzy, without apathy, without pretence.

It is a joy to be able to stand on the government benches and support an outstanding government business program, because as Marcus Aurelius also said:

Let one thing be your joy and comfort: to move on from social act to social act, with your mind on god.

Although I am an atheist, I do appreciate the fine sentiments written by Marcus Aurelius. This is a government business program in which we are moving on from social act to social act. It is an outstanding government business program that is before the house. It blends that nice mix between getting on with the job of governing and dealing with matters that are before a government on a regular basis. It is also about making

sure that we are responding to issues which we took to the electorate back in 2014. I am really pleased, for example, that the Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018 is one such bill.

I recognise that as a member on this side of the house you have the opportunity to look at prosecuting your case for a better and fairer Victoria, a Victoria that you can subscribe to. To see the way in which an executive can bring into this place legislation which gives shape and form to that vision is a great honour and a great privilege. Many of us may not be here in this place for long. I dare say — and I have said this before — that I do not think I will have the stamina that the member for Box Hill will have. But nonetheless, to be on this side of the house and to be able to be part of something that is far greater than you, to be part of — in our case — a broader labour movement, is to be part of a broader movement that is seeking to bring truth, justice, fairness and decency to ordinary working people. It is a great honour and a great privilege.

I listened to the member for Box Hill's contributions, and I can go back over *Hansard* where we have previously debated this issue in terms of the way in which Westminster dealt with these matters in relation to its expenses scandals about 10 years ago. It is very clear that there is an appropriate process in place whereby you have the police force making investigations and making recommendations and then — and I think this is what happened in Westminster — the house can determine what action should be taken as a consequence of that.

Mr Clark interjected.

Mr PEARSON — Well, the police have investigated, and the police have said that there is no case to be made against the members for Tarneit and Melton — unless the member for Box Hill would have us suggest that we should all just set up kangaroo courts at our whim and disregard the views of Victoria Police. I think that would be a rather foolish thing to do.

But again, it is a wonderful opportunity to rise and speak. I will finish with this quote:

Calm acceptance of what comes from a cause outside yourself, and justice in all activity of your own causation. In other words, impulse and action fulfilled in that social conduct which is an expression of your own nature.

A government business program like this fulfils our desires and our wishes to provide a decent and better and fairer Victoria. It is an absolute honour and privilege to be able to rise in this place and support a government

business program like this. I am delighted to be not just a member of the Andrews Labor government but also a member of the proud labour movement. I commend the government business program.

Mr PESUTTO (Hawthorn) (13:51) — It is always interesting to listen to the member for Essendon, with his endless classical quotes. I think I could probably offer him one, though — Shakespeare’s Queen Gertrude from the great play *Hamlet*, ‘More matter, with less art’. I think that is what the member for Essendon ought to take on board.

While I am on the subject of that fantastic play — one of the greatest in the history of literature — it begins, if I am not mistaken, with the words there is something rotten in the state of Denmark. One might say that about this government because time is running out for this government. Time is running out because the government has only a few more occasions to clear the rotten odour around the standing of this government.

This government stands out with a record all of its own. It has been subject in only three and a half years to four police investigations, with one IBAC investigation currently underway.

Ms Allan — On a point of order, Deputy Speaker, as entertaining as the member for Hawthorn was when he started off — and we gave him some room to share his literary knowledge of *Hamlet* — I would encourage you to bring him back to the government business program. We do have a bit of latitude on this debate, but not that much. I would ask that you bring him back to the substance of the —

Mr T. Smith interjected.

Ms Allan — ‘Alas, poor Yorick! I knew him, Horatio’.

The DEPUTY SPEAKER — Order! The member for Hawthorn, please speak to the government business program.

Mr PESUTTO — The reason I am raising these matters of standing and integrity is because we maintain that it is important for this house to deal first with the misconduct, now substantiated and long substantiated, that surrounds and condemns the conduct of the former Speaker and former Deputy Speaker.

As the member for Box Hill rightly pointed out, nowhere in the Westminster world and at no point in the history of the Westminster tradition have we ever seen such an unseemly demise of the two most senior presiding officers of this esteemed house, and yet we

have never done anything about it. It sits there like a rotten odour around this government, along with the other matters, including the dictaphone matter which was investigated by Victoria Police, and the red shirts — a damning report which was made by the Ombudsman and which likewise we have not dealt with. We have not dealt with other matters surrounding the conduct and integrity of this government. It is therefore so important that we deal with this matter of the former Speaker and former Deputy Speaker. The Victorian public has every right to know the full and complete truth.

While the investigations to date did uncover a great deal of material that itself was damning, we need a full and complete investigation, and that is why the Privileges Committee ought to look into it. It seems a little ironic that the government should have on its government business program a bill called the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017. Well, if the government were truly committed to improving parliamentary standards in this place, then it would debate and bring on the matter of the Privileges Committee looking into the conduct of the former Speaker and Deputy Speaker.

Let us remember why this is important. It is important because despite the gravity of what was substantiated against the two presiding officers, there has never been a personal explanation from them. I sit in wonder at how and why neither of these two members of this house, who between them have decades of service to this house that is now blemished because of what has happened, have taken the opportunity to show us respect and show the Victorian people basic respect and stand in their place and explain what they did, why they did it, what they are going to do about it and whether they are actually contrite about it. Until that happens nothing will clear the stench around this government, particularly in light of all the other damning matters I have already mentioned.

So in the absence of the former Speaker and former Deputy Speaker taking the opportunity to stand up, fess up and atone for all that happened, we maintain that all government business should be subordinate to a Privileges Committee investigation.

Mr CARBINES (Ivanhoe) (13:56) — God hath given you one face and you make yourselves another — that is what we get from those opposite; they are a bit two-faced in the way in which they speak, and it is often not followed by deeds.

Can I say that in the program for this week outlined by the Leader of the House I am particularly looking forward to picking up our debate and discussion on the Flora and Fauna Guarantee Amendment Bill 2018. This is a very significant piece of legislation that goes to the heart of very necessary changes to protect our environment. The flora and fauna guarantee bill has significant work that builds on the role of our government, the Andrews Labor government, and its advocacy and advancement of environmental priorities in our community.

We got the cows, the cattle, out of the high country and out of our national parks. That was a bill that went to the consideration in detail stage. There was a commitment from our government to provide those consideration in detail opportunities. We saw that opportunity provided in relation to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018, debated in this chamber in the last sitting week. We have also seen consideration in detail on bills put forward by the Minister for Consumer Affairs, Gaming and Liquor Regulation.

I think just those three instances put to the sword the claims by the manager of opposition business that the government has not met its commitments to provide consideration in detail opportunities for the opposition not so much to seek to ask incisive questions but certainly to delay the legislative agenda and to try to frustrate the legislative agenda of the government. But that is to no avail, because we continue to legislate and bring change to the Victorian community, with their support of course, and there was affirmation at the last election in relation to many of the commitments that we have made.

Picking up on this, of course, there is the Local Government Bill 2018. In line with very many of my colleagues, I was formerly a servant in local government, so I look forward to canvassing the changes and the very significant reforms that bill makes to local government and to what some may perhaps describe as the moribund or certainly struggling Municipal Association of Victoria (MAV) — that will be part of our discussions. Perhaps some of the changes in the legislation outlined here will give the MAV pause for thought as to how it can also, as a separate organisation, better advocate for the interests of local governments across Victoria — it certainly needs to lift its game. I intend to draw those matters to a head in my contribution on that debate.

Matters in relation to the Victorian Independent Remuneration Tribunal have been raised by those opposite. The Victorian Independent Remuneration

Tribunal and Improving Parliamentary Standards Bill 2017 seeks to address those, but we have already heard public utterances from those opposite that they intend to oppose those changes. This reeks of the hypocrisy of those who claim that they want better parliamentary standards yet are already out there advocating to kill off those bills.

As the member for Essendon touched on, the Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018 goes to some of the very clear commitments that the government has made. We advocated particularly strongly at the last election to pursue a family violence royal commission, and we sought to resource the findings of that royal commission in subsequent budgets. I think the further work that relates to some of those matters in the legislation this week is particularly important. And of course we have also touched on the Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018.

There are some very significant matters here to touch on throughout the week in relation to the legislative program of the government. It certainly picks up on our commitments not only around jobs and investment but also around the rights of Victorians and ensuring that parliamentary standards are debated in this chamber and that reforms, where they can be made, are put before this Parliament. It is disappointing that those opposite have chosen already to publicly balk at supporting changes that raise the standards of parliamentary practices in this place. We look forward to hearing their arguments in relation to those matters.

Can we also just reflect on the way in which we began our Parliament this week. It gives us a moment for pause and a moment for reflection on the struggles of Victorians, the challenges we face and the commitments that we make to each other to work together in everyone's best interests. I commend the government business program before the house, and I believe it does stick to the values and the contributions that our government seeks to make on behalf of all Victorians.

Mr KATOS (South Barwon) (14:01) — I rise to oppose the government business program, as the manager of opposition business has indicated the opposition will be doing. There are five bills on the government business program this week. I have an interest in the Local Government Bill 2018. Having been a councillor at the City of Greater Geelong, I look forward to the debate. The primary reason why we are opposing the government business program, as the manager of opposition business has said, is the rorting

of the members for Melton and Tarneit, and the fact that this house is yet to deal —

Mr Nardella — On a point of order, Deputy Speaker, I ask the honourable member to withdraw.

The DEPUTY SPEAKER — The member for South Barwon has been asked to withdraw.

Mr KATOS — I withdraw. Sorry, I should have said ‘the alleged rorting’ by the members for Melton and Tarneit, but obviously it is a touchy subject for the member for Melton. We obviously could send this matter to the Privileges Committee; there is a motion in the name of the Leader of the Opposition on the notice paper, which could be debated to deal with this.

Just to finish off, I will not quote Marcus Aurelius, as the member for Essendon has done, but I will actually quote the member for Melton, who in this house on 11 June 2014 said:

... because the member for Frankston has brought this house and every member in this house into disrepute.

For that he needs to come in here today, after this debate is concluded, and apologise to every single member of this house and to the people of Victoria. He has rorted his privileges — the car, the fuel card — for his personal benefit. That should not be allowed.

They were the words of the member for Melton with regard to the previous member for Frankston. He was happy to use the word ‘rorting’ to describe another member, yet takes offence to that now. Perhaps the member for Melton should heed his own words and come into this chamber and apologise to each and every Victorian and face scrutiny and face the Privileges Committee and also perhaps a select committee. With that, as I have said, the opposition will be opposing the government business program.

House divided on motion:

Ayes, 43

Allan, Ms	Languiller, Mr
Andrews, Mr	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D’Ambrosio, Ms	Noonan, Mr
Dimopoulos, Mr	Pakula, Mr
Donnellan, Mr	Pallas, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Perera, Mr
Eren, Mr	Richardson, Mr
Foley, Mr	Scott, Mr
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms

Hennessy, Ms
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms
Knight, Ms

Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 38

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr
Clark, Mr
Crisp, Mr
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
Sandell, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Thorpe, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Motion agreed to.

MEMBERS STATEMENTS

Emerald Secondary College

Mr BATTIN (Gembrook) (14:09) — For many months now I have spoken of the dire needs of Emerald Secondary College to upgrade the science and maths wing to a science, technology, engineering and mathematics centre, a place where students and teachers can ensure they have the environment to learn to the best of their ability. This week I received a letter from student Jaicob Barrot of year 7, which says:

I would like to request your financial backing for our school to fund much-needed repairs.

Our classrooms need extensive crucial repairs for the wellbeing of students. These chancy obtrusions make it nearly insurmountable to learn in class. We often spend classes restricted to certain things when a projector isn’t working, gas won’t flow, and everything is getting out of hand.

Science labs have been shut due to old construction methods recently proven to be hazardous meaning we only just have enough classrooms. If for some reason we must swap rooms, we can’t.

I currently have health in a faulty science room and along with many others would love to learn in a proper educational environment. I find it disgusting that if our school desperately needs something we must get it, as we get minimal support. Doesn’t everyone have the right to an education, yet how can we learn when the walls are crumbling around us. After all, Victoria is supposedly the Education State.

Jaicob, I will make sure this message gets to the minister, along with your call for help. Emerald Secondary College and the community deserve the help to rebuild your school. Only the Liberals have taken care of the schools up through Emerald, including the rebuilding of Emerald Primary School whilst we were in, with a full reconstruction.

Rachel Neicho

Mr PEARSON (Essendon) (14:11) — A big shout-out to Rachel Neicho, who recently finished up at the Wingate Avenue Children's Co-operative after an impressive 24 years of service. Rachel is a dedicated early years educator and a passionate supporter of the Western Bulldogs. A generation of young people in my community received a great start to their schooling experience as a consequence of being under Rachel's care. Ascot Vale's loss is Ballarat's gain, and I wish Rachel all the very best in her new role managing Sesame Kids in Ballarat.

Michael Downing

Mr PEARSON — I recently learned that Michael Downing, who was the assistant principal at Ascot Vale Primary School, has recently left the school to take up a new position. I have really enjoyed working with Michael over the course of this term in government, and I wish Michael all the very best in his new role.

Buckley Street, Essendon, level crossing

Mr PEARSON — The removal of the Buckley Street level crossing is now in full swing, and that means there are some major works coming in the next couple of weeks that will affect travellers. Buses will be replacing trains on the Craigieburn Line between North Melbourne, Newmarket and Broadmeadows from 8.30 p.m. on Thursday, 21 June, to the last service on Wednesday, 27 June. Journey times may be extended by up to 40 minutes. Also, Buckley Street will be closed between Mount Alexander Road and Violet Street from 8.00 p.m. on Thursday, 21 June, until 6.00 a.m. on Friday, 6 July 2018. There will still be local access for vehicles and pedestrians, with detours and traffic management in place.

Thanks to everyone for their patience while we get rid of this level crossing. We have put up with it for 100 years, and it will soon be gone for good. That will mean safer streets for pedestrians and no more time stuck in traffic waiting for the trains to pass, and I would encourage all locals to visit the Rose Street shops in Essendon.

Residential planning zones

Mr PEARSON — Yesterday the Leader of the Opposition stated that Melbourne cannot keep growing the way it currently is and that under a government he led he would make changes to the residential zones, including reintroducing a two-dwelling limit on lots in neighbourhood residential zones and reducing the building height in parts of the neighbourhood residential zone. It is fine for the member to say that, but he did absolutely nothing for my community when he was the Minister for Planning.

Lions Club of Waverley

Mr GIDLEY (Mount Waverley) (14:12) — I rise in the Parliament to recognise the fine work of the Lions Club of Waverley. Like so many Lions clubs, the Lions Club of Waverley has contributed to Glen Waverley, Mount Waverley and beyond for many, many years. Whether it has been through building community infrastructure, supporting essential social services or providing an opportunity for residents to serve, 2017 marked the 100th year of Lions Club International community service.

It is fitting that the Lions Club of Waverley has continued that tradition by funding the building of two shelters with an electric barbecue, tables, seating, power and water to celebrate the 100th anniversary. The club raised in excess of \$80 000 to provide these shelters to be enjoyed by families visiting Jells Park, following on from building the Yabbie Hill Park place to celebrate 50 years of Lions in Australia in 1996. I thank all clubs for their efforts, as well as project manager Phil Winsley and club president Jack Crumper. I was pleased to be able to open the completed facilities and will continue to support the good work of the club in any way that I can.

School zoning

Mr GIDLEY — Today in the Parliament I highlight the Liberal-Nationals commitment to allow parents to choose the government school that best suits the needs and aspirations of families, as outlined by the shadow Minister for Education. Sadly the Andrews Labor government has once again attacked parental choice in education by punishing schools that accept more than half of their enrolments from outside of local areas. Such schools will be punished by the Andrews Labor government through their refusal to fund basic classrooms essential for child learning. A Liberal-Nationals government would remove this nonsensical 50 per cent rule and restore greater choice for parents, as it should be.

Jenni Mitchell

Mr NOONAN (Williamstown) (14:14) — It is with great pride today that I congratulate Williamstown's Jenni Mitchell on receiving an OAM for her service to the community and to women in rural Victoria. Jenni's heart beats community. She cares, she gives, she is passionate about social justice issues and she has been a community builder all her life. Over more than 50 years of community service Jenni has made substantial contributions to the Nunawading North neighbourhood house, the YWCA, the Victorian Women's Trust, the Hobsons Bay Refugee Network, the GetUpOutWest reconciliation movement, the Hobsons Bay reconciliation advisory committee, the Williamstown, Newport and Spotswood Residents Association, and the Willin Wimmin community women's choir.

Jenni has many proud achievements, including developing the GirlStorey project at the YWCA for young women at risk and, separately, the first Rural Women's Network through the office of rural affairs, which provided support and networking opportunities for women living in rural and regional Victoria for over three decades. As a testament to the value of this work, the network has been recently re-established. In more recent times Jenni has co-organised the popular 'Conversations for the Curious' program and the Loom Room project at the Williamstown Senior Citizens Centre.

Throughout this wonderful lifelong contribution has stood Jenni's proud husband, Barry, and their greatest achievements: their four children, Karen, Peter, Warren and Mairi; and their extended family. The day Jenni received her OAM marked 23 years since the death of their eldest daughter, Karen, who would be very proud of her mother's achievements.

Local government rates

Mr MORRIS (Mornington) (14:15) — This government went to the 2014 election with an explicit promise to cap rates. Like so many other Labor promises, this one was not worth the paper it was written on. Labor promised to limit rate increases to CPI, but between March 2015 and March 2018 the CPI has gone up by 6.9 per cent. Rates in the same period are up by 11 per cent, almost twice CPI. Promise delivered? I do not think so.

Does the so-called rate cap cover all council charges? Apparently not. During the recent estimates hearings the Minister for Local Government confirmed that assistance given to local councils to help with recycling arrangements would expire on 30 June. No more

money will be forthcoming. From 1 July councils will have the opportunity, in the words of the bureaucracy, to 'reset charges'. In my language that is a rate hike, but apparently it will not be a rate hike because waste charges, according to the government, are not rates. Whether it is a rate or whether it is a charge, it is still a tax, and it comes out of the pockets of long-suffering ratepayers.

I do not blame councils, and I understand they are the meat in the sandwich. They have been left out to dry by this government, forced to rely on an export market because of this government's failure to encourage local reprocessing of recyclables. That is why households and businesses pay a tax of \$64.30 a tonne to encourage appropriate local responses to resource recovery. The government is happy to take the tax but to give nothing in return. That is a promise they did not make, but it is one I guarantee they will keep.

John Patsikatheodorou

Ms SPENCE (Yuroke) (14:17) — It is with much sadness that I rise to acknowledge the passing of a wonderful friend, John Patsikatheodorou. John passed away suddenly in the early hours of 5 June. Only hours earlier he had been at the Hume City Council meeting, serving his community through advocacy and encouragement of community group budget submissions.

John was a beloved husband to Helen. Helen herself is an esteemed resident, having been a long-term volunteer and serving as a Hume councillor from 2008 to 2016, including as mayor in 2010–11 and 2015–16. John, as her soulmate and partner in all things, stepped up to serve, as he happily referred to himself, as the mayoress or Helen's bag man, carrying her bag and being by Helen's side every step of the way, attending so many events and functions and encouraging Helen as she served in her role. This was no surprise to many, as John and Helen had been side by side supporting each other for over 35 years. Helen and John have three outstanding sons in Dimitri, Stavros and Nicholas, all of whom have gone on to be very successful young men. This is no surprise given who their parents are.

John's community service dates back decades. He dropped out of university in the 1970s to help survivors of Cyclone Tracy, and since then he has assisted so many community groups and committees such as Brite Services in Broadmeadows, the Inner Western Region Migrant Resource Centre — as its CEO — the Gladstone Park Community Centre, the Greek Orthodox Community of Broadmeadows and District, Women's Health West, the Victorian Immigrant and

Refugee Women's Coalition and of course his beloved Labor Party, which he joined some 43 years ago. John was committed to social justice. He was a true champion. Condolences to the family. Vale, John.

Ian Mence

Ms ASHER (Brighton) (14:18) — I wish to first of all congratulate Ian Mence on his recent award in the Queen's Birthday honours. Ian has given a lot of service to the Brighton area through Rotary, his involvement in Mayflower and his involvement in St Leonard's. He has also been very active in the Les Twentyman Foundation and has made an outstanding contribution to his community and other communities as well. I congratulate him on his service and on his award and recognition.

Victorian Major Events Company

Ms ASHER — I also wish to refer to the recent announcement from the Liberal Party and the National Party on 4 May 2018 to re-establish the Victorian Major Events Company (VMEC). The previous Victorian Major Events Company, which was established by previous Premier Joan Kirner, had a mixture of people with a lot of experience in sport and arts and a lot of private sector people. The idea of the major events company of course was to be able to move swiftly to secure these economically valuable events for the state of Victoria. I have seen bureaucracies do many things, but bureaucracies do not move swiftly, and if you wish to be on your toes to secure major events, you need to have a structure that is very, very responsive to opportunities as they become available. The previous VMEC had a top reputation for securing major events. It made a seriously significant economic contribution to Victoria and also to regional areas, and I look forward to the election of the government and this new body being established.

Violence against women

Ms KILKENNY (Carrum) (14:20) — Last night thousands attended a vigil in Princes Park, where Eurydice Dixon's body was found last week. She was 22 years old and had been raped and murdered by a man. We know that most sexual assaults are committed by men and that women make up more than 85 per cent of victims. This is not a women's issue. Violence against women is a whole-of-community and a whole-of-society issue. It is not, as people have said in the media and even on my own Facebook page, isolated to the acts of just a few very depraved men. Acts of violence against women start with bad attitudes towards

women, and acts of violence against women start with gender stereotypes.

I appreciate that this can be a very confronting proposition for many, many people, women as well as men. Our entire system has been built on structures that support the existing power base, a base largely designed around male power, so change will not be easy and for some it will undoubtedly be hard. Many more will not even see the need for change, but things need to change. Things must change. Twenty-nine women have already been killed in Australia this year, and in nearly all of these cases the person charged with the crime was a male known to each woman.

The Victorian women who have been killed include Caroline Willis, 69, killed at home; Karen Ashcroft, 52, killed at home; an unnamed woman, 59, killed at home; Katherine Haley, 29, killed at home; an unnamed woman, 20, killed at home; Radmila Stevanovic, 65, killed at home; and an unnamed woman, 41, stabbed to death at home.

Kensington public housing estate

Ms SANDELL (Melbourne) (14:21) — In the 2000s the Kensington public housing estate in my electorate was redeveloped. I repeatedly asked the Minister for Housing for the evaluation report into this project, and the minister refused to release it. If it was not for the Greens-initiated inquiry into the current public housing renewals, the report would never have seen the light of day. Now it is public, and no wonder the minister wanted this report kept secret. It is scathing. It resulted in less public housing than was promised, and developers made a mint from the redevelopment.

In August 2000 it was a Labor government, not the Liberals, that reviewed the redevelopment plans for Kensington and chose to proceed with the flawed project. In 2001 it was a Labor government that announced Becton Corporation as their preferred developer, and it was a Labor government that sold public housing land in Kensington to Becton Corporation for 5 per cent of its market value. Labor also modified the project deed five times between 2002 and 2008. Becton walked away with \$44 million of profit from this project, and what is worse is that Becton donated \$193 600 to Labor before and during the redevelopment. The community is rightly outraged that this was allowed to happen. Now this Labor government wants to repeat the same mistakes and sell more public housing land to private developers across 11 sites in inner Melbourne. The *Age* has called this

project so fundamentally flawed that it should be either restructured or abandoned, and I completely agree.

Violence against women

Mr RICHARDSON (Mordialloc) (14:23) — The tragic and callous loss of the life of Eurydice Dixon has left our community reeling — yet another life cut short in horrific circumstances while simply making her way home. While everyone has the right to feel safe in our community, sadly women disproportionately feel unsafe and vulnerable in our society. We must also reflect on the women who have tragically lost their lives this year behind closed doors at the hands of someone close to them. More than 10 000 people came together for a vigil this week, and hundreds of thousands more were touched by unspeakable grief and loss of another vibrant and promising life. Through such profound sadness a showing of powerful community spirit was on display in honouring the memory of Eurydice and committing to do all we can to stop it happening in the future.

In recent days some have questioned why we have singled out the need for women to feel safe and why men need to change their behaviours. Well, unfortunately, as the Premier stated, it is not women randomly attacking and killing men. When 87 per cent of murders are committed by men, when 98 per cent of sexual offences are committed by men, when 85 per cent of those heinous offences are committed by someone you know and when the overwhelming majority of family violence is committed by men, we have a gendered violence issue in Victoria. We must call it for what it is. We must change behaviours, educate our boys and men and bring about generational change with the full implementation of the Royal Commission into Family Violence's 227 recommendations.

Hon. Bernard Phillip Dunn, OAM

Ms KEALY (Lowan) (14:24) — I acknowledge the sad passing of Bernie Dunn, OAM. Bernie was a great man and leader for our region in both local and state government, in agriculture, in farming and with his family. Bernie entered Parliament as a passionate 25-year-old Country Party member for the upper house seat of North Western. He held this position in the Legislative Council from 1969 to 1988 and was elevated to leader of the Legislative Council during that time. Bernie later became the state president of The Nationals, and in 1997 he was elected to Horsham Rural City Council, serving three terms as mayor.

A memorable achievement for Bernie was moving the Horsham saleyards out of town to unlock the city gardens precinct. He was also a fierce advocate and supporter of saving Longerenong College. Bernie's list of achievements is long and was recognised with life membership of the Victorian Nationals in 2001 and a Medal of the Order of Australia in 2007. Personally, Bernie was always there for me with sound advice on political issues and the community. I will always remember him for his kind support, particularly his sage words on the importance of balancing the demanding job of being an MP with spending time with your family. Thanks, Bernie.

Bernie will be remembered as a true gentleman — kind and loving and generous with his support and advice. He has left the region a far better place to live and work. Bernie now rests with his soulmate, Dot, who passed in 2011. On behalf of all current and past National Party MPs and members, I extend my deepest sympathies to the Dunn family. Vale, Bernie Dunn.

Disability sector training

Ms COUZENS (Geelong) (14:26) — I was pleased to join the Minister for Training and Skills last week at the Gordon TAFE to announce a new course, an introduction to the national disability insurance scheme. The course will provide Victorians with a pathway to entry-level employment or further study in the disability sector. The course will be delivered exclusively by the TAFE network and is designed to attract new entrants to the disability sector to meet workforce demands. This course is new for the disability sector. It is a great initiative of the Andrews government to match skills and training provision with industry skill shortages. The industry is continuing to grow, so we need more disability workers right across Victoria. Working in the disability sector is rewarding and provides much-needed services to our community.

Head Start apprenticeships and traineeships program

Ms COUZENS — I was delighted to join the Minister for Education on a recent visit to Geelong High School to launch the Head Start apprenticeships and traineeships initiative and to check out the progress of the redevelopment of the school. This \$20 million redevelopment is progressing very well and there is great excitement from the school community.

The Head Start apprenticeships and traineeships initiative will deliver up to 1700 new apprenticeships and traineeships at 100 secondary schools across Victoria. I am pleased that my electorate will see

Geelong High School, Matthew Flinders Girls Secondary College, Belmont High School, Oberon High School and Newcomb Secondary College all included. This will allow students to finish their Victorian certificate of education or Victorian certificate of applied learning while spending more time understanding paid training and preparation for the workforce.

Geelong Tech School

Ms COUZENS — I also had the opportunity to walk through the new Geelong Tech School currently under construction at the Gordon TAFE.

Country Fire Authority Cann Valley brigade

Mr T. BULL (Gippsland East) (14:27) — I wish to acknowledge the positive steps taking place in Country Fire Authority (CFA) district 11, with a well-attended community meeting held recently in Cann River to celebrate and thank the Cann Valley CFA volunteers. The brigade operates in one of the most heavily forested and fire-prone parts in not only Victoria but the world. There has been a level of unrest in this brigade for some time, and I would hope this community meeting is the start of a progression towards resolving the matters of concern and the return of a strong brigade in this area. The appointment of Simon Bloink as the operations manager responsible for the CFA brigades east of Orbost is noteworthy, and I offer my full support to Simon in his new role.

TAFE funding

Mr T. BULL — The government has announced it will be making training at TAFE free for 30 priority courses, commencing 1 January. A Bairnsdale student was planning to enrol in a diploma of accounting at Federation Training, which is one of the selected courses, in the second semester of 2018 and then continue into 2019 and beyond. He has, however, been told he will be ineligible for the free TAFE courses funding commencing on 1 January because he will be considered a continuing student. He is now considering deferring his studies to 2019 so he is not financially disadvantaged. This is an anomaly the government should rectify so those planning on commencing these courses now can do so without being disadvantaged.

Dr Jane Greacen and Major Charlie Lynn

Mr T. BULL — I wish to congratulate Dr Jane Greacen on receiving a Medal of the Order of Australia. A highly respected medical professional, Dr Greacen

has worked in the area for a long time and has taken a particular interest in Indigenous health.

Former Orbost resident Major Charlie Lynn is also to be commended on being honoured.

Viewbank silos

Mr CARBINES (Ivanhoe) (14:29) — The Andrews government has completed extensive restoration works to repair the three heritage-listed Viewbank silos, and I was pleased to attend the community's celebration and to officiate at the rededication last Friday. There was no better place to spend my birthday than with local residents at a celebration of the heritage-listed Viewbank silos, now looking much better than they have for many years. The funding was provided to Parks Victoria by the Living Heritage Grants program, which is administered by Heritage Victoria. The final commitment of some \$170 000 enabled reconstruction of all three silo roofs, including additional strengthening works approved by Heritage Victoria.

The three silos are part of the Viewbank Homestead site, which is listed on the Victorian Heritage Register and managed by Parks Victoria. The silos are the only intact structures remaining from the dairy which operated there from 1922 to 1974. They have long been a landmark in the Yarra Valley landscape, particularly around Viewbank. As a past resident of Viewbank and of Bannockburn Road and a past student of Viewbank College, I know how important it is to invest in our past and in our heritage and what these silos mean to the local community. I want to thank McCorkell Construction. This project was very challenging and unique work for their tradies. I congratulate the local community on being a big part of the petitions and celebrating the work and for their advocacy to secure the funding to improve our Viewbank silos.

The ACTING SPEAKER (Ms Thomson) — Happy birthday to the member for Ivanhoe.

Burwood Brickworks site

Mr ANGUS (Forest Hill) (14:31) — I was pleased last week to participate in the turning of the first sod for the new shopping centre at the former Burwood Brickworks site in East Burwood. With this site having laid dormant for decades, there is much anticipation from local residents about commencement of the development. The first stage will include a 12 700-square-metre shopping centre, which it is hoped will be the first retail development in the world to achieve Living Building Challenge certification, which includes generating more energy than it consumes —

an annual basis and achieving a 6-star Green Star rating. The first stage of the residential development will include 700 homes, which are expected to go on sale later this year. My congratulations to Peri Macdonald and his team at Frasers Property Australia on the public start of this important local development.

Uniting AgeWell Strathdon

Mr ANGUS — I was very pleased to visit the Uniting AgeWell Strathdon community in Forest Hill recently to meet with and present to residents about the Parliament and to speak about my role and various local issues. The Strathdon community is home to more than 150 residents and is a well-known local establishment. I thank Matt Daley and his colleagues from Strathdon for organising this event and the residents for attending.

Vermont Football Club

Mr ANGUS — It was a pleasure to attend the Vermont Football Club sports night recently. I congratulate everyone involved in organising this event, in particular the committee members led by senior club president Mike Rennie. I also congratulate and thank all the volunteers who work hard week after week to keep all the teams playing and the club functioning well on and off the field. This includes all the parents and other volunteers involved in the Vermont Junior Football Club, ably led by president Clint Wheeler and his committee.

Nunawading City Football Club

Mr ANGUS — I recently had the pleasure of attending a home match of the Nunawading City Football Club at Mahoneys Reserve in the Forest Hill electorate. This well-run round ball club has produced many outstanding soccer players over the years. With numerous junior and senior teams and hundreds of players, I congratulate the committee and all the volunteers who work so hard to keep the club going.

St Thomas the Apostle Primary School, Cranbourne East

Mr PERERA (Cranbourne) (14:32) — It was with great pleasure that I represented the Minister for Education recently at the formal opening of new learning spaces at St Thomas the Apostle Primary School in Cranbourne East. This modernisation project delivered the refurbishment of the existing administration building, a new basketball court, classrooms and an expansion of the car park. The Andrews Labor government made a strong contribution of \$1.5 million towards this exciting project.

St Thomas began in January 2014 with an enrolment of 125 students and now has a strong enrolment of 408 students. This primary school attracted a large number of kids and this investment makes sure they will continue to have access to a great local school. This investment is on top of the Andrews government's recent announcement of a new primary school in Botanic Ridge, a new primary school in the Casey Fields area and a new secondary college in Cranbourne West and also a special school.

Thompsons Road, Lyndhurst, level crossing

Mr PERERA — I am also pleased to say that along the Cranbourne line the level crossing at Thompsons Road in Lyndhurst will be removed when the first section of a new road bridge opens at the end of the week. This is on top of Labor's \$572 million to deliver further upgrades to Melbourne's busiest rail corridor, delivering power upgrades and modern signalling from the —

The ACTING SPEAKER (Ms Thomson) — The member for Sandringham.

Beaumaris Secondary College

Mr THOMPSON (Sandringham) (14:34) — Vision becomes reality. On 14 June 2013, as the member for Sandringham, I convened an early morning meeting on the Beaumaris school ovals. The object of the meeting was to advance the potential co-investment by the Melbourne Cricket Club (MCC) foundation and the education department in the redevelopment of sporting fields and the provision of world-class education facilities at the former Beaumaris High School site for the benefit of future generations of district students.

These facilities were to be available to the school community, MCC sporting teams and local sporting clubs. The co-investment vision has now become a reality. If it were not for the 2013 meeting of minds, the new hallowed turf and world-class sporting precinct in Beaumaris forming part of the newly established Beaumaris Secondary College would not have reached fruition and leveraged further concurrent investment and redevelopment. I pay tribute to Stephen Spargo, the then Chair of the MCC Foundation; Ron Wakefield, President of the Sandringham College school council; innovator and Beaumaris resident Adam Ryan; Sandringham College principal, Allen McAuliffe; successive school council members; the Beaumaris Secondary College principal; the new school council president; members of the wider Beaumaris community; representatives of the MCC and the City of Bayside council for their support.

TLC for Kids

Ms SULEYMAN (St Albans) (14:35) — I would like to congratulate TLC for Kids, which has been supporting and caring for sick children for 20 years. Congratulations to Tim Conolan and Ana Darras for their hard work and commitment in providing support for sick kids and their families with Distraction Boxes and support services. TLC is an important part of caring for sick kids in hospitals. Happy 20th anniversary, TLC.

Sunshine Hospital newborn death

Ms SULEYMAN — It is with great sadness that I offer my deepest condolences to the family of the newborn baby that tragically died at Sunshine Hospital recently. Our priority is to get to the bottom of what happened, and to ensure that the family get the answers and the certainty that they deserve. That is why there will be a thorough review by Safer Care Victoria, Western Health and the coroner. My thoughts and prayers are with the family during this very difficult time.

St Albans Leisure Centre

Ms SULEYMAN — St Albans Leisure Centre was originally built in the 1960s. I have had a number of meetings with Brimbank City Council in relation to the redevelopment of this much-loved facility, which is located next door to my electorate office. I am no stranger to that facility — as a child, I have some fond memories of learning how to swim there. Together with my neighbouring colleagues, I know that we will support and advocate for the redevelopment of this project. I know that the Minister for Sport is no stranger, either; he has visited onsite, together with the member for Kororoit. We understand that this much-loved facility requires the attention that it finally deserves. I eagerly await a master plan from Brimbank council.

South-West Coast electorate employment

Ms BRITNELL (South-West Coast) (14:37) — A couple of weeks ago the Warrnambool *Standard* ran a front-page story under the headline, ‘Wanted: 1000 workers’. The story outlined the need for jobs to be filled in my region across a whole range of fields in both blue and white-collar jobs. This is an extraordinary position to be in — unemployment in my region is a low 3.5 per cent. While other areas of the state are struggling to find jobs for people, in my electorate we are struggling to find people for jobs.

I note comments from a member in the other place last week referring to this article recorded in *Hansard*,

saying not to ‘always believe everything you read’. I suggest that member get out and talk to businesses in his region, because over several months I have heard the same story everywhere I go — businesses are continually telling me, ‘We can’t get workers’. I have spoken with nursing home managers who need registered nurses, and farmers who need people to milk their cows or shear their sheep. I have also spoken with plumbers, builders and bricklayers who have positions to be filled, and I have even heard from car dealers who cannot get mechanics or salespeople to work in their dealerships.

We are at crisis level, and something needs to be done right now to ensure businesses in my region have workers available and to ensure businesses can grow and be profitable, which is good for local economies and good for everyone. Regional Development Victoria need to be incentivising people to relocate to regional areas to take on these jobs. It should not be a hard sell. Regional Victoria has so much to offer — where else could you be at the beach within five minutes after knocking off work? As for traffic — what traffic? Congestion is not an issue in our towns, and the commute for someone living in Warrnambool is 10 minutes at best.

Philippine Independence Day

Mr HOWARD (Buninyong) (14:38) — Last Monday I attended the Filipino-Australian Association of Ballarat’s Independence Day celebrations. President Sherley Hart and the Filipino-Australian Association of Ballarat do a fantastic job representing the local Filipino community, organising social, religious and sporting events as well as providing support to newly arrived migrants. This year’s event was no exception, celebrating 120 years since the Philippines gained independence from Spain. It was a fantastic day, when the many attendees enjoyed delicious Filipino food, singing and, of course, dancing.

Ballarat citizenship ceremony

Mr HOWARD — Last Thursday I was pleased to be part of another citizenship ceremony held by the City of Ballarat. At the ceremony, I welcomed our newest citizens from Azerbaijan, India, Indonesia, South Korea, Malaysia, Sri Lanka, New Zealand, the Philippines, South Africa and the United Kingdom. Such events are always a pleasure to attend, and I enjoy adding my welcome to the newest citizens.

**FLORA AND FAUNA GUARANTEE
AMENDMENT BILL 2018**

Second reading

**Debate resumed from 24 May; motion of
Ms D'AMBROSIO (Minister for Energy,
Environment and Climate Change).**

Mr WAKELING (Ferntree Gully) (14:40) — It gives me pleasure to rise to commence this debate on the Flora and Fauna Guarantee Amendment Bill 2018. This bill before the house is the first major piece of legislation with regard to the Flora and Fauna Guarantee Act 1988, which was enacted back in 1988. In fact, back in 1988 when it was debated in this house on 24 March, the minister at the table introduced the second-reading speech by stating that it was then ‘a landmark piece of conservation legislation’ and that it provided for ‘a flora and fauna guarantee’. It was noted at the time when the bill was being introduced that, and I quote:

Our records show that at least 20 species of mammals, two species of birds and 35 species of vascular plants have vanished from Victoria in the space of 150 years.

It was also further noted that at that time:

... at least 700 native species are threatened right now.

This means that about one in five of all the native vertebrate animals and vascular plants still living in Victoria is facing the prospect of extinction. Certainly the flora and fauna challenges that Victoria faced in the 1980s still remain today. It is imperative that we as a state, we as a Parliament, work with the community to ensure that there are protections in place for those species that are threatened.

I also acknowledge that back in 1988 a second bill was presented to the house because the initial bill, which had been progressed by the then Cain government, was later withdrawn and had to go through a consultation process. This led to the Flora and Fauna Guarantee Bill 1988 (No. 2) being introduced into the house. That bill, as was noted at the time, built on legislative reforms that had previously been enacted by the Victorian Parliament — namely, the Wild Flowers and Native Plants Protections Act 1958 and the Wildlife Act 1975. It is important that we note the bill before the Parliament, which deals with a review of the 1988 Flora and Fauna Guarantee Act, itself builds on the legacies of previous governments that recognised the need for the protection of flora and fauna in the state of Victoria. We as Victorians can pride ourselves on our natural environment, and governments on both sides of the

house have worked with the Victorian community to ensure that there are protections of plant and animal species.

The bill before the house, as I said, is the first major review to occur since 1988. The government undertook a consultation process, which involved the release of a consultation paper — that is, a review of the Flora and Fauna Guarantee Act — and that review process was undertaken for an eight-week period between 30 January and 28 March last year. There was a consultation process which attracted 210 written submissions from individuals and organisations across the state. The government indicated that it would take on board the views of stakeholders in terms of the development of the bill that was recently introduced into the house.

The bill makes a number of changes to the act. Whilst in many respects it retains many of the central tenets of the 1988 act, which built on previous legislation that operated prior to 1988 and that has continued through many of the provisions within the act, it certainly has made a range of changes which, as the government would say, seek to modernise the act to bring it into line with contemporary operations and contemporary thinking. One of the changes that has been made is to the objectives of the act. That has been changed, as identified in the second-reading speech, to have an emphasis on prevention and restoration.

The new objectives that the government identified are to:

prevent indigenous taxa and communities of flora and fauna from becoming threatened and to recover threatened taxa and communities so their conservation status improves;

identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline; and

identify and conserve areas of the state in respect of which critical habitat determinations are made.

The act also deals with the activities and responsibilities of public authorities. The act notes that they have an operation or duty in terms of the management and conservation of endangered flora and fauna. With regard to the operations of public authorities, the bill clarifies:

that it applies to all levels of government, including an administrative office, government department, municipal council, public entity and state owned enterprises.

With respect to the obligations or duties of these organisations, the bill will replace the term ‘have regard to’ with ‘giving proper consideration to’. There is some

commentary regarding the strength of those changes, and I will come to that a little later. But certainly it is the government's intention that those changes bring it in line with what are deemed to be modern duties as outlined in the Charter of Human Rights and Responsibilities and other similar pieces of legislation.

There is an expectation of this government that the bill will change the legislation to ensure that it is reflective of modern practices with respect to the operation of legislation throughout the state. There is a concern among many in the Victorian community that governments need to ensure that they are doing everything in their power to deal with the issue of the management of threatened species. I note that under this legislation they have sought to give effect to the intergovernmental memorandum of understanding with respect to the assessment of what is a threatened or endangered species of plant or animal.

It should be noted that previously the very cut and dried 'endangered' or 'not endangered' definitions were applied. This bill seeks to expand on that to build in a modern application, which includes a range of different international tests. Those international tests are being applied throughout the nation. I note that states such as New South Wales and Tasmania have sought to apply these changes, which include moving from 'threatened' to 'non-threatened' to terms such as 'extinct', 'extinct in the wild', 'critically endangered', 'endangered' or 'conservation-dependent', with respect to fish communities to ensure that the Victorian assessment of threatened species is consistent with what is occurring around the nation and in fact around the world. This ensures that the assessment that the Victorian government will apply will operate in a similar manner to that which applies around the nation.

There will also be a greater opportunity for the scientific advisory committee, which will be established to have input in the processing and assessment of the recommendations as to threatened plants and fauna throughout the state. This will ensure that there will be scientifically led research and recommendations that better guide potential outcomes in terms of the assessments of plants and animals that are potentially threatened.

I think it is important to note that there will be a Victorian lens that will be applied to this, because clearly there will be plant and animal species that are potentially threatened in the state of Victoria that may not in fact be threatened in other states. I think it is important for us to ensure that we are not applying a national model, which means that whilst a particular animal or plant species may be threatened in northern

Queensland, we are not applying the same provisions here in Victoria where they could be abundant. Certainly it is important that that has been built into the bill that is before the house.

The government has rolled out a biodiversity plan, *Protecting Victoria's Environment: Biodiversity 2037*. They have indicated that that plan will be the first of what is known as the biodiversity strategy. The bill will require the preparation of a biodiversity strategy which establishes proposals for achieving the objectives of the act, targets to measure achievements of the objectives and a framework for monitoring and evaluating implementation.

The bill will make a range of changes with regard to critical habitat determinations. A critical habitat determination may contain habitat that either makes a significant contribution to the conservation in the state of a species or ecological community listed as threatened under the act or can support ecological processes or ecological integrity that makes a significant contribution to the conservation in the state of any species or ecological community listed as threatened under the act. As I said before, the bill will provide a greater role for the scientific advisory committee with respect to identifying and providing determinations for what will be critical habitats, so the bill will provide for changes in regard to that area.

In regard to the operation of interim conservation orders, these changes will see the existing two-year limit for a conservation order extended, which can provide for a longer term. That, operating under its new title of 'habitat conservation order', will bring Victoria in line with current practices in the states of New South Wales and Western Australia. In terms of the operations of an authority, the minister may suspend a licence, permit or other authority issued under any other act that permits the holder of the licence, permit or authority to act in contravention of a habitat conservation order.

Issues have arisen and concern has been raised with regard to the potential effect of this legislation on current flora and fauna on private land. This is always a critical issue with respect to our farming and agricultural communities. It is imperative that when any action is taken by the government with respect to those communities there is an opportunity for sensible decision-making. There is a need for engagement with those who farm, those who run grazing throughout the state and those involved in cropping. We need to ensure we apply a sensible approach. I do understand from the advice from the government, the department and the minister's office — and I thank them for their briefing — that the bill seeks to provide for greater

engagement with affected landholders by the department in an effort to seek to mitigate the impact on private landholders of potential decisions to limit, constrain or prevent potential use of privately owned land for the purposes of protecting potentially endangered flora and fauna.

It is important that we strike a balance and ensure that there are not decisions being made which will significantly impact unnecessarily on our agricultural sector, whilst at the same time ensuring that we as a state are applying a sensible approach with respect to the protection of endangered flora and fauna. I am advised that the government is indicating that there will be a greater level of engagement. It is noted that there has only been one example over the last 30 years of the department seeking to place restrictions on land for flora or fauna that is deemed to be endangered.

But there is nervousness among some in the farming community about where this potentially may go, so I think it is important that the government and those within the *Department of Environment, Land, Water and Planning* who are seeking to apply this legislation engage with organisations like the *Victorian Farmers Federation (VFF)* and similar bodies to ensure that the practices that are put in place are reasonable and provide a level of comfort to the concerns that have been raised. I have been advised by the VFF of some of the concerns that they have in regard to the potential of existing use as outlined in clause 39(9) of the bill and their concern around how the provisions of existing use will be applied. I am advised that to date those concerns have not been allayed by the department, and I implore the government to ensure that those concerns are dealt with and that it seeks to engage with affected or aggrieved organisations to ensure that there is a degree of clarity and certainty as to how this will be applied.

As we all know with legislation and the intent of legislation, apart from what is outlined in a second-reading speech or an explanatory memorandum, often it is left to the department to apply it. As I have indicated, there is some nervousness potentially in the sector, and I think it behoves the government to ensure that those concerns are appropriately dealt with. More importantly there is an opportunity for the government's lead speaker to provide some certainty to that community about the actions that are going to be taken with this piece of legislation, as it affects the operations of private operators within the state of Victoria, and allay their concerns in terms of the operation of the bill before the house.

I note there has been some commentary afforded to me by a range of stakeholders. Interestingly the Wilderness

Society has indicated that the government 'has missed the opportunity to fully modernise' the act and that:

The 'reforms' are, at best, an incomplete modernisation, with the only real change being to bring alignment to the listing process.

Environment Victoria noted on a blog that:

A bill before the Parliament to improve our toothless Flora and Fauna Guarantee Act has some improvements but falls short in key areas. But the real test of proposed changes is whether the minister actually uses the powerful tools at her disposal, and whether we actually see an improvement in the conditions of threatened species in Victoria.

The Victorian National Parks Association stated that it believes that the bill:

... is at best a modernisation of the existing legislation, other than changing listing processes for threatened species/communities (aligning with other jurisdictions) and few tweaks it doesn't make any substantive changes or improvements to existing laws from our perspective.

The government will obviously deal with those criticisms as it wishes, but it is clear that some believe that the government may not have gone far enough; others may have concerns with the way in which the government has potentially opened the door for concerns.

I do note, as I have stated before, that this bill has come about following a review of the act, and clearly there is always an opportunity for legislation that sits in this house to be reviewed. That in itself should be supported in terms of the need for a review of legislation, ensuring that it meets the current needs of the Victorian community.

I hope the bill before the house is responsive to the needs of those private landholders, but equally it is important that as a Parliament we ensure that we have a modern and robust suite of legislation that protects the wonders of the state — whether it is our coastlines, whether it is our forests or whether it is our waterways — and builds on the beauty of what we and many others, who not only live here but travel here, see as being very important for the state of Victoria.

But by the same token we are all mindful of the fact that the environment does not operate in a vacuum. It operates with communities, it operates with landholders, it operates with tourists and it operates with companies that sell their wares, so we need to ensure that we strike a balance. We need to ensure that whilst we build on the wonders of this state in terms of its natural assets, legislation needs equally to sit alongside and work in a way that can be in lockstep with the needs of the Victorian community. Many

people in Victoria want the opportunity to experience the wonders of the state, whether it is the coast or whether it is our forests, and putting a fence up and stopping people visiting the coast, stopping people entering our national parks and stopping people entering state parks is not a healthy outcome.

One of the big concerns that gets raised with me when I talk about our national parks and our state parks is the way in which we are dealing with pest species, the way in which we are dealing with the abundance of weeds and the way in which the government is managing those issues, particularly at the interface between private landholders and state parks and national parks. I know that for many of my country colleagues this is a significant issue for many of their landholders who are dealing with the problem of weed species that are encroaching onto their land because of a lack of action with respect to the state government and the management of Crown land.

Another issue which has had a lot of discussion of late is in regard to the management of pest animal species. We have seen a recent report from the government with regard to what it has quoted as being feral horses, whereas many people in Victoria would know that they are actually brumbies. But never mind, we understand the government does not want to use the term 'brumby'. And while the government has identified a plan to deal with upwards of 1200 brumbies across the state, there are hundreds of thousands of species, such as goats, pigs and deer, which are significantly impacting our environment and significantly impacting the livelihood of Victorians, whether it is landholders or whether they are simply a menace on our country roads. When recently visiting country Victoria I nearly struck a deer at 3 o'clock in the afternoon while driving through a state forest from one town to the next. I know that deer are causing significant damage to our environment and significant damage to private landholdings, and it is incumbent upon this government to identify a long-term solution to deal with this issue. I understand the government is dealing with the issue around what it has called feral horses, which most of us would know as brumbies.

When I talk to people in regional Victoria, to people who are bushwalking and to those people who are involved in many of our state and national parks, their big issues are about our what the government is going to do to deal with our feral pig population, our feral goat population and more importantly our feral deer population. This government needs to show some leadership. It needs to identify that this is a significant issue not only environmentally but from an economic and community perspective. They are looking for a

government that is willing to act in regard to this issue. I have not even touched on wild dogs, and I know others will mention the concerns around wild dog species throughout this state. There are so many pest animals which are impacting on our environment, and the government has been silent on those issues. With those comments, I am very pleased to speak on the bill before the house.

Mr CARBINES (Ivanhoe) (15:10) — I am pleased to contribute to debate on the Flora and Fauna Guarantee Amendment Bill 2018, a substantial piece of work from the Andrews Labor government. In setting the scene, I take myself back to the *Our Environment, Our Future* policy work that we, in opposition, took to the last election, a policy which was affirmed by Victorians at the ballot box. In setting the scene I will quote some statements from that document:

... our environment is going backwards. Energy efficiency targets were abolished —

under the Liberals —

renewable energy industries have collapsed, national parks and coastlines are under threat, and rivers have been left to deteriorate.

The case we made to Victorians was that the natural features in our environment support jobs, communities, tourism, wildlife and livability for all Victorians. If we briefly flick through the environment manifesto that we took to the last election, we talked not just about climate change but also about changes to the planning laws so that wind farms could be built 1 kilometre from properties without the veto rights for properties up to 2 kilometres away that those opposite put in place, which effectively killed the renewable wind energy industry in Victoria under the Baillieu-Napthine governments.

We talked about a carbon emissions reductions target; instigating the five-yearly *State of the Bays* reports; the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 that we debated and passed through this place; banning cattle grazing from the alpine and red gum national parks — again it was Labor that had to take up that work and ensure that that was done; adding to national parks by including the Anglesea Heath in the Otway National Park; establishing the Canadian state park. We talked about our concerns about leases done on the death knell — no surprise from the previous government — in relation to Point Nepean and the development works there. We scrapped ridiculous long-term leases in national parks, the commercialisation that those opposite sought to bring to the national parks estate. We also cut back on the fees

and charges that were increased for families to visit and camp in public places across our state. Not only that, we also introduced the Flora and Fauna Guarantee Act 1988 that we are talking about today on top of a lot of other work that we have done in relation to the biodiversity plan. These are very substantial works that the government have brought to this Parliament, and they demonstrate our commitment to the environment.

Further, Gay Alcorn in the *Guardian* of 13 November 2014 touched on a range of issues in relation to the previous government's record on the environment and made the point very clearly that four of Victoria's peak environment groups in Victoria had rated the Baillieu government as the worst in relation to standing up for, advocating and affirming the value of the environment here in Victoria. Those opposite stand condemned in relation to what they did not do. Then there was the active work particularly of the National Party wagging the tail of the Liberal environment minister at the time, which did nothing to advance the interests of the environment of Victoria. Cuts to Parks Victoria, cuts to rangers, increases in fees for Victorians visiting their national parks, long-term commercial leases, cattle back in national parks — that is the record of those opposite. They sought to keep people away from our national parks by making it too expensive for them to visit and also undermined the long-term use of those national parks.

The Flora and Fauna Guarantee Amendment Bill 2018 before the house today modernises and strengthens the existing act, as outlined by the minister, which has been in place for some 30 years. It was introduced by the Cain government in 1988. That landmark legislation set out to advance the interests of flora and fauna protection across Victoria. Of course it is a Labor government again that seeks to not only review and strengthen that act but, through this bill, to quote the minister:

... help prevent flora and fauna from becoming threatened and restore the conservation status of threatened species; provide longer term protection for critical habitats; improve enforcement powers and penalties for all offences.

There were some 210 submissions throughout 2017. Of course the bill is not a standalone piece of work; it relates very closely to and aligns with other biodiversity initiatives being delivered by our government. That includes the nation-leading 20-year biodiversity plan and a review of the native vegetation clearing regulations, which is a significant further piece of work that the government has done to hang all of this together in terms of the way in which these reforms represent a new direction for land management and the protection of biodiversity in Victoria and our very significant and committed efforts to reduce species decline.

Of course this also has to be backed up by resources. The opposition's lead speaker, the member for Ferntree Gully, talked about pests and wild dogs and what have you. What he needs to understand is you cannot address those issues, you cannot deal with those concerns if you are also sacking public servants, reducing the number of park rangers and cutting into the Parks Victoria budget and if you are not prepared to review the Environment Protection Authority Victoria (EPA) regulations, their work and their bill, as we have done. We re-established that regulatory body, gave them greater strength and teeth and better resourced their capacity. It was the same for Parks Victoria and the work that we have done in the community to review their capacity, their work and their regulation so that they can meet the expectations of the Victorian community. It is one thing for both the EPA and Parks Victoria to be able to do their job; it is another thing for us as a government and a Parliament to provide them with the regulatory and financial capacity and support so they can do their jobs. Again these organisations have been undermined time and again by those opposite.

I want to quickly touch on a couple of key points in relation to the bill, and this brings us back again to 1988, touching on the historical context and in particular the Baker & McKenzie review work that was done in relation to the Flora and Fauna Guarantee Act. It says:

To achieve its objectives —

right back then, some 25-plus years ago —

the act creates lists of flora and fauna which are 'declared protected' or 'threatened' and thus in need of protection under the act and it also lists 'processes' which if not managed could pose a significant threat to the survival or evolution of flora or fauna. Once listed these species or processes are expected to become subject to action statements setting out the action which the Department of Environment will take to protect a listed species, or interim conservation orders (ICOs) issued by the Minister of Environment which effectively act as an injunction with respect to action that may impact a critical listed habitat ...

The FFG act has been the subject of a number of consequential amendments over its 25 years of operation, including with respect to the forum in which reviews of decisions made under the act could be heard. However, it has not seen significant changes to its operation over this time.

Of course what this bill seeks to do — those three key points that I outlined earlier — is to ensure the potential for this act to intersect with other Victorian legislation, which is quite critical, covering matters related to climate change, land conservation, forest conservation, environment, planning, catchment planning and native vegetation clearing regulations. We are doing all of that work. We are pulling it all together here in the Flora

and Fauna Guarantee Bill, particularly in relation to many of the amendments that have been outlined by the minister. I particularly want to touch on the greater role for the scientific advisory committee in critical habitat determinations and the scientific advisory committee being able to make recommendations to the secretary about critical habitat areas. There is also some pretty basic stuff about moving from newspaper to online publication in relation to some of the findings of the scientific advisory committee.

We have also changed much of the language so that the bill replaces 'have regard to' with 'give proper consideration to', which is reflected in other similar modern duties, such as those in the Charter of Human Rights and Responsibilities Act 2006. These are critical changes to give real effect to the regulations and to provide the capacity to hold particularly statutory authorities and other arms of government accountable for the way in which they meet their obligations across the range of different portfolio and policy areas that I touched on.

There are so many statutory authorities and other government departments that are involved in all of those different areas that I touched on, so it is critical that we have similar modern duties, as I have outlined, to give effect to this legislation and to make sure that those statutory authorities and departments are accountable for the way in which they apply the guarantees in the Flora and Fauna Guarantee Act 1988.

Coming to the last couple of points in particular, some of the key new objectives, as I have said, are to identify and conserve areas of the state in respect of which critical habitat determinations are made and to identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline.

We have tried to pull this all together across the range of work that we have done — through biodiversity; the flora and fauna guarantee; the work we have done on native vegetation clearing regulations; the reviews of the Environment Protection Authority and the strengthening of that act; Parks Victoria, and again reviewing and strengthening that act; and providing better funding for these organisations — to provide a much greater capacity for governments in the future and for all Victorians to have confidence and faith in affirming what we need to do to support our environment.

Mr T. BULL (Gippsland East) (15:20) — It is a pleasure to rise and make a contribution on the Flora and Fauna Guarantee Amendment Bill 2018. I note the

comments from the member for Ivanhoe in relation to some changes that were made to the public service. That has been mentioned in this chamber by a number of members on the opposite side. What has been interesting is that none of them have delved into the statistics that show that while during the lead-up to the 2014 election Victoria's population grew by 2.2 per cent per annum — 2.2 per cent! — our public service grew by over 5 per cent. Do the maths on that; I am not sure how that works out.

On the Flora and Fauna Guarantee Amendment Bill, of note is that we have adopted a not-oppose position on this bill. I think it is important to see obviously how these proposals will play out on the ground to ensure that it does not impact on either bush-related industries or bush-related pastimes and hobbies.

I note that one of the main provisions of the bill is to impose additional obligations to consider biodiversity in decision-making. While on face value this sounds fine — yes, it does; we should always consider biodiversity in our decision-making — it is commitments and changes like this that do make you wonder about the reasons for imposing these additional obligations. What I would also like to see is a set of words that say that in doing this there can be no further restrictions on existing and sustainable industries and no impact on bush user groups. As I said, we have a not-oppose position, but we would like to see and obviously monitor how some of these objectives play out on the ground. I will give an example of this.

In this bill we talk about the creation of habitat protection orders, which will replace interim conservation orders. The bill states that the minister may make these orders to conserve, protect or manage any critical habitat. That is fine. There is always a need from time to time to protect our critical habitats that may contain rare or endangered flora and fauna. It is very important that we do that; however, we also need to make sure that when we do this there is no overriding detriment to our existing and sustainable industries. I will give the Victorian timber industry as an example.

In the past when we have had an area that has had to be reserved for a particular valid reason and absolutely that area has needed protection, if it is in a timber-logging area, we have had that area put into a protected zone, as it should be. It should be protected — there is no problem with that at all; if an area needs protecting, it needs protecting. But what we do not do and where we have a problem is we do not return a commensurate area to the timber industry, so we see a continual loss of resource with no replacement. We continually have a net loss of resource available to the industry.

An Auditor-General report of a couple of years ago found that the industry has access to only 6 per cent of our native timber resources. The other 94 per cent is either inaccessible to the industry or in reserve. The problem that we have had is that since that Auditor-General's report came out identifying the 6 per cent, we have had a further dwindling of that area by areas that were earmarked for the timber industry being put into reserve.

When we have any legislation that makes provision to protect more areas, hand in hand with that we need to have a no-net-loss stance for our timber industry or our other industries. Our apiary industry uses the bush as do those who engage in recreational pursuits. This would be so that their resource is not continually removed and that the areas where they can engage in their areas of interest are not removed.

I turn back to the timber industry. When the area of land available for timber harvesting is reduced, all that happens is we reduce our timber industry and we reduce the take, and that drives up imports from countries that do not have the oversight that we have. It is true that we need more plantation timber — absolutely we do within this state — but we also need to understand, and various studies have shown this, that plantations cannot grow the appearance-grade timber that our market demands. We need a sustainable industry to provide this and not impact on the forests of other less regulated countries. Yes, let us pursue our plantation timber, but let us also recognise that appearance-grade timber comes from our sustainable native timber industry. That is why we need it to exist into the future. In fact some will argue quite clearly that it is environmentally responsible on the international scale to have a sustainable native timber industry in Victoria for that reason.

The bill states that protection orders can provide for such things as the conservation, protection or management of flora, fauna, land or water; the prohibition of any activity, land use or development within the critical habitat or proposed critical habitat; the requirement to obtain a permit prior to any activity, land use or development within the critical habitat; and a power to enable the secretary to undertake any actions or works to conserve, protect or manage the critical habitat or the proposed critical habitat. Again I stress that where applicable all of these reasons are valid, but let us not use these as tools to reduce timber harvest areas or create other negative impacts on industry. Quite often government regulation is used as a tool to focus on particular areas that are earmarked for harvesting.

Another part of this bill is the introduction of the common assessment method that has been introduced to align the cataloguing of threatened species with national and international best practice. The government will create a single operational list of nationally threatened species. This is a very sensible approach. We should have a national approach to our threatened species that require and deserve protection. I have noted that concerns have been raised by some stakeholders during the public consultation process, and they have raised the issue as to whether the Department of Environment, Land, Water and Planning and its scientific advisory committee have the resources or capacity to deal with a larger set of threatened species. If we are to have a larger set of threatened species as a result of this, then we need to acknowledge that they should be managed on a landscape basis, and protections should be put in place on that basis and not used as a tool to impact on industry.

Before I conclude I also want to acknowledge some of the concerns that have been raised by the Victorian Farmers Federation (VFF), and cite that this is one of the reasons why we will keep a close eye on this bill and the use of the ministerial discretion and where it can be applied. The VFF have raised concerns about how the legislation applies to private land, stating that it believes Crown land should be the principal player in biodiversity and that private landholders should not bear the cost of providing an overall community benefit. It also raised concerns over existing use rights and the potential impacts that may have on mixed farming. That is something we will obviously be seeking some clarity on.

I do note that much of the decision-making, as I mentioned previously, comes back to ministerial discretion. Our lead speaker on this bill, the member for Ferntree Gully, the shadow minister, recognised the fact that this intervention has been used very sparingly in the past. I certainly will put on the record that I hope a common-sense approach is applied with this in the future.

Many of the matters that come up in relation to legislation such as this do need to be determined on a case-by-case basis because the scenarios that are presented often vary enormously from case to case. However, the right to farm must always be a strong consideration, as should the historic use of land. We must always take these factors into account when we are considering any changes. If this common-sense approach is applied there should be little reason for concern, but this is the point that does cause concern to some and this is reflected by the Victorian Farmers Federation. We do not oppose the bill, but we want to

see a common-sense approach taken. We do not want to see this used as a tool to impact upon existing important industries in this state.

Ms HALFPENNY (Thomastown) (15:30) — I am really pleased to be standing here speaking on this Flora and Fauna Guarantee Amendment Bill 2018. Sometimes I really cannot see what planet the opposition speakers are on. We cannot continue business as usual. I think all the scientific research and evidence is there that says we need to protect our environment for the health of our country, for the protection of the planet and for future generations. Ensuring a strong and healthy environment is absolutely vital if we are going to continue to have sustainable industries in regional and rural Victoria.

These amendments to the legislation that was originally passed around 30 years ago basically respond to our changing environment, our changing way of life and the changing world we live in. Things cannot stay the same. We cannot have business as usual, and these legislative amendments ensure that we continue to protect the environment.

There is a lot of talk about making sure that we protect the farming community and other industries. I think the Labor government has a strong record on protecting and supporting regional and rural Victorians when it comes to adjustments and maintaining sustainable industries. In this case I guess we sometimes get in trouble with the Greens political party for doing that because we see that there has to be compromise, a way to ensure that we protect both our environment as well as support the human beings that live within it.

I think in this Parliament we see that we have both extremes. The opposition Liberal and National parties would basically carve up the environment — it does not matter what happens to the environment — and it would be full steam ahead on industrial development, but that means it has a short life because it cannot be sustained. On the other hand we have the idea that we do have to take into account the human beings that live in our society, that live in the environment, and we cannot only look at the environment in isolation.

Now I will get onto what this bill is all about and the amendments it is making to the existing Flora and Fauna Guarantee Act 1988. The 1988 act has been in place for nearly three decades and it needs to be updated because we are living in a changing world. Nothing stays the same. We need to ensure that the flora and fauna, the environment of Victoria, is protected in a strong way. This bill will provide more relevant and modernised legislation to ensure that we

effectively protect and manage Victorian biodiversity, and it strengthens the current provisions of the act.

Over the past 10 years we have seen an incredible population boom, especially in the outer fringes of Melbourne. The urbanisation of these areas means that some endangered species are becoming even more vulnerable. We need to ensure that the way we live and the increasingly built-up environment impacts on the flora and fauna of Victoria in as small a way as possible, and that we are not creating a situation where we have more and more not just threatened but endangered species, and the extinction of flora and fauna.

In the northern suburbs where the electorate of Thomastown is, there has been a lot of emphasis on looking into the plight of the growling grass frog. There has been a lot of work done to protect this amphibian creature. When the residents and locals talk about growling grass frogs often there is a bit of a roll of the eyes. People say, ‘Yes, the growling grass frog, we’ve got to protect the habitat’ and ‘Oh, here we go again’, but in actual fact it has been an incredibly good education process. Everybody knows about the frog, and, I believe in most cases, they also understand the need to ensure the protection of creatures such as this. This is a good news story in fact. Because of all the work that was done under the original Flora and Fauna Guarantee Act, the growling grass frog, which was originally listed as an endangered frog species in Australia, is now listed as a threatened species. That of course is a slightly better situation, because a threatened species is one that is defined as one where there is a threat of becoming endangered.

The number of frogs in the northern suburbs has actually increased in some areas, and this is because over many decades there has been a lot of work to ensure that we protect our flora and fauna. We still do the things that we need to do there — we are still building lots of houses and roads and everything else — but we are doing it in a way that is mindful of the native flora and fauna of the area, and we are acting in such a way as to preserve it and allow it to continue to thrive in the area which it is native to.

In addition to the urbanisation of Melbourne on the outer fringes, there has also been of course the effect of climate change, which was not really envisaged or taken into consideration in the original legislation in 1988. Of course climate change does impact on our state’s biodiversity, and our flora and fauna do suffer from the effects of climate change. We know that throughout the world the research shows that we are losing our biodiversity, and one of the reasons for that is climate change.

The existing act was previously a good framework for the management of our biodiversity, but it has been in need of a thorough review as it has become outdated and is not as effective in protecting our state's unique animal and plant species. The Andrews Labor government made an election commitment in 2014, promising to review the key aspects of biodiversity policies and controls, including amendments to the act we are looking at and debating today. This thorough and comprehensive review was completed, and a total of 210 submissions were made to the review.

The bill seeks to streamline our biodiversity protection management processes, taking into account the submissions that were received through the review process. It makes sure that our state follows a solid updated framework which considers current environmental factors, with the aim of improving ecological outcomes now and into the future. The bill provides a new emphasis on the prevention and restoration of our ecological system in a way which makes it easier to measure and control. This is a key problem in the current act. The act will be amended to reflect current conservation challenges and approaches. It focuses on prioritising prevention and takes into account the huge improvements in what we know and have learned about Victoria's biodiversity over the past 30 years.

The bill also provides for the adoption of what is called the common assessment method, enabling consistency and clarity by aligning the species conservation status assessment process with national and international standards. We can then compare like with like, using a system of similarity that can compare where we fall within both national and international standards — how we compare with what is going on elsewhere. The bill also categorises each listed species to tell us more about the level of vulnerability of a species at both a Victorian and national scale. It also allows more effective and longer term protection of critical habitats. This will be possible through a new habitat conservation order power, which will provide a vital safety net where necessary, giving powers to the minister to prohibit damage to a critically endangered habitat.

There is also a stronger compliance framework to ensure that if individuals or organisations and companies breach their requirement to preserve and protect flora and fauna, there are proper penalties where there has not been compliance or where there has been blatant disregard for the protection of species. The current penalties were not considered adequate, and there will now be greater penalties for those that do the wrong thing.

There are a number of other aspects to the bill, which I do not really have time to talk about, and I think other speakers will go to some of the further detail that I have not been able to. It really is important that we have legislation like this. It gives the minister more powers to come up against things that may have been —

The DEPUTY SPEAKER — Time!

Ms SANDELL (Melbourne) (15:40) — The Flora and Fauna Guarantee Act 1988 (FFG act) is Victoria's primary piece of legislation to protect the plants and animals that make our natural environment so special. As we know, it came into force in 1988, and it was supposed to protect our plants and animals and their habitats. It was supposed to protect ecological communities, which are the places that plants and animals need to survive, and it was supposed to manage threats to those plants and animals, things like invasive species, land clearing et cetera.

If it had been done well, this law could have been really good. It could have actually provided a way for governments to identify threatened species or threatening processes and to put in place measures to ensure that they were protected and that they recovered. But unfortunately the reality has been very different to this. In reality these laws have been in place for 25 years and have been largely unused and ineffective. I am sad to say that today biodiversity in Victoria continues to go backwards. Between one-quarter and one-third of all of Victoria's plant, animal and other species are considered threatened with extinction. That is huge. Sixty-nine plant and animal species have been lost since European settlement. Future generations will live in a Victoria without the brush-tailed bettong, the pig-footed bandicoot or the eastern hare-wallaby. They will live in a state where we have lost most of our native old-growth forests. That is not the kind of future that I would like my children to grow up in. Our future generations — indeed our current generations — are faced with an environment in decline and ecosystems absolutely pushed to the edge.

The Andrews Labor government came to power with a commitment to review this act because they knew that it was not working. Why else would you review it? But four years later — they have had four years to do something — the bill before the house today does very little to improve the situation. This really is a once-in-a-generation opportunity to fix species conservation in Victoria and to create laws that will actually provide meaningful protection for our precious wildlife. Unfortunately yet again what we have is a disappointment and a missed opportunity, because once this bill is passed I doubt that either side — Labor or

the Liberals — are going to have the guts to actually improve it further.

Under the old FFG act, the environment minister or the head of the environment department had the power to do things that would help a plant or animal species in trouble. They could do things like protect the particular habitat a threatened plant or animal needs to survive. But in reality the minister, the secretary and the heads of departments never actually did these things, because these protections in the old act were simply an option, not a requirement, and therefore they never happened. Even when some of our plants or animals were in real danger of extinction, governments failed to do anything.

This poor reflection on the priorities of successive environment ministers demonstrates the sad reality that successive governments have consistently put biodiversity conservation and our environment at the bottom of the priority pile, and unfortunately this Andrews Labor government is no different. This is a sad situation that will not change with this bill. What we actually need is a requirement on governments, on ministers and on departments to take action to stop things getting worse. Only then will Victoria actually have a chance of fixing our extinction crisis.

The bill before us being debated today does not actually require action. There is no requirement on anyone to do anything. Therefore as we have seen, as has happened historically, nothing will change, nothing will be done. Our precious natural environment, our plants and animals will continue to decline. They will continue to be harmed by introduced plants and animals, by unchecked development and by inaction on climate change. That is why the Greens will be moving amendments in the upper house to require that governments, ministers and departments must take action to protect plants and animals when they are threatened. We will require that action must be taken to help our precious species to recover when in trouble and to protect the places where they live — not may, not should, but must. Currently the laws say that the minister may take action, but in reality history shows us they will not do so unless they are required by the legislation to do so. The language in this bill must be changed to compel and require action.

There are some elements of this bill — driven of course by the strong advocacy of Victoria's environmental organisations — that are a small positive step in the right direction. For example, the Greens do support the changes to harmonise the way we categorise threatened species according to international criteria. This will mean threatened species in Victoria will be listed

somewhere on the spectrum from vulnerable to extinct, bringing Victoria into line with other jurisdictions. But in fact all this really means, when we look at it, is that now we will know how poorly we are tracking — whether animals are vulnerable, extinct or somewhere in between. We will know where we are at, but we will not actually have a requirement on the government to do anything about it. So there is a huge missing piece there.

In Victoria, as we know, many public authorities like VicForests, like VicRoads, have a direct impact on our plants and animals. I am pleased that this bill makes it clear that all government bodies must consider the act in the way they do their work. This change clarifies the confusion that exists in the current act, but again frankly this is inadequate because these bodies do not actually have to do anything apart from consider the biodiversity impacts of their actions. The shocking destruction of thousands of trees by VicRoads for the Western Highway duplication is a case in point that environmental degradation will still occur through the actions of public authorities when they are not required to put protection of our environment as a high priority.

It is good to see in the bill that there are increased penalties for offences — for example, the illegal taking of plants and animals. People who do the wrong thing and wreck our environment should not get away with just a token fine, but once again this change is simply window-dressing of an act that will not work. We have seen time and time again that governments will not provide the resources to actually police this environmental destruction. So until this policing happens, offences and penalties will pretty much be nothing but words on a page that are very unlikely to actually be implemented. The Greens want to see a flora and fauna guarantee act operating to the maximum of its potential and actually doing what it says it wants to do, which is to guarantee our flora and fauna for the future.

I want to respond to a few of the comments of the member for Thomastown, who said that Labor wants a balance between protecting the environment and continuing human activity. Maybe her side of politics needs a bit of a lesson in ecology — humans cannot exist without the natural environment that we operate in. The economy is a wholly owned subsidiary of the environment, not the other way around, and her comments illustrate precisely the problem that we have with this government — that they see the environment as something over there. Plants, animals, habitats and biodiversity are something over there, something that it is optional for us to protect. We can choose to protect it or not, it does not really make a difference, instead of understanding that if we continue to ignore the escalating biodiversity and extinction crisis, then

human activity will actually suffer greatly. We are part of the environment. We are not separate from the environment, and I really wish that one day we have a government that truly understands that and has that as part of its DNA. That is why I joined the Greens.

The name of this act will be the flora and fauna guarantee act, and a bill with that title suggests the guaranteeing of our flora and fauna for the future. It suggests that this bill could guarantee our flora and fauna for the future. That should be exciting. That should be something that we embrace, something that is really worth celebrating, but I think the government should change the name of this bill because unfortunately it will not guarantee our flora and fauna any more than the existing act has done — the act has done a terrible job and has failed over the last generation to do anything about stemming the extinction crisis. This bill will change very little. It was supposed to be a once-in-a-generation opportunity to fix our laws. We know that they are broken, and that is why the review was done. These laws were supposed to protect our precious plants and animals, but once again — and this is sad to say but I have to stand up here and say it time and time again, like I did with the Marine and Coastal Bill 2017 and on this one as well — Labor has squandered the opportunity. It is an incredible disappointment. They have ticked a box to say, ‘Yes, we reviewed the act. We got it in just before the election — we met our election promise’, but actually it is just completely hollow.

Mr EREN (Minister for Tourism and Major Events) (15:50) — I too wish to make a contribution on this very important bill, and at the outset I would like to congratulate the minister on having a sensible, balanced bill before the house that goes to show that we can coexist as human beings with flora and fauna. That is why I am proud to be a part of this government, to ensure that we get the balance right, and of course as the Minister for Tourism and Major Events I have got a few things to say at the end of this contribution about the importance of flora and fauna to our state and our tourism sector.

The purpose of this bill is to give Victoria an overarching framework for biodiversity protection and management. The bill will also provide for strong and effective protection for Victoria’s native species and important habitats. The current Flora and Fauna Guarantee Act 1988 does not reflect contemporary regulatory approaches, and that is why we are here today discussing this bill and why we have a bill before Parliament. It also does not allow for advances in the understanding of biodiversity management for the impacts of climate change. We know that climate

change is real. We understand that and of course again on this side of the house we are proud of the approaches that we have taken as a government, sensible approaches to ensure that we have a minimal impact in terms of climate change.

The bill will deliver stronger protections for threatened species and will deliver on our election commitment to review key biodiversity policies and controls, including the Flora and Fauna Guarantee Act 1988. Of course the Andrews Labor government’s environment election policy, *Our Environment, Our Future*, committed to review key biodiversity policies and controls including the Flora and Fauna Guarantee Act 1988, the Native Vegetation Permitted Clearing Regulations and to renew Victoria’s biodiversity strategy. Together these initiatives set a new direction for the protection and management of Victoria’s biodiversity, and as I have indicated it is important to make sure that we get that balance right.

The bill will set a clear direction for Victoria’s biodiversity. It will strengthen government leadership and accountability while also introducing a modern and effective regulation, compliance and enforcement framework. It will also enhance accountability and transparency in the administration of the act. The key objectives of the bill are to prevent indigenous taxa and communities of flora and fauna from becoming threatened and to recover threatened taxa and communities so their conservation status improves; identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline; and identify and conserve areas of the state in respect of which critical habitat determinations are made.

The proposed amendments also introduce a set of principles to guide the administration of the act and direct decision-makers to consider certain matters in exercising functions under the act. They require that decision-makers give proper consideration to the rights and interests of traditional owners; the potential impacts of climate change; public participation; supporting collaboration between government, the community and partner agencies; the precautionary principle; and the best available information in the management of Victoria’s biodiversity. Since forming government we have delivered a comprehensive strategy for our precious biodiversity. This has been supported with significant funding and facilitated broad support for our environment. Our work has been in stark contrast of course to those opposite, who in the four years prior did not even present a plan for our environment.

I would like to go through some of the initiatives and moneys that have been allocated, if I may. In the 2017–18 budget we provided \$86.3 million and \$20 million ongoing to support a portfolio of environmental protection and improvements across Victoria. This is the most significant investment for biodiversity that the state has ever seen. We are proud of making those investments. Building on this, the 2018–19 budget provided a further \$3 million for our faunal emblems, the Leadbeater’s possum and the helmeted honeyeater.

We have had many achievements since coming to office. In 2018 these have included delivering the Parks Victoria Act 2018 to provide a stronger park management agency and introducing legislation to reform and modernise the Marine and Coastal Act 2017, bringing together management and protection into one system. We delivered the *Living with Wildlife Action Plan*, presenting decisive action to protect, manage and guide our interactions with wildlife.

In 2017 we permanently protected the Anglesea Heath by adding this important natural asset to the Great Otway National Park; dedicated funding to our much-loved coasts; provided some \$10 million to support community organisations such as the Port Phillip Bay Fund to deliver projects including water quality improvement works, foreshore and amenity upgrades and to improve wetlands; \$2 million to revive Coastcare Victoria, supporting volunteers to become involved in coastal activities; \$43.8 million in marine and coastal projects, a three-fold increase in what the opposition provided when they were last in government; and delivered the Climate Change Act 2017, a world-leading legislative foundation to manage climate change risks, maximise the opportunities that arise from decisive action and drive our transition to a climate-resilient community and economy with net zero emissions by 2050.

In 2016 we delivered the *State of the Bays* report, the first scientific account of the health of the Port Phillip and Western Port bays; banned fracking in Victoria, securing of course agricultural productivity and a strong, healthy environment into the future; provided \$29 million for biodiversity projects that include threatened species recovery programs and projects run by community organisations to restore and protect local habitats — gosh, there is a lot of money we invested in the environment — provided \$18 million to increase the number and coverage of Landcare facilitators to implement the recommendations of the independent review into the Victorian Landcare program; \$4 million for weed control in priority areas; \$3.1 million to support the Trust for Nature; and \$400 000 to preserve habitat for the helmeted honeyeater.

Of course this bill will continue this good work. As we know, a healthy natural environment in a balanced way provides vital life-sustaining services and underpins many of the productive activities that generate value to Victorians. This government, as I have indicated, understands the important health benefits and much-needed recreation opportunities and tourism value of Victoria’s extraordinary national parks.

In the short time I have available, as the Minister for Tourism and Major Events I also recognise the brilliant tourism opportunities these parks and reserves present. One of the biggest attractions that we have is our nature-based tourism. I am pleased to say that there are over 100 million visits to Parks Victoria parks annually. That includes 500 licensed tour operators, 1.7 million camping visits and 102 250 paid bookings. Tourism across Parks Victoria precincts are worth approximately \$2.1 billion to our economy. This includes \$116 million in the Upper Yarra region, \$114 million in the Great Ocean Road region, \$113 million in the western Grampians, \$67 million in the Mornington region and \$88 million in the Gippsland region.

There are over 20 000 jobs directly attributable to visitation across Parks Victoria land and assets in Victoria, including 1600 in the Great Ocean Road region, 1285 in the western Grampians region, 1500 in the Upper Yarra region and 1200 in Gippsland. There are 39 million visits to our jetties and piers and more than 217 000 park visitors educated annually. Victoria’s parks allow the community to enjoy diverse opportunities for recreation. Around 23 million visits to parks each year are primarily for physical activity, which we all know can provide a wide range of health benefits.

Of course, as I have indicated, only Labor will deliver meaningful environmental wins for the people of Victoria. This bill is one example of that, and that is why I support this bill in the house. I wish this bill a speedy passage.

Mr NORTHE (Morwell) (16:00) — I rise this afternoon to speak on the Flora and Fauna Guarantee Amendment Bill 2018. In summary, the bill amends the act to ensure that it is stronger and can more effectively protect Victoria’s biodiversity, which the government says is in a range of different things and in the face of different things, including emerging and existing threats such as climate change. The protection of plants and animals, our biodiversity, is critically important to this state for obvious reasons, as many speakers have referred to in their contributions.

From a Morwell electorate or Gippsland perspective we are blessed to have many, many different areas within our region which are great attractions, as the Minister for Tourism and Major Events just outlined in a broader sense. The member for Gippsland South is here. Wilsons Promontory is a great attraction and a beautiful part of the world. Tarra-Bulga National Park and Morwell National Park within my own electorate are wonderful destinations. The flora and fauna, the animals, and the scenery in those areas are just fantastic. It is absolutely imperative that we do provide protections for the continuation of that for future generations to see. Not only are there are number of threats maybe of a human nature but also bushfires and so forth that can add to that burden that many of those great destinations experience from time to time.

But on the bill itself, it does do a number of things, and one of the things I did wish to refer to was the role of the scientific advisory committee in making the critical habitat determinations. The committee can make a recommendation to the secretary to make a critical habitat determination. The secretary must then consult with the scientific advisory committee and give reasons to that committee for a decision to propose or not propose the making of a critical habitat determination following that recommendation. Subsequent to that a management plan is put in place, and I guess one of the concerns that I wish to raise — and this was probably relayed by the member for Gippsland East — is how this will interact with private landowners who basically manage two-thirds of our state. Concerns have been articulated by the Victorian Farmers Federation (VFF) in relation to this.

The main point I wish to make in my contribution is the fact that we need to have really good balance between the protection of our plant species and having biodiversity and not having an impact on industries and people within our regional communities. The member for Melbourne in her contribution seemed to chastise the member for Thomastown when she mentioned the word ‘balance’, but I think it absolutely has to be a balance. I think the member for Melbourne needs to get out into regional communities more to actually understand what the real impacts are if you over-legislate and over-regulate.

For example, within the Morwell electorate in the Gippsland region the last thing I want to do is see more people losing their jobs and us having to import resources from interstate or internationally. Last year in my electorate 160 direct jobs were lost from Carter Holt Harvey timber mill within our community along with many, many more indirect jobs. Hancock Victorian Plantations, which is obviously out in the areas planting

trees and helping with harvesting activities, again have been impacted by job losses.

You can have both, but the point the member for Gippsland East made, which I think is a good one, was the fact that if we push these industries out, we still require resources. So is it a good thing to import products from international jurisdictions that do not have the same forestry standards that we have here in Victoria and Australia? From the Greens’ point of view, from a planet perspective we are actually worse off because we are not factoring in travel miles and we are not factoring in forestry standards and regulations that apply in international jurisdictions. From a local perspective it is lose, lose, lose, and from a planet perspective it is lose as well. Unfortunately that is what they fail to see when they talk about that.

The member for Gippsland East also talked about recreational pursuits in some of our great destinations. The Minister for Tourism and Major Events again articulated in his contribution the importance of visitation in many of our regional communities, where we do have great destinations, whether it be Wilson’s Prom, Morwell National Park, Tarra-Bulga National Park or Phillip Island. They are critically important, and we should never forget that.

Again, without sounding repetitive, I hope this legislation does not impact on industries and businesses. One of the forgotten industries for Victoria which is very prominent within my electorate is the resource sector or the quarry sector. At the moment we have the likes of Maryvale Sand & Trading Supplies, Latrobe Valley Sands, Latrobe Valley Blue Metal and Matthews Quarries — four major businesses within the Latrobe Valley that have been attempting to progress some development. All of them want to grow and expand, but they are having much difficulty with bureaucracy, green and red tape, and departments and agencies breaching their own statutory time frames. These businesses cannot even get to first base. What I do not want to see this legislation do is put an additional burden on those businesses. Not only will it not be good for my local community and those businesses that could grow and expand and create jobs, but also from a government perspective, in providing material to this state the government bangs on about major projects and infrastructure projects, and that is great, but you have got to source material from somewhere.

If we are prohibiting businesses from growing and expanding and providing important material to these projects, then we are defeating the purpose. What we will end up doing is importing material from interstate or elsewhere, which is adding costs, not helping the

environment and not helping anybody in this situation. So the government has to be very careful. I hope ministers are talking to each other when it comes to implementing this legislation. I hope they are not putting additional burden on industries and businesses that are important to not only local communities but also to this state.

Again I refer back to the member for Melbourne's comment about roads, about VicRoads being so bad and about flora and fauna. She needs to get out into the regions. I can give you a prime example of the Princes Highway duplication from Traralgon to Sale —

Mr D. O'Brien — Why are you talking about my electorate?

Mr NORTHE — No, Flynn is in mine, member for Gippsland South, there is a Flynn farmer in the Morwell electorate. With the Traralgon to Sale highway duplication, for heaven's sake, there is a road reserve there, and they could not build the road in the road reserve of course, because they were not able to do that. So what is the outcome? The outcome is the poor farmer has to give up his land for a road to be built on it because of the rules and regulations that are in place.

You can sense why the VFF have concerns about this legislation and about any prospect of additional regulation on farmers and landowners, and I completely understand that. The fact is that you have got roadworks in some regional areas, such as this example that I have raised, where there has to be not only a shifting of major services such as powerlines and sewerage but also the acquisition of farmers land. We might have to cop that in terms of biodiversity and all of that, but again, if this legislation is making the situation worse for farmers, then that is not right. I might mention that in the situation at that Flynn farm, when they moved the sewerage services, they had a massive spill on this farmer's land, so there are complications with that as well.

In closing, whilst I have some concerns with the bill, I just hope it does not add additional burden to quarries, to farmers and to industries and businesses in regional Victoria.

Ms GREEN (Yan Yean) (16:10) — I take great pleasure in joining the debate on the Flora and Fauna Guarantee Amendment Bill 2018. This bill amends the Flora and Fauna Guarantee Act 1988 within its existing scope to give Victoria a modern and overarching framework for biodiversity protection and management in Victoria, providing strong and effective protection for Victoria's native species and important habitats.

As the Parliamentary Secretary for Regional Victoria and Tourism and Major Events, I see firsthand how important our natural environment and our biodiversity is to not only the environmental future of this state but also its economic future. It is what defines us as special internationally, and we need legislation that protects that into the future. We have the opportunity with Budj Bim poised to be added onto the UNESCO World Heritage listing to have a huge uplift in the visitor economy, particularly from overseas visitors who want to see our unique natural environment.

The member for Morwell before me made some comments about green tape being an impediment to economic development and about these things impeding farmers. Like nature is an ecosystem, I believe that an economy and a community needs to be an ecosystem.

With my electorate having some of the largest population growth in the state, it is an enormous task to try and manage the biodiversity and to retain those values. I think that we have a really special area in the northern suburbs of Melbourne. I think it is no surprise that people want to come and live here because of the majestic river red gums that are throughout the Plenty Valley — the Plenty Gorge is in the southern part of my electorate. The Minister for Energy, Environment and Climate Change to the south of me, the member for Bundoora and the member for Eltham — we are so fortunate to represent an area that has not only some of the highest biodiversity in Australia but also in the southern hemisphere. The diversity of plant and animal species is remarkable.

It is really incumbent on us as a government and as a Parliament to retain that biodiversity alongside our rapid population growth, because to do otherwise would mean that people would no longer want to live there. The reason so many have come to live there is because of the natural beauty.

During the community consultation that the Level Crossing Removal Authority ran in the Mernda, Doreen and South Morang communities, they asked specifically what the communities felt were the values of the area. They said they wanted good public transport links, but they also wanted to be able to retain the majestic river red gums and the smaller shrubs and animal species, whether it was reptiles or kangaroos. That was what they wanted, and that is reflected in the design. I would have to think about it, but I think the Hawkstowe and Mernda stations are probably the only train stations in the metropolitan network that go directly into a state park. The canopies on these stations are evocative of an old Australian homestead, and we

want them to sit in that environment. Unlike those opposite, who have a mantra of ‘We do not like sky rail’, it actually has been welcomed in my community. Only 14 per cent of the Mernda rail extension is above ground, but people have said that they want that because they want kangaroos and other macropods to have free passage and not be endangered and threatened by the rail services.

I think one of the things that the member for Morwell said was that we are interfering with farmers and the Victorian Farmers Federation (VFF) do not like this. I am actually not sure whether the VFF have said they do not like this, but I think that there are farmers and there are farmers. Both my parents grew up on farms, and many of my uncles, aunts and cousins are still farming. But as I said, we all have to live with each other and with respect for our environment. I am really glad to see that this bill before the house increases penalties for those who wantonly and deliberately endanger our endangered species. I think there would be very few people who were not absolutely shocked by the wanton destruction of wedge-tailed eagles that were discovered in recent weeks in Gippsland East — hundreds and hundreds of them — and we may never know how many of these magnificent birds have been destroyed. I was listening to the ABC in the days following that horrific discovery. There was a representative — not someone I know from the VFF; I think it must have been someone from the Gippsland region, because it was not someone who was known to me, but —

Mr D. O’Brien interjected.

Ms GREEN — The member for Gippsland South has said a name, but I did not quite hear what it was. After hearing the program, there were a lot of callers to the ABC — and I believe it was a statewide program at the time — who were absolutely appalled at what they felt were ignorant comments. They said that there is a misunderstanding that these magnificent birds pose a significant risk to livestock when in fact their preferred method of eating is actually carrion. They are not generally known for killing live animals.

The way that the minister has gone around with the background paper is really important in bringing forward this bill. There has been a lot of consultation, and it was time that this bill was reviewed. At the moment in my community, with the duplication of Plenty Road, there is a magnificent river red gum that is due to be removed in Mernda, and people are suffering real grief around that. There are two magnificent river red gums on the corner of Bridge Inn Road and Yan Yean Road — one 400 years old, one 500 years old — which are in danger. In the initial alignment for the Yan

Yean Road duplication prior to the Bridge Inn Road duplication funded in this year’s budget, these magnificent red gums were to be removed. I am really pleased that the Minister for Roads and Road Safety and VicRoads have acceded to my requests for a different alignment to be looked at that preserves these trees, because the community really does value those and they are habitat for creatures like the powerful owl.

We have a magnificent ecosystem. In terms of our visitor economy, in Victoria we have four out of the big five of marsupials and birds that overseas tourists want to see. Fortunately for me, we do not have crocodiles in Victoria — I am a bit scared of crocodiles and I hope with climate change we will not acquire them. I hear they are heading south, but hopefully that will not happen in my lifetime. But the other big four we do have here in big numbers.

I really hope that the bill before the house and bills like it will ensure that dozens of animals and plants will not continue to join Australia’s threatened species list. We see the appalling rate of land clearing without regard to biodiversity which has occurred particularly in Queensland. When the Greens political party say that they oppose logging in this state, they need to understand that they are condemning parts of South-East Asia to the clearing that they do not want here. There is always a balance around these things. We live in an environment, a community and an economy. I think that this bill puts forward a very measured approach to protect our endangered species. I commend the bill to the house.

Ms McLEISH (Eildon) (16:20) — I rise to make a contribution to the Flora and Fauna Guarantee Amendment Bill 2018, which amends the Flora and Fauna Guarantee Act 1988. I am going to read the purposes as they are described in the bill because they are quite a mouthful. The bill really sounds as though it is going to be all things to everybody, but I am not sure that it really delivers in any way. The bill states that it will:

... promote Victoria’s biodiversity by establishing objectives and principles of the Act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the Act and to make consequential amendments to other Acts ...

It sounds as though the bill is going to be all things to everybody, but I am not sure that it delivers in spades like some people seem to believe. Certainly with the stakeholder feedback, we have heard from the extremes — the environmentalists obviously; and we heard from the member for Melbourne — who do not

think that this goes far enough. I most certainly look for a balanced approach. If you have a look at the feedback we have received from the Victorian Farmers Federation (VFF), we would say that there does need to be greater consideration given to some areas. I was surprised to see that we also had feedback from the RSPCA. I am not sure the bill is about cruelty to animals, but I guess they like to have their two bob's worth on most things.

I look around the house and hear the comments that people are making, and I think we are all on the same page about improving strategic biodiversity; I think that is important. But what we need to stop and think about, and where the differences will be, is how we do that and the processes that we will undergo — what will be done, where it will be done and how it will be done. I would certainly like to see a balanced approach. Earlier speakers mentioned the word 'balanced'. I certainly have concerns about where the legislation applies to private land.

I want to stop and reflect for a moment on biodiversity. What is biodiversity? It is plants and animals obviously, but it is a lot more than that. It is the micro-organisms that people do not see. It is our ecosystems. When we have a look at how we explore biodiversity, we explore it on three different levels. It is the genetic make-up, the diversity of the species and also the diversity of the ecosystems. In Victoria we have a range of ecosystems. Within individual electorates we may have a range of ecosystems. Those on the government benches who hold city seats and the Greens would probably be less familiar with these — although certainly the Greens would like to think they are more familiar with some of these ecosystems. We have forests, inland waters, lakes and rivers, heaths, woodlands and coastal environments. It is so important that we protect our ecosystems. Our parks do that to a large extent. Our ecosystems are our environment. It is where we live — in and around those places — and it is where we recreate. If you are experiencing the great outdoors, you will often have that great feeling after breathing in the fresh air from the outdoors. It is really good for all of us as a state and as a country. I think it is important that we do protect them.

Sadly, our ecosystems are already compromised hugely by invasive species. I think about the flora and the invasive species of blackberries, gorse, creeper and hawkweed. There are some 1000 invasive species or weeds on public land. It is what we do in this space and how we manage it that is important. In my area I know a lot of work goes into managing gorse. As a landowner I had an issue with gorse in the past and it took a long time — it took many years of continual action — to get

on top of that gorse issue. More and more I see — and I spoke about this recently — rivers choked with blackberries. We have got this biodiversity, but the blackberries are choking out our natural plants.

With regard to fauna, there are issues with foxes, rabbits, deer, goats and brumbies. Foxes and rabbits particularly have been around for a longer time. There is now an explosion of deer. It is almost unbelievable how quickly deer have exploded and the damage they are doing. We have feral cats that are destroying some of our smaller mammals, our ground-dwelling mammals, as are foxes. Not long after the Black Saturday fires, Leadbeater's possums were found at Lake Mountain. They monitored them and found that feral cats had got in and pretty well destroyed them.

We have invasive weeds competing with indigenous species. They are competing for sunlight, they are competing for space and they are competing for nutrients. They can get out of control very quickly. You need only go north of Mansfield to Tolmie and over to Whitfield to see enormous areas of blackberries. I do not know how we are ever going to get back in control of them.

I also want to reflect for a minute on some of our birds. We have ground-dwelling birds. Lyrebirds are actually quite interesting because they are ground dwellers but they have their nests a metre or two above the ground to protect themselves. We have foxes roaming around threatening animals that we hold in great regard, like lyrebirds, which are really unusual and indigenous to Australia. Bush chooks are everywhere and certainly not threatened, but you do not want them to become threatened to the extent that they become a threatened species.

The context of this bill is around the protection of our flora and fauna from existing and emerging threats, and I have talked about some of those threats. I also want to issue a bit of caution going forward on this because there were a number of plants that were considered endangered prior to Black Saturday. It was quite spectacular to see during the regeneration after the fires a lot of rare plants actually flourishing. It is very easy for the department to go down the path of saying, 'All of these are threatened', but if they have a look, they will see that after a change of circumstances such as a fire many of these can come back. These include the Buxton silver gums and the swamp bush pea in Kinglake National Park. The southern varnish wattle and gully grevillea also increased dramatically after the fires. It was thought for a time that these were greatly threatened, but they just needed the right conditions. I

believe they will need the right conditions for another eight to 10 years so they can remain well-established.

As I have said, a balanced approach is important to me. I do not want to see this bill impact on industries, businesses, farmers or certainly private landholders. There should be no further impositions. We heard the member for Morwell mention the quarrying of raw materials and how this can sometimes be brought to a standstill. We need to have a sensible policy on how we deal with private land. The VFF have their concerns, and those concerns have not been allayed for the opposition by the Department of Environment, Land, Water and Planning, so this nervousness around what could happen remains with us.

If we think about existing rights, what existing rights are and how long they last, we see that existing rights last for two years after a use ceases. It is not unusual to rotate paddocks for different purposes. It might be for sheep grazing, and it might then be for cropping. There is the swift parrot, for example, which is known to be around Puckapunyal and in ironbark regions around Bendigo, Rushworth and St Arnaud. It is possible that this land could be rotated and its existing use then compromised and not quite understood. We need to have very clear consultation with landowners about what they are intending to do and how they are intending to do it.

I also want to make comment about private timber plantations. We certainly have a need for sustainable native timber harvesting but also for the timber plantations that exist. What we need to remember is that these plantations also become habitats. These will be private lands that have been planted out for a particular reason — for the growth of the timber into the future — but they also become habitat. This is private land, so we need to give consideration to these sorts of issues. I would like to think that common sense and balance will prevail, and I hope that I have certainly alerted the government and the department to some of the issues that they could face with this bill going forward.

Mr PEARSON (Essendon) (16:30) — I am delighted to make a contribution on the Flora and Fauna Guarantee Amendment Bill 2018. As those who have gone before me have indicated, this bill is a rewrite of an earlier bill that was passed by the Cain Labor government back in 1988. Of course it would be remiss of me not to use this opportunity to quote Marcus Aurelius, who said, ‘That which is not good for the beehive cannot be good for the bees’, and clearly a bill like this is important because it does protect the environment in which we live. It recognises, I think, the fact that the current landscape and our current

community have been significantly impacted as a consequence of European colonisation, in terms of Victoria, since the 19th century.

I am indebted to Jared Diamond, who wrote an outstanding book called *Guns, Germs, and Steel*. Diamond’s thesis is that one of the reasons why Western civilisation seemed to go particularly well related to the horizontal nature of Europe. As a landmass, it travelled east–west, it was quite large and it had broadly the same temperature and the same rainfall. It enabled the smooth passage of people. Diamond’s thesis is that it enabled, for example, disease to travel quickly but also antibodies and resistance to travel quickly, and it enabled innovation to easily traverse from Eastern Europe across to Western Europe. As a consequence of that, by the latter or middle stages of the previous millennium, you had a set of circumstances where you had fairly technologically advanced communities that were fairly well resistant to disease.

As a consequence, when these colonisers left the Old World and came to a country like Australia, the impact was devastating on the local communities because the Indigenous communities of Australia obviously did not have that level of exposure to disease and did not have that exposure to technological change, and they were placed at a significant disadvantage. I did study the genocide that occurred in Van Diemen’s Land in the early part of the 19th century. Reading some of the colonisers’ accounts was quite fascinating in the sense that they honestly, truly believed in their heart of hearts that the local community, the Palawa, were so inhuman that they could not possibly master the rifle. When there were instances where some of the local communities were able to get firearms and start using them against white settlers, this caused enormous concern to those individuals. As a consequence of that, the arrival of diseases and the arrival of firearms had a devastating impact upon Indigenous communities not only in Tasmania in this particular instance but in Victoria as well.

Why this is important is that Bill Gammage has written a book called *The Biggest Estate on Earth*. I know the member for Gippsland South is at the table and he has one advantage over me. He has actually read this book; I only know of it.

Mr D. O’Brien interjected.

Mr PEARSON — It is a very good book, and I have heard similar reports. My understanding is that Victoria was settled properly, formally, in 1835. There had been an earlier settlement in the early 1800s at Sorrento, which was abandoned — about 1803 — and

there was a settlement at Port Fairy. When settlement occurred, diseases ravaged Victoria quite extensively. There is talk in Gammage's book of the early colonisers going out into Victoria and finding manicured estates which were overgrown, probably in the late 1840s and the early 1850s. They were quite taken by the fact that clearly someone had looked after this land but it had been grown over, and it had clearly been grown over because the communities had been devastated by disease and also by the genocidal actions of the settlers. It had a huge impact.

What happened then was that, as some would probably be aware, there was a very significant bushfire that devastated a significant part of Victoria in, I believe, about 1849 or 1850. It was just prior to the gold rush. It was a consequence of the fact that, because the local Indigenous communities had been decimated, they could not do that low burning in terms of land management. As a consequence of that, there was a high fuel load in Victoria that had grown over the course of 10 or 15 years. When fire came through, it had a huge and devastating impact on the community.

How does this relate to the bill? Well, we have treated this land poorly for generations. We have only started to make amends and atone for our heinous crimes since the late 1960s or early 1970s. We have started to turn things around. People like Richard Nixon established the Environmental Protection Agency in America, and Dick Hamer created the Environment Protection Authority Victoria in the 1970s. It is only when we started to see this concentrated action by government that we started to try to stem back the losses and reclaim what we had lost.

So a bill like this is very important. I did listen to the member for Eildon's contribution earlier, and I agree with her. From a regulatory approach, you need to try to get those checks and balances right. You want to make sure that you do not hold back industry and you do not destroy industry, but you also need to make sure that you start to try to protect your environment. From my perspective, one of the things I have been really interested in since I have recently been a member in this place is working with organisations like the Friends of Steele Creek with Helen van den Berg, the Friends of the Maribyrnong Valley, which is run by Judy Ingram, and the Friends of Moonee Ponds Creek, which involves Anna Lanigan.

All three are really important organisations that are trying to plant indigenous plants in these areas to try to increase the tree canopy. They are also trying to improve the quality of the water flow in Moonee Ponds Creek as well as in the Maribyrnong River. I would

dearly love to see us bring back the Maribyrnong River to what it was pre white settlement. That is probably a forlorn wish; it is probably too late for that. Interestingly 'Maribyrnong' in Wurundjeri is 'salty river', and certainly as it traverses my electorate it is salty. It only becomes fresh water as it heads through the member for Niddrie's electorate.

But this is about trying to find ways in which we can protect these great assets, and it is about recognising the fact that we cannot treat our waterways as dumping grounds and industrial sewers from the 20th century. We have got to try to repair and improve the quality of this environment. So a bill like this I think is really important because it enables us to find ways to have an appropriate regulatory framework in place. The bill also makes sure that there are stronger penalties in place. Again I think it is important that if you are going to have a regulatory environment where you value a particular asset, you need to have penalties in place for any asset that is being poorly treated or abused. It needs to make sure there is that linkage and people can see quite clearly that if there is poor behaviour, there will be consequences that flow from it.

A bill like this is really important and ensures that we modernise the act 30 years after it was first introduced. Again it builds on Labor's environmental credentials. We are the only ones that are bringing bills like this into the Parliament. We are the only ones that are introducing acts to the statute books that address these issues. The environment has had no greater friend than the Australian Labor Party, despite what people like the Greens political party would have you believe. We are the ones that get the balance right between protecting our environment and ensuring that we continue to have an expanding economy, an economy that is creating modern, 21st-century jobs. On that note, I commend the bill to the house.

Ms BRITNELL (South-West Coast) (16:40) — I rise to speak on the Flora and Fauna Guarantee Amendment Bill 2018 and note the coalition will not be opposing it. The bill amends the Flora and Fauna Guarantee Act 1988 to ensure that it is stronger and can more effectively protect Victoria's biodiversity in the face of existing and emerging threats such as climate change. It amends the Flora and Fauna Guarantee Act by inserting revised objectives and principles into the act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the act.

While the bill has broad support, I do want to draw the house's attention to some key issues that are being

faced in my electorate in relation to vegetation and community safety. I am concerned that the flagged additional obligation to consider biodiversity in decision-making may compound these issues further. Following the fires on St Patrick's Day the issue of roadside vegetation has been raised with me, and I am sure with the member for Polwarth, on several occasions by many people, including the captain of the local Country Fire Authority (CFA) at Macarthur, Hugh McFarlane, and many other CFA captains around my area. I know, in Hugh's case, he has written to the Minister for Roads and Road Safety and the Minister for Energy, Environment and Climate Change.

It has also been raised by the Victoria State Emergency Service (SES). One particular SES unit went out that night to 30 episodes, clearing branches from across roads. It has also been raised by people from the general community — people who were frightened and were not able to evacuate and who wrote to Craig Lapsley, the ministers and me. They were very, very concerned by their frightening experiences. The Moyne shire also raised the matter with me and the member for Malvern during his visit to my electorate only a few weeks ago. Moyne shire is seeking that the Department of Environment, Land, Water and Planning initiate a basic permit process based on visual inspection to allow landowners to clear roadside reserves adjoining their properties of all dead, fallen or non-native trees and vegetation.

The reason we need to think about this is that things have changed. I listened to members across the chamber and I heard them talk about their commitment to the environment, but I think we all genuinely have a commitment to the environment, whatever political colour we come from. We all agree that we must look after the environment. But it is walking the walk that really concerns me, rather than just talking it. When I see the history of people on the land who are not being involved in the consultation process and who actually understand how it really does work, I find that we are not really getting it right. So this legislation, if it does not have consultation with landholders, the custodians and the people who have stewardship of the land, we are missing a very important factor.

I remember as a little girl that my dad's responsibility was to slash the roadsides from a safety perspective. If there was a tree down, you actually got the chainsaw out and chopped it up. Nowadays my husband and I could no more do that than fly in the air, because we would be at risk of litigation if something went wrong. It is putting us all into a really difficult position. We had a very tragic circumstance three years ago when a limb came down in the middle of the night in a very remote

area. When the locals did what they thought was the right thing, and what was the right thing, it ended up in tragedy with a death as a result of having to clear a roadside tree. It was an awful situation.

When we had the St Patrick's Day fires and the same sort of thing happened — the winds that caused all the trees to go down — friends of mine were trapped on their property. Just by luck they owned a front-end loader. The husband, Ken, drove a tractor, and Rosemary drove a car behind. There were quite a few cars because they were having a function at their place. It was horrific. Had they not had that front-end loader available to them, they would not have got out and there could have been a tragic result. That is just one case; there have been several cases in South-West Coast.

So when my dad would go and clear the roadside, we were doing our community duty. Nowadays, because we do not have the resources to get departments to do it and we have lost that culture of responsibility that every farmer felt, the roadsides have become incredibly overgrown, and it is not always native vegetation. I am certainly not advocating that we clear the roadsides to the detriment of the environment, but I think we have got the balance wrong when we cannot get community safety right. In fact it was really lucky that those fires started in the middle of the night. It was quite frightening. In the town of Woolsthorpe, where I live, the evacuation notice never got through, so people slept on not even knowing what was going on. Had they been evacuated, there could have been mayhem. It could have been quite dangerous because there were so many limbs down. One fire truck actually hit a limb that night that was down across the road.

So Moyne shire is desperately, as are the other shires, saying, 'Come on, guys. We were lucky to avoid the tragedy in our area with this fire'. It was a dreadful event, but no lives were lost, but was that an opportunity for us to say, 'Let's work more closely on this'? I think this legislation, which looks at biodiversity, could stop us from doing things responsibly. We need to be aware that resources in the department are not abundant, and therefore we do not want just another excuse to say no, rather than looking at situations individually and getting on with it. Using local knowledge, like shires and farmers have, is one way of doing that. So as I said, I am not advocating removing all vegetation but allowing it to be maintained and controlled to improve safety for everyone while still achieving a positive environmental outcome.

I note the Minister for Energy, Environment and Climate Change talked about her commitment to Parks Victoria in her contribution on the budget papers in the

last sitting week. She said that under the previous government people were visiting parks to find dilapidated facilities and in some cases not even a park ranger. If we are really seriously keen about the environment, when we are reviewing legislation and doing things like we are right now, we cannot just continually ignore our responsibilities. In her contribution she blamed the former government for the dilapidation of the facilities, but in reality it is still happening now in my electorate under her watch. It was the Labor government that axed the full-time ranger position at Budj Bim National Park and the one at the Tower Hill State Game Reserve, two positions put in place by the Napthine government.

When you look at Liberal history, we have got a very proud history of looking after the environment, because we do understand that you do need to respect it. As a farmer there is one thing I have learned very, very profoundly, and that is that you work with nature, you do not work against it, because it is always smarter. When I look at what we have done as the Liberal Party over the years — getting national parks listed, introducing some of the first environmental legislation under the Hamer government — it is a long and very proud history of actual outcome-focused behaviours, not just talking the talk like I hear so much from the other side. They say they are friends of the farmer. Well, if you are friends of the farmer, have a look at how farmers are running their businesses. The margins are enormously tight — that is an oxymoron — so tight that we are losing in many years. The cost of production last year in the dairy industry was greater than the value of the product we were producing.

When you look at that, as the Victorian Farmers Federation (VFF) has said, how can we ask the farming community, who will do the work on our behalf, to take responsibility for the community good and the community benefit financially? They cannot; there just is not the margin. I really do try to share with absolute genuineness that we cannot keep squeezing farmers and asking them to produce more and more and asking them to take custodianship of the environment for our community benefit. These guys are volunteers in the CFA. They manage roadsides and experience bureaucratic frustrations when they are just trying to do the right thing. They try to get a permit to manage the side of the road from a fire management perspective and they are just mucked around, whether it be with VicRoads, whether it be with the CFA bureaucracy or whether it be with the Department of Environment, Land, Water and Planning. It is just putting too much of the challenge back on the community who are looking after that environment. Consider what the VFF are saying; they are absolutely right. When it is on private

land or when they are trying to manage the roadsides, have a bit of consideration, because I think we are pushing too hard.

Like I said, we are all on the same page here — we all want the environment managed better — but listen to those who do it every day from dawn to dusk. They do not always do it for a lot of money; in fact they will do it whether they are getting money or not because that is the responsibility they have taken on both for the environment, whether it be at the micro level as the member for Eildon referred to with the soils or at the macro level with the animals and the vegetation. On that note, I would like to again support the comments of the VFF.

Mr HOWARD (Buninyong) (16:50) — I am also pleased to speak on the Flora and Fauna Guarantee Amendment Bill 2018. In opening my comments I want to comment a little bit on global warming. We know that through the community's general awareness of the threat of global warming, people are becoming more and more aware that our environment needs to be protected.

After hearing from the member for South-West Coast, who of course said that the Liberal Party are doing a great job and recognise the need to support the environment, I cannot help but reflect that that is clearly not the case when it comes to our number one environmental threat, global warming. We know of course what former Prime Minister Tony Abbott said about putting a price on carbon. The main reason we have global warming is that we have been burning and burning our resources of hydrocarbons — coal, petroleum — at an excessive rate over the last 100 years and that is adding to the carbon dioxide (CO₂) in our atmosphere. Against that we are also having serious problems with deforestation taking out that opportunity to take the CO₂ out of the air and put oxygen in the air.

The Labor Party federally recognised that one of the things to do was to put a price on carbon. It is just one of the things. However, we know that there are so many climate change deniers on the other side who say that we cannot afford any short-term costs that might actually save the environment. They do not look at the benefits of supporting an alternative energy industry. We know that in the last term of Liberal government in this state they stopped renewable energy by creating all sorts of difficulties in establishing wind farms, so it is great that this government has acted on that issue since we came to office and ensured that we do have the opportunity to create more renewable energy and protect our environment from the threat of global

warming to some extent. We know there is still more to be done in that regard.

But this bill reflects that there are other important issues that we need to be aware of in our environment. We know that Australia provides unique habitats and that since the arrival of European man those habitats have been significantly changed. Even today people do not appreciate the delicacy of the habitat balances that are in place and that activities taking place can so quickly and so easily threaten more species. We know we have already lost so many species of plants and animals from this country since the arrival of European man through farming activities, through urbanisation and then the need for infrastructure growth and through industrialisation.

So many of those activities that we have undertaken in our so-called civilisation have been done without appreciating the specific character of the Australian environment and the need to recognise that in particular areas you need to do things differently — to understand what is there and understand the impact that you might have in undertaking any activity. It was important that in 1988 the then Labor government brought in the Flora and Fauna Guarantee Act 1988, which recognised that if we are not to see more of our plants and animals become endangered or extinct, as some of them have done, we need to take some significant action. That 1988 bill was a landmark piece of legislation where we said we want to identify all of those species, and their habitats, that are endangered or could be endangered and take action to support them.

That legislation in lots of ways has supported us well over the last 30 years, but we know there are a number of issues under the existing act that needed to be reviewed. In reviewing that act we have identified that there are a number of issues that have been hard to enforce and hard to measure. In fact some of the management that we have undertaken since enacting the legislation has needed to be changed and varied. This bill reviews the 1988 legislation and takes it forward to make it more effective so that we can provide a better guarantee of our plants and animals in this state and try to give them a better future.

What are the key elements of this bill? We have certainly heard other members who have spoken in the house go through a lot of the detail of the bill, but one of the key things to recognise is that we need to have a very robust scientific advisory committee. This legislation extends the size of the existing scientific advisory committee. That committee is the body that is already responsible and will continue to be responsible for listing those species which we believe are

threatened and also the habitats that are threatened and that we need to protect. They are in a position to put habitat conservation orders in place to ensure that those particular habitats that support those threatened species can be protected.

Following that, there is the designation of critical habitats and the putting on of habitat conservation orders. More importantly we then need to develop conservation plans to help to reverse those threatening effects. It is a significant task and, as we know, it does not come without heartache. There are farming communities where farmers believe they have a right to undertake some land clearing or some activities and find that they cannot. There are people who buy blocks of land and need to get them serviced who then find that there are difficulties in getting the services to them. Government also undertake a range of activities in these areas, so this bill recognises that government authorities in a range of areas have influence over the environment and habitats when building new roads.

Coming from the Ballarat area, I know that the construction of the Western Highway extension has required a lot of work to be done, first of all to establish what species in that proposed corridor are under threat and then how we vary the alignment of the road to reduce that. Sadly we know that a lot of river red gums and other significant plant species have been removed, which is of concern; however, as a government, we have to find the balance through that but ensure that where there are critically endangered species we do everything we can to recognise that and to put management plans in place to address that.

Even in my electorate I know that this government has been working, through the existing legislation, to support threatened species, but in my electorate too we have seen the establishment of the Woookarung Regional Park, which I have been very excited about, as have so many people in the Ballarat East area in recent years. We know that through the establishment of Woookarung we are in a position now to protect that land and appreciate it as a community and enhance the natural environmental aspects of that land. Non-indigenous species that have been brought here over a number of generations from Europe and other parts of the world continue to threaten our native flora, so weed eradication is an important thing in that area.

Last year I was pleased to go to look at the work that the Napoleons Enfield Landcare Group have been doing in their zone. The group had funding support of \$30 000 to deal with rabbits and the invasive weeds that are destroying some of the river in their area. We need to continue to do this sort of work of providing for

volunteer groups — Landcare groups and others — that are supporting our environment, protecting endangered species and trying to reduce the number of invasive species, whether they be rabbits, foxes or a range of invasive weeds.

A lot of work needs to be done. This legislation is particularly important to ensure that we can protect those things that are important to Australia's heritage and ensure future generations continue to appreciate them and so that we can live in harmony with our environment.

Mr CRISP (Mildura) (17:00) — I rise to make a contribution on the Flora and Fauna Guarantee Amendment Bill 2018. The main provisions on this bill are to amend the Flora and Fauna Guarantee Act 1988 by inserting revised objectives and principles of the act, imposing additional obligations to consider biodiversity and decision-making, improving transparency and accountability, making various other amendments to strengthen the act and make consequential amendments to other acts.

Words like that, generally amongst country people, raise great concerns, because a lot of these are code words for, 'Your life is going to get more difficult'. Right up front we should say that farmers are custodians of their land. The best environmentalist you could have is the person who owns, works on and is dependent on that land for their income; they are not going to do anything to harm it.

Let us look a little more closely at some of the various mechanics of this bill. The bill defines a habitat conservation order (HCO). Habitat conservation orders replace interim conservation orders. The minister may make a habitat conservation order to conserve, protect or manage any critical habitat in any area of the state where a determination has not been made but there is a proposal for a determination. The minister must decide whether a habitat conservation order should be made within two years of a critical habitat determination being made. A HCO will cease to have effect if a determination is not made in 12 months. We do worry about just how we are going to find our way through this for our farming community, the community that grows our food, to make sure that they are not unduly delayed or hindered in the work that they wish to undertake in growing that food for us.

The potential for two-year delays or to halt everything is certainly one of the issues. Something that we are experiencing increasingly is that people are too scared to make a decision. With that two-year delay — 'Will we? Won't we?' — the clock is ticking. Meanwhile

someone can be caught up in a waiting game that can have impacts not only on their income and their livelihood but also on the area itself.

If you are not happy with a HCO, off you go to VCAT. That is a concern as well. Again it is an expense. We are adding more complexity — just layer upon layer — to going about your business. From some of the decisions and what we have had lately, I think there needs to be a rural division of VCAT just to hear the issues that are coming out of rural and regional Victoria. It is becoming a very, very busy institution.

Also there is the common assessment method. The common assessment method has been introduced to align the cataloguing of threatened species and communities with national and international best practice. The government will create a single operational list of nationally threatened species. At least we will know then. Concerns raised by stakeholders during public consultation included that the Department of Environment, Land, Water and Planning and the scientific advisory committee would not have the resources or the capacity to deal with a larger set of threatened species. The consultation process also suggested regular audits or reviews of listings, including a quick and responsive listing, 'uplisting' and a delisting process. This has to work, and it has to work quickly or the whole system will just choke up and grind to a halt.

There is a section in this bill about public consultation. The bill gives greater emphasis to public consultation than was previously provided in the act. It now allows for consultation with private landowners when conservation orders are being considered for the protection of the flora and fauna on private land. This has really got up the noses of a lot of people, particularly in the Mallee, who for a long time were not consulted. I am concerned with this part of the consultation, and I hope we do not see tokenism applied to the landholder. The landholder is the person who knows their property back to front and who cares for their property, and I am worried that they will be drowned out by the sea of voices of others who are also involved in the consultation process. I am worried that the landholder will be marginalised to the point where they will probably just be overruled or forgotten in the process. Others will shout louder because they do not have to make a living off the land, defend the land or contribute to the consultation process. That is a real concern with this — that there will be a chorus of voices and the landholder, I fear, will be drowned out.

A number of other areas are of concern. The Victorian Farmers Federation (VFF) has raised some issues on

behalf of farmers that are extremely important. The VFF is concerned about existing rights and what may change. I believe the VFF has got this right, that there needs to be some strengthening around clause 39(9) and the 'existing use right'. If you are there and you are using the land, then a significant change to the land use will impact on the farm. The question really is: what is actually existing use at the time and is there any no permit required for agricultural use? We have a problem here between existing use rights and no permit required use, and in the process around clause 39(9) there is real concern there.

This is better explained by an example. Existing use rights last for two years after the use ceases and are actually relevant where the use is now prohibited. We want to avoid the circumstances where somebody is in mixed farming and who may have been grazing for three years, or even in the Mallee within that period they may not have even been grazing but there may have been a drought. The farmer has gone about his soil conservation practices but has not a planted a crop; they may have sparsely grazed it or may not have grazed the land. When the weather changes you may want to then crop it for various reasons, or it might be to do with your rotational program. At the moment neither of those requires a permit in the farming zone. But if, say, some habitat was discovered in the area that may or may not impact upon whether you are cropping or not cropping, the VFF is very concerned that you may not be allowed to change the use of that land and it will have to remain in a grazing state. They are concerned that in that process there will not be adequate consideration or compensation for the farmer involved. Again it would just add to that layer of complexity in what we are trying to achieve.

The bill also talks about native vegetation removals. I am pleased that it is not going to pursue the proposal to use the act to enforce native vegetation clearing regulations. The bill only affects native vegetation that is listed as threatened or endangered through the common assessment method and does not affect non-listed vegetation on private land. That is one of the small mercies in this bill.

Like all things, there is a sting in the tail with this legislation. It expands the powers of inspection, seizure and evidence powers of authorised officers. It introduces infringement offences and increases penalties for breaches. Some of those fines can be up to two years imprisonment or \$38 000 — that is 240 penalty units for individuals.

Yes, our environment is important, but I really believe that we should be making sure that in any consultation

that occurs that the voice of the private landowner who is using the land and looking after the land is heard and not drowned out by the chorus of others — who may or may not even come within 100 kilometres of the property in their region — having a say that drowns them out. This is legislation that goes to the heart of farming and goes to the heart of my community in the Mallee. I think there are considerable concerns with this, and the VFF has wisely raised those concerns.

Ms GRALEY (Narre Warren South) (17:10) — It is a pleasure to speak on the Flora and Fauna Guarantee Amendment Bill 2018. It was that amazing and inspirational Australian, Steve Irwin, who said, 'If we save our wild places, we will ultimately save ourselves'. There are some very, very good reasons, if only self-interest, to make sure that our flora and fauna are protected and that our land and our living animals are not further damaged and degraded.

I have heard what other people have had to say in this house, and I must say I do concur with the member for Essendon who made some very insightful comments, as always, about the need for us to look after our land and to make sure that in the future we do not do the same things that we have done before. I have heard other people speak about the need for balance in making decisions around the land and the flora and fauna. When I hear the word 'balance', as I have heard so often from those opposite, and just then from the member for Mildura when he was talking about small mercies, we do not need to have an us-and-them mentality when we are dealing with the environment. We should all be on the same page in trying to protect our environment, enhance it and make sure that it is there for future generations. It should not be a win-lose situation. If you look to inspirational people like Steve Irwin, he was always talking about ways of working together so that the environment, business, landowners, environmentalists, people who live in the city and people who live in the country all benefit from working together to protect the environment.

I am one of those people that believe every animal on this planet has as much right to be here as I have or anyone else has. As a legislator, I believe that one of the things that we have in our toolbox is the ability to make laws, and one of the ways that we can make sure that the environment and those living things that inhabit our lands are protected into the future is to make sure we have a very robust system of legal protection, and we have had that in the Flora and Fauna Guarantee Act 1988 (FFG act). I recall being in local government, and it was the go-to piece of legislation when we were making decisions about removing urban growth boundaries or protecting green wedges or extending a

state park or looking at ways to build boardwalks along estuaries — all those critical efforts which were around making sure that the environment was a good place for people to live. We also took into account what it should look like, what it should feel like, how it should breathe and how it should work for everyone in those spaces.

The Flora and Fauna Guarantee Act was something that we could rely on and look at to provide us with that guidance. As well, if we got into heavy-duty discussions with people who did not quite agree with us, it was an act that we could use to have an argument about that discussion. So I am very pleased to see that this quite old act — it is now 30 years old — has been reviewed and it has been out to consultation.

As I have said, more than ever this is necessary. Australia is facing an extinction crisis. We already have the worst extinction rate in the world for mammals, and other groups of animals are not that far behind. I know that some people opposite do not want to believe this; I suspect that they are the same people who do not believe in climate change either. I have heard some members opposite talk in a very derisive way about the value of protecting our Leadbeater's possum, which is actually our state's emblem. But if you do not believe me that this is a crisis, I suggest you take the word of this person who said:

With 503 animal and 1308 plant species listed as nationally threatened, there is a big task ahead.

Who was that? That was the federal minister for the environment, Josh Frydenberg. He recognises that we have a crisis. Only recently, in the middle of May, it was reported that dozens of other animals and plants were joining Australia's threatened species list. We do have a crisis, so this legislation is very, very important.

As I said, the Flora and Fauna Guarantee Act was introduced in 1988. There have been no amendments to the FFG act despite decades of critiques and reviews. I note that in 2006 a Labor government committed to improving Victoria's biodiversity legislation, resulting in a white paper for land and biodiversity at a time of climate change. That was in 2009. The white paper never progressed to legislation. Then in 2014 the Labor Party made an election promise with respect to biodiversity laws in Victoria, and a commitment was made to review the Flora and Fauna Guarantee Act. Between 2010 and 2014 what happened in this space? Nothing happened in this space. My strong message to the Victorian public as they approach a state election is: if you are on the side of protecting our environment, if you want to make sure that future generations will be able to go down and have a look at the Leadbeater's possum — not in a museum, but out there in its natural

habitat — you need to get behind a Labor government that has got at the forefront of its thinking in this space making sure that our flora and fauna are protected going into the future.

It is very important that the review of the act took place, and I do want to finish by congratulating the Minister for Energy, Environment and Climate Change in the way she went about this. I know that it has been heavily critiqued. The Auditor-General had a look at the Flora and Fauna Guarantee Act, and he was quite scathing about it. The Victorian National Parks Association said the policies offer some powerful tools but suffer from poor implementation and, in some cases, from no implementation.

So it was very, very important that this act was reviewed and there were some extra powers, some extra support, put in to making sure that this act could be more effective. But we also know that it is not just laws that will make a difference in this space. You have to have the resources behind those laws, making sure that you have a robust, dedicated public service, park rangers and wildlife protection officers that can go out there and make sure that the animals and the flora are being looked after and not being run over by bogans in four-wheel drives or by wild horses, or by cattle, God forbid — thank God we got rid of those from the High Country. That is very, very important. I know the minister in consecutive budgets has made sure that her department has the resources going forward, making sure that this act will not just be law but be well resourced.

I would like to draw the house's attention to the *Advisory List of Threatened Vertebrate Fauna in Victoria*. It really is an alarming document when you go and have a look at how many species in Victoria are under threat. If you look at the summary table, you will see there are eight categories, and they range from those species that are already extinct to those on which we are data-deficient, where we cannot really rely on the material we have and need to do some more research. We are actually talking about 293 different animals. It is quite scary to look through this list — it is about 20 pages long — telling us what animals in our community are under threat. Likewise, if you have a look at the fauna pages, you will see that there are 178 species of fauna under threat. It is time to take action. The review of the act and a new act going forward are a step in the right direction. The bill is very important for legislators and decision-makers at all levels, especially in local government. I commend the work of the minister and wish the bill a speedy passage.

The ACTING SPEAKER (Ms Suleyman)

(17:20) — Before I call the next speaker, I would like to acknowledge in the gallery Dr Ken Coghill, a former member for Werribee and a former Speaker of this place. Welcome.

Ms THOMAS (Macedon) (17:20) — It is indeed my pleasure to rise this afternoon to speak on the Flora and Fauna Guarantee Amendment Bill 2018, and in doing so I congratulate the Minister for Energy, Environment and Climate Change on delivering on this key Andrews Labor government election commitment. The bill sets a clear direction for Victoria's biodiversity, and it does that by revising the act's objectives to prioritise prevention and by strengthening the guarantee. The amended guarantee is, and I quote, that Victoria's flora and fauna 'can persist and improve in the wild and retain their capacity to adapt to environmental change'.

The bill also strengthens government leadership and accountability and encourages active consideration of biodiversity across government by clarifying and updating the act's existing duty on public authorities to have regard to the objectives of the act and their impact on biodiversity. The bill introduces a modern and effective regulation and compliance framework. It also enhances accountability and transparency in the administration of the act.

A review of the current act was conducted in 2017. These amendments respond to stakeholder feedback that was set out in the 210 written submissions that were received in response to the consultation paper. As I said earlier, the review delivers on the election commitment to review key biodiversity policies and controls including the Flora and Fauna Guarantee Act 1988.

My electorate is home to rich biodiversity, and we are fortunate that within the region we are home to the powerful owl, black gums, the matted flax lily and the greater glider. Conservation zones within the Macedon Ranges include the Cobaw State Forest, the Wombat State Forest, the Macedon Regional Park and the Lerderderg State Park. We are also equally fortunate to have very many passionate community volunteers who spend endless hours working to support and protect our flora and fauna. I might also point out that I have many passionate wildlife carers in my electorate, and it was really terrific to be able to announce more than \$13 000 in grants by the Andrews Labor government to support these wildlife carers in their important work.

But I want to tell you a little bit about the central Victorian Biolinks Alliance. Dr Sophie Bickford, who

is the coordinator of the alliance, is a constituent of mine. She lives in Kyneton, as do I, and I have had many fabulous conversations with Sophie. She is an incredibly talented person with a real passion for protecting the rich biodiversity of central Victoria. The alliance was instigated in 2010 by community conservation groups in recognition that large-scale landscape restoration was needed to halt environmental and species decline in Victoria, and in order to do that it requires coordination of effort and knowledge as well as new and innovative approaches. The alliance is currently comprised of 18 member Landcare networks, conservation management networks and environment groups extending from the Grampians across to the Australian Alps and from the Great Dividing Range to the Murray River. As their website says:

Biolinks Alliance has identified a unique role for itself as a capacity and partnership building organisation that will ensure that the significant momentum there is for community-driven conservation on public and private land in central Victoria is supported, coordinated and amplified.

It was my pleasure very recently to announce funding of \$18 250 to the alliance to support capacity building of member organisations and community volunteers. Of those 18 member organisations a number are within my own electorate, including the Upper Campaspe Landcare Network, the Upper Deep Creek Landcare Network, the Moorabool Landcare Network, the Friends of Wombat Forest, the Federation of Environment and Horticulture for Macedon Ranges, and the Jackson's Creek EcoNetwork. As I said, it has been a real pleasure to work with the partnership facilitator, Dr Sophie Bickford, but also with others, including board member Amanda Gauci, Macedon Ranges councillor Helen Radnedge and other members who are so passionate about taking good care of private land, recognising of course that our flora and fauna pay no regard to land tenure or municipal boundaries. When I was able to announce this grant to the Biolinks Alliance, it had this to say:

This is the beginning of what the alliance would like to do much more of — provide technical and scientific expertise to co-develop strategic, practical and large-scale on-ground projects. We thank the government for their vision in funding this project — for acknowledging the value there is to be had in scientifically skilling up community conservationists.

This bill is in part a tribute to all of those in our community through Landcare, environment groups, wildlife carers and even the river detectives of Malmsbury Primary School who make an extraordinary contribution to the care and protection of our native flora, fauna and their habitats.

Across my electorate the Andrews government is taking real action to protect our precious environment, including through the historic distinctive areas and landscapes legislation, which delivers finally planning protection to the Macedon Ranges, and while work continues on the finalisation of a localised planning statement in response to community feedback be assured that biodiversity, landscape and environmental features, and water catchments and supply are three of the nine domains that make the Macedon Ranges so special and which deserve additional protection from inappropriate development. Each of those domains will be addressed in the localised planning statement.

We are also very close to completing significant policy work to develop a vision and master plan for Hanging Rock to ensure that this special place — also home to threatened species — receives the care and protection that it deserves forever. Those opposite have demonstrated they are unable to provide the protection the Macedon Ranges and their unique environment require. In government the then planning minister, who now of course is the Leader of the Opposition and was at that time assisted by the now Liberal candidate, delivered a flawed planning statement, one hell-bent on protecting the interests of the horse industry at the expense of the environment, flora and fauna and significantly restricting the area to be protected to ‘the range and the rock’. Whereas our legislation is quite clear in specifically protecting the entirety of the Macedon Ranges shire.

I also want to talk about how pleased I am that the budget is contributing significant resources to Parks Victoria. As I have said, my electorate is home to a number of parks, and we are very fortunate to enjoy the Macedon Regional Park, the Hepburn Regional Park, the Lederberg State Park and the Wombat State Forest. Caring for our parks is absolutely vital. Our parks are the way in which people in our community get to know and understand more about Victoria’s special and significant flora and fauna. Taking the opportunity to spend time in our parks helps to build an affinity with that natural environment, learn more about it and in turn care more for it.

I am very conscious of the particular pressures that parks in my electorate are under. We are in a peri-urban environment, so there are population pressures at our doorsteps, but that is why it is even more important that this government is taking the decisive action that it is to protect the Macedon Ranges and ensure that our parks can be a place of refuge not just for the flora and fauna but for the people of the north-western suburbs of Melbourne, who are welcome to come and enjoy nature in my electorate, well supported by this government’s

\$70 million injection to Parks Victoria, which will ensure another 120 park rangers can be employed.

Of course we have also delivered money for biodiversity, and what a contrast that is to what those on the other side did in their time in government. Let us not forget what they delivered for the environment: a paltry \$6 million for endangered species. They put cattle back in the High Country, and they will do it again. If they are given the opportunity to ever sit on this side of the fence again, be assured that cattle will go back into the Alpine National Park and destroy the very special environment that we have there. The opposition cannot be trusted on the environment. Only Labor will deliver the legislation, the funding, the policy and the resources to support our natural environment. I commend this bill to the house.

Debate adjourned on motion of Mr PAKULA (Attorney-General).

Debate adjourned until later this day.

LOCAL GOVERNMENT BILL 2018

Second reading

Debate resumed from 24 May; motion of Ms KAIROUZ (Minister for Local Government).

Government amendments circulated by Mr PAKULA (Attorney-General) under standing orders.

Mr MORRIS (Mornington) (17:33) — It is a pleasure to rise this evening to open the debate on behalf of the opposition on the Local Government Bill 2018. The bill is intended to give effect to section 74A(1) of the Constitution Act 1975. Of course, as all members will be aware, that is the section of the constitution that provides that local government is a distinct and essential tier of government consisting of democratically elected councils, councils that have functions and powers that the Parliament considers necessary to ensure the peace, order and good government of each municipal district. That is a rather quaint and old-fashioned term — peace, order and good government — but I think it is a term that sums up pretty effectively the appropriate role of local government.

In terms of actual legislative impact, the bill repeals and re-enacts the Local Government Act 1989 apart from the provisions that deal with sewers, drainage and transport; repeals the City of Greater Geelong Act 1993, which has largely passed its use-by date and the necessity for it to continue to exist; and amends the City

of Melbourne Act 2001 and the Victoria Grants Commission Act 1976.

I must say I do have a bit of a sense of déjà vu because when I was first elected as a councillor, which is now more than 30 years ago, the Local Government Act 1989 had been under development for some time. It had reached the draft bill stage in August 1987 when I got elected. Yes, I know some members of the house were not yet born in 1987, but that is just the value of experience and being able to bring that to this chamber. It had reached the draft bill stage by August 1987, but it was not second read in this house until the following year, in April 1988. And it was not until April 1989 that it was second read in the other place. Despite the great care and the long consultation that occurred with that bill, it still needed to be amended significantly and pretty much reasonably soon after the act first became operational. As is proposed with this bill, the phase in had quite a long tail to it. Some of those changes were new provisions that needed to be brought in, some were by way of repairing omissions and some of course were a result of the evolution of the role of local government itself.

That bill was a significant change from the Local Government Act 1958, which was the 1958 consolidation, but when you look at the 1958 act it bears a remarkable resemblance to the Local Government Act 1874, which is where it really all started. The transition to the 1989 act from the 1958 act introduced a significant change to the way in which local government was governed. Of course there was some history around the introduction because the Cain government had attempted to force amalgamations of local councils; we had 210 of them at the time. That attempt had effectively been abandoned in August 1986 and a lot of work was done to try and repair the lack of trust on both sides, from government and from local government, but certainly when the bill was being discussed the scars were fresh. I think probably the act that emerged from that was in fact a better act because of the extent of genuine, serious discussion about the future of local government that had to occur.

As we know, the bill is significant in terms of size as well as substance. Unfortunately it would take me a couple of days to talk about the various provisions and what they will do, but essentially the bill relates to the role and powers of a council, so things like the office of mayor and deputy mayor and how they are elected; provisions relating to councillor entitlements; the CEO, staff; audit and risk committees, which are certainly something that were not in the 1989 act to start with; council decision-making; accountability procedures;

local laws; and good practice guidelines. I will come back to the good practice guidelines a bit later.

The bill relates to planning and financial management, so strategic planning, budget processes, financial reporting and financial management rates and charges, which is exactly what it sounds like apart from the incorporation of the environmental upgrade agreements and the continuation of the rate capping provisions; council operations, so service performance, procurement and beneficial enterprises — again something that if time permits, I will come back to — and powers in relation to land.

There is a whole part on council integrity, which is certainly something that would not have been a feature of the act 30 years ago. Some may say it is unnecessary now; I am not one of those people. I think perhaps it could have been done in a more succinct and less complex manner, but in whatever form we have a separate part of this bill that deals with those issues.

The next part deals with ministerial oversight, governance directions, municipal monitors — of course we have had another one of those appointed today — commissions of inquiry, suspensions and temporary administration. The next part deals with the electoral provisions and all things relating to elections, and then there are general provisions: the service of notices, criminal liability, obstruction of council and so on.

That is a very, very quick skim across the top of what is a very, very — and necessarily so — detailed piece of legislation. It is the outcome of effectively a four-stage consultation process. The initial discussion paper was issued in September 2015, and input was sought in a variety of ways, including a series of forums. I understand there were 12 commissioned technical papers, various meetings between the government and peak bodies and so on. A total of 348 submissions were received, so a reasonable number of submissions, although in the context of local government — something that affects every citizen of the state in one way or another — perhaps that is not so many submissions.

The second stage was the reform policy directions paper, which was in June 2016. Again a similar community engagement strategy was followed, and there were still a reasonable number of submissions — 333. The number was slightly down but effectively much the same. The detail of the reforms was then developed further for consideration in the context of a draft bill — to inform the draft bill, essentially.

Then late last year we had the release of the draft bill. Again public submissions were sought, and 190 were received. By my estimate at least half of those submissions, and perhaps more, were not submissions from the general public. They were from councils, associations, other industry bodies or organisations like regional libraries and so on. They were valuable but perhaps not as valuable as submissions from the broader community might have been.

Since then the process has been somewhat telescoped because, while the initial early deadline for submissions on the draft bill was — quite sensibly, in my view — extended to the end of February, from then on basically it had been an internal process until we saw the bill second read in this house less than a month ago. It was perhaps not the best way to go about this process. It would have perhaps been better to say, ‘All right, we’ve put out the draft. We’ve have had an enormous amount of input’, and there was a terrific amount of input into the draft, ‘and we’ve picked up a number of things’, and if time permits I may go into some of those, ‘and this is what the bill now looks like’, and then go back out again and say, ‘Here’s draft 2 with all your feedback incorporated. How did we go?’. Unfortunately that did not occur. The first time we saw the next stage was, as I said, when the bill was actually second read. Perhaps the amendments that the Attorney-General has just proposed recognise that time was of the essence in terms of the way the bill was handled.

I understand there is a logical explanation, and I am not being at all critical of anyone for seeking to do it this way. There is a perfectly logical explanation. We have got five and a half sitting weeks left on the parliamentary calendar for the year, and then the Parliament is prorogued and the opportunity to get the bill through in this Parliament is lost. I recognise the practical difficulties in terms of the time, but I think unfortunately the bill before the house reflects the omission of that next loop of consultation, and that is problematic.

As I indicated, the bill was second read on 24 May. Whilst sufficient time has certainly been made available for the Parliament to familiarise itself with the provisions proposed in the bill — I think, despite its size, I am reasonably conversant with what is in the bill, and I have been able to get feedback from the peak bodies and some others — it is obviously not enough time to get feedback from each and every council. The peak bodies have provided good feedback, but unfortunately, as I said, this bill affects 79 councils. It affects 79 different local government communities and many more than 79 communities in the broader sense. Unfortunately we have not been able to factor their

views in. Given the importance of local government to the community, I think that is an unfortunate omission.

I should make the point, though, that obviously — not obviously; it was a courtesy, and it was extended to me — I was briefed on the bill. I was briefed very, very promptly after the bill was introduced, and I want to acknowledge not only the comprehensive nature of the briefing but also the information that has been provided subsequently. Certainly there has been no impediment put in my way for me to come to a reasonable understanding of the bill, and anything that I required to be able to come to that conclusion in the relatively short time frame was provided, so I do want to acknowledge that. I appreciate that very much.

The government says there are a number of main reforms. They relate to things like greater leadership from mayors, consistency of council representative structures and increased participation in formal voting. The first two I can connect with the bill reasonably well. For the third one I think the connection is a little more tenuous. There is a requirement to undertake community engagement processes before the adoption of a four-year plan and a four-year budget. I think both four-year plans and four-year budgets are a sensible approach, if for no other reason than it requires the councillors to collectively come to a strategic view of where they want to take the council in those four years and determine the spending priorities accordingly.

There is a proposed integrated strategic plan and reporting approach — a long-term approach — a four-year plan, a four-year budget and a long-term community vision, all of which seems eminently sensible to me. I guess where I get a little bit less enthusiastic, shall we say, is the requirement for a 10-year financial plan and a 10-year asset plan, because I suspect a lot of the time, effort and ratepayers money will be consumed in the preparation of these 10-year plans and then they will be put on the shelf or put in the cupboard and essentially not referred to again except perhaps in passing when the next four-year plan is considered. For some councils it will work and work really, really well, but I suspect for the majority it will be something that they have to do rather than something that adds value to the process.

There are also strengths and power as far as the minister goes with individual councillors. Having been on the other side of the house as Parliamentary Secretary for Local Government and having had at least one instance where that was a significant problem for a council, I certainly have no issue with that.

There is a CEO employment remuneration policy — an apparently independent advisory mechanism to guide recruitment, contractual arrangements and performance monitoring. Personally I would have preferred to see mandated advertising of the CEO's position. I think it is something that quite often councils will avoid, even though they know they should be doing it. They will avoid it because they do not want to offend the CEO. They do not want to say, 'Bill, you're doing a great job, we like you and we're happy with what you're doing, but we're going to go to the market just to check'. If it is in the act and it has got to be done, it can be done and it gives the council plenty of cover to do it. Where councils do not do it and they should, obviously there would be a compulsion. I would certainly prefer that, but that is not what is in the bill.

Again, apparently there is increased financial sustainability — I am not sure about that — and a single method for the valuation of land. There are a significant number of changes from the draft that are in the bill. I do not intend to go through them in any detail except to say that the changes that have been made have been more about trying to pick up many of the points that were made in the submissions, and I think largely they have worked well. The bill does remove the unsound mind as a disqualification for being a councillor, suggesting that that provision is not in line with 21st century thinking.

I do note that the Constitution Act 1975 retains the exclusion from the Assembly and the Council voters rolls for that very reason. While those people who may be on the roll by virtue of being a landowner will not be disqualified by that provision, the bulk of people on the voters roll will be picked up by the Constitution Act. There are a range of other matters that are changed. As I was saying, I think it is largely a successful endeavour to pick up many of the issues that are raised in the draft. It certainly does not pick up all of those and it leaves a number of issues that remain in the bill.

The Scrutiny of Acts and Regulations Committee (SARC) has provided quite a significant assessment of the bill and raised a number of issues with regard to inappropriate delegation of legislative power and a number of issues with regard to the charter. They have written to the minister, and the minister has responded. I simply make the observation that I think the minister's response effectively dispatches those issues, so I have no concerns there. The issue with regard to the delegation of legislative power is around the rather long tail to the proclamation of the operational aspects of various stages of the bill, but given the nature of the beast I think that is entirely reasonable, and I am sure SARC will accept the minister's view on that.

I sought views from the Municipal Association of Victoria (MAV), the Victorian Local Governance Association (VLGA) and 79 councils on the draft bill. I obviously did not have time to speak to and seek the views of the councils on the final bill, but 69 councils were able to respond to me. I do want to thank them all for providing that advice to me because it gave me a very good feel for the issues in the bill. I also had valuable feedback from the Australian Services Union (ASU) and from Ratepayers Victoria.

The MAV have come out publicly today — and obviously I have had ongoing discussions with them — and expressed concern about a number of issues, the first being the compulsory or forced transfer to capital improved value valuations. Their point is that while rates obviously will not go up because of the reapportionment of rates given the change in the valuation methodology, some residents in four municipalities — Maribyrnong, Port Phillip, Whittlesea and Yarra cities — could be facing rate rises of as much as 10 per cent. The contention for the MAV is that the rates burden will shift from non-residential properties to residential properties. They consider it to be an unexpected and unfair tax hit that families simply cannot afford. They have also expressed concern at the proposal to lower the municipal charge from 20 per cent to 10 per cent — that is, 20 per cent of total rates is the maximum that a municipal charge can be set to raise. Particularly in regional and rural councils — probably more in regional councils — there is a concern that by lowering the cap from 20 per cent to 10 per cent the application of that flat charge, which is essentially a flat charge on each rateable property in the municipality, will again have a big hit, in this case, on the farming community. I have no idea what the Rural City of Horsham or Northern Grampians shire are doing in terms of municipal charges, but if you look at those two councils as an example of the scale of rates coming in, Horsham in 2015–16 had rates come in at \$23.72 million, with the Grampians at \$15.9 million. A 10 per cent shift at Horsham, for example, would be nearly \$2.4 million which, given probably the relatively limited number of ratepayers in the broadacre category, is potentially going to have a significant impact. The MAV again have expressed their concern about that, and particularly the potential impact on farmers in terms of their rate contribution.

They have also expressed concern with the proposal to limit the mix of possible options in terms of representational structures into either unsubdivided or subdivided but equal wards. I think there are certainly some concerns with the current system. I am not at all convinced that what is suggested is the best possible fix. It is a possible fix and it would be, in my view,

much better than what we have got now, but I am not sure that it is the best possible fix. Not surprisingly, they also would like to use this opportunity to do something about the rate capping legislation. I think that is a discussion for another day.

The VLGA have identified three issues that they wish to raise. They have expressed concern about rate capping and, as I was saying, in my view it is a discussion for another day. They are proposing optional preferential voting, which is something that I personally would think is probably a good thing. I suspect the government would not share that view, but it is worth exploring.

Perhaps the most substantial of all these three, from my perspective, is the changes that are proposed to the specific powers for the mayor. There is not much. The mayor will have an enhanced leadership role and will have to report to the community in terms of the implementation of the four-year strategy, but it is also proposed that the mayor will have the capacity to appoint the chairs of council committees. That may not sound like a big thing if you have never been a member of a council, but it creates the potential for some divergence of opinion and potentially friction between the mayor and councillors because the mayor may well appoint members of the council to chair council committees that do not have the confidence of their own colleagues, but may be allies or colleagues or the preferred candidate — whatever — of the mayor. So it does create the possibility of friction. It is an issue that I was certainly well and truly aware of when we were experimenting with Greater Geelong City Council and I would approach this one with caution, I think.

As I mentioned, the ASU also provided some input. Their initial submission was very comprehensive, and I thought they made some very valuable points. With regard to the final bill, their main priority there was, again, with regard to rate capping.

There is one aspect of the bill that I want to pick up directly, and that is the good practice guidelines. Proposed section 82 says the minister may issue good practice guidelines. They need to be published on an internet site and compliance by a council with relevant good practice guidelines can be used as evidence that the council has complied with the corresponding requirement under the act or regulations. I am a little bit — not a little, a lot — concerned about this because it is, from my perspective in any case, effectively a delegation of the legislative authorities of the Parliament. Normally we obviously have regulations which are done by a disallowable instrument, but they are subject to being overridden by either house of the

Parliament. The guidelines that are proposed would not be subject to that recourse, and I think that is a concern because it is essentially subordinate legislation that is beyond the scope of the Parliament to have some influence in. It would set, in my view, a very nasty precedent.

There are a number of other issues with regard to the move from standards to an enabling legislation. There is the potential, for example, to have 79 different procurement arrangements for councils, and I am not sure that is really the best possible outcome. While I have picked up some of the detail in the bill — as I mentioned it is a big document, it covers a lot of ground and I could not possibly begin to cover all that ground in half an hour, probably even half a day, and I am certainly not going to suggest I should take the Parliament's time to do that — I think it is important that we do actually have that discussion, because there is a lot here that will not otherwise be considered.

Local government derives its considerable authority — and it is considerable authority — from the Parliament. The bill before the house proposes a significant change to the manner in which that authority is delegated, and it suggests a considerable change to the constraints that have historically been placed upon it. As I said, it is a major and complex piece of legislation — 409 sections. It repeals or significantly amends four principal acts and makes consequential amendments to a further 119 acts. It is a big piece of legislation and I do not think it is there yet. It, in my view, needs significant further work before it will be fit for purpose.

Had that further round of consultation occurred, which I talked about earlier, perhaps the final bill would have been serviceable. I think that is unlikely, but in any case I understand why that did not occur and I understand why we are where we are at. But given the significance of this bill, I think proper scrutiny is required. I do not believe that the normal process for second readings and even consideration in detail in this house would provide sufficient opportunity for full scrutiny by the Parliament, and I certainly do not propose to come into the house with a list of 20, 30, 50, 200 amendments to the bill, which would have potentially been on the cards had the opportunity been there to, as I say, consult more broadly.

I do think the bill would benefit from that scrutiny, so I would suggest that the appropriate action for the opposition to take, and what we intend to do, is to not oppose the bill in this debate and to allow the bill to proceed to the Legislative Council. We do believe that the appropriate course would be for the Legislative Council to refer the bill to a committee so that there is

the opportunity for some further discussion. We do not want to throw the bill out. We do not want to waste the effort. There has been a lot of time and effort and money and commitment put into this bill, but there are a lot of things in there, I think, that do need further exploration and would be well served by referral to a committee in the other place, so I will certainly be speaking to the crossbench and speaking to the Greens with a view to having the bill referred to a committee for further consideration.

Ms GREEN (Yan Yean) (18:03) — I take great pleasure in joining the debate on the Local Government Bill 2018. The overall objective of this bill is to give effect to the government's election commitment to create a new Local Government Act. This is a government that keeps its promises. There has been an extensive period of consultation in the lead-up to this bill. It was a four-stage consultation process. There was stage 1 — reform ideas — in 2015. The government released a discussion paper, followed by statewide, face-to-face consultations and an extensive submission analysis. In stage 2 in June 2016 a directions paper was publicly released and then stage 3 was the Local Government Exposure Draft Bill, which was released in December 2017. I think that gives the lie to those that would say there has not been an enormous, enormous amount of scrutiny on this piece of legislation.

I follow the lead speaker for the opposition. Obviously I only get 10 minutes. He had a very long time to go through his position on the bill. I am primarily going to use my time to refer to some of the examples and particularly the criticisms by the Municipal Association of Victoria (MAV), respond to some of them and particularly use examples within my own community that I represent. Also, being the parliamentary secretary for regional Victoria, I am frequently in discussion and consultation with small rural councils and have a great deal of empathy for the difficult job they have to do.

The first thing I want to go to is in relation to the MAV's opposition to the discontinuation of mixed single and multimember wards and wards with varying numbers of councillors. Having an equal numbers of councillors in each ward of a municipality is essential to ensuring equity in the quota required to be elected. I am very taken with the argument put forward by the Proportional Representation Society of Australia. They made this point very forcefully, particularly in relation to Latrobe City Council, saying that in the east ward, with four councillors, there is only 20 per cent plus one required for a quota. Central ward have two councillors and 33 per cent plus one is required to be elected. Then there is south ward, with one councillor — 50 per cent plus one.

We have a similar situation in the City of Whittlesea. A previous review was done by the Victorian Electoral Commission into the City of Whittlesea. The then councillor Pam McLeod, who was also the president of the Australian Local Government Women's Association, was at the time a north ward councillor, and most of the Yan Yean electorate and where all the growth is occurring in the City of Whittlesea is in the north ward. Both of us contended at the time that some of the most complex issues and the greatest needs of the communities across the whole of the City of Whittlesea were experienced by those in the north ward. But what we have seen over and over again until recent times is that because the south-west ward and the south-east ward have four councillors each and the north ward has only three, it is constantly those communities in the north ward that are effectively done over.

Over a number of years and for the first couple of years of this government, with applications to the Growing Suburbs Fund and with sport and recreation applications, it just seemed like time and time again — which I felt quite sad about — that the Growing Suburbs Fund was supposed to be about assisting growing communities but so much of it was being invested in the southern part of the City of Whittlesea, and the north ward was continually being done over. Cr McLeod and I put that argument to the inquiry previously when ward boundaries were changed, and unfortunately we were unsuccessful. There should be equal numbers of councillors in each ward. We must ensure equity in the quota required to be elected. This is the same for us. We are elected on the same basis, and I think that it shows respect to the community to do that.

The Municipal Association of Victoria also opposes the rating system being set as capital improved value and for that to be set by the minister for all local government rating systems. Having a single rating system makes rates more transparent for the public and removes any public perception of arbitrariness in rating. I know that there are only a handful of councils that do not use CIV; 73 out of 79 councils use CIV rather than net annual value (NAV).

I have four municipalities in my electorate, and one of those, the City of Whittlesea, uses NAV. I have been a ratepayer in both Nillumbik and Whittlesea. Everyone knows that Nillumbik has very high rates, some of the highest rates in the state. Those living in Doreen — right next door in the northern part of the municipality of Whittlesea — might even be on smaller properties, properties that are of less value than those next door in Nillumbik, and they are paying just as much or more. They are questioning that, given that the rate base of Nillumbik is so much lower. They do not find that fair.

The MAV opposes the power set out in the bill where a council can vote a mayor out of office mid-term, arguing it may destabilise the council. In response I would say that the bill limits this power to apply exclusively to mayors serving at least a two-year term. It also requires about three-quarters of the council to vote for the mayor to be removed. The member for Eltham and I have seen examples, particularly in the Shire of Nillumbik, where if this power existed right now, Cr Peter Clarke might not still be occupying the mayor's chair in that he has been completely secretive in shutting out other councillors. He has been loose with the truth. He has been caught out on national television and on the evening news. He has had the mickey taken out of him by no less than *The Project*, because he was so loose with the truth — he could not find the truth — in relation to the 17 plots of land that the council planned to dishonestly sell. Fortunately they backed down from that.

I also think that it is very problematic that in the leadership of the MAV at the moment we have a councillor who is actually not showing up to council meetings in her own municipality; that is Cr Mary Lalios. I think it is just disgraceful in a municipality with such great needs that she has not been seen at a council meeting for months. I do not know what the explanation is, but I have read an MAV press release with her name on it dated 19 June, so I do not think she is unwell. I do not know why she is not attending to her duties in the City of Whittlesea. I think that her continuing to hold that position and her leading the MAV when she is not undertaking her own duties is, frankly, a disgrace. She should have a good look at herself, as should the board of the MAV.

The government has gone to great lengths to consult on this bill. I commend the officers involved, and I commend the bill to the house.

Mr McCURDY (Ovens Valley) (18:13) — I rise to make a contribution to the Local Government Bill 2018, which members will know we are not opposing. The main purpose of this bill is to give effect to the Constitution Act 1975, by providing:

that local government is a distinct and essential tier of government consisting of democratically elected Councils having the functions and powers that the Parliament considers are necessary ...

to good government for each municipal district.

The bill will repeal and re-enact the Local Government Act 1989, except for provisions dealing with sewers and drains, drainage and transport and those interesting areas. It will also repeal the City of Greater Geelong

Act 1993 and amend the City of Melbourne Act 2001 and the Victorian Grants Commission Act 1976.

This bill is a complete rewrite of the Local Government Act 1989 and comprises many parts, including the role and powers of councils; the offices of mayor and deputy mayor and the manner in which they are elected; details relating to councillors, entitlements and chief executive officers; the members of council staff; and audit and risk committees. The all-important parts of the bill are about council decision-making, accountability, procedures and proceedings, local laws and good practice guidelines.

Also, there will be some work in there on planning and financial management — strategic planning, budget processes and reporting and financial management — which I think is imperative as we elect councillors who generally when they are elected have not been in any other form of government. It is a very early stepping stone, and it is important that at the start of this process the strategic planning and budget processes are well-documented and clear for those councillors.

The bill also deals with rates and charges — procedures for the declaration of rates and charges and special purpose charges, payment of rates and charges, recovery of rates and charges and environmental upgrade agreements. It also includes council operations, including service performance and procurement, beneficial enterprises, powers in relation to land and to carry out works on land, unpaid moneys and land information.

But the most important provision I think is council integrity. This includes improper conduct, conflicts of interest and interest returns, gifts, councillor conduct, appointment and functions of the principal council conduct registrar, council conduct panels and VCAT. In my electorate of Ovens Valley many would be well aware of the Rural City of Wangaratta and the way in which Julian Fidge, when he was elected as a councillor, and others worked together to try to bypass the commonsense regulations and really turned the Rural City of Wangaratta into the laughing stock of Victoria. The council was eventually sacked and replaced through a democratic process. It is fair to say that the council is running very, very well at the moment under the helm of Ken Clarke, who turns out to be the oldest mayor in Victoria. We actually have the youngest councillor in Victoria on the same council. Ken Clarke is 82 years old and Ashlee Fitzpatrick was 18 when she was elected recently after a countback. It is good to see that diversity in the Rural City of Wangaratta. There are various other areas that this bill looks at, and there are some general provisions

including proceedings, service of notices, obstruction of a council and regulations.

The background to the bill is that it is the outcome of a four-part consultation process: a discussion paper was issued in September 2015, with 348 submissions received; a reform policy directions paper was released in June 2016 with similar community engagement, 333 submissions were received; details of the reforms were developed to inform a draft bill; and there was the release of a draft bill, and again public submissions were sought and 190 submissions were received. Many of these were either from councils, associations or other industry bodies.

In terms of issues for consideration, the bill is described as being principles based. Council functions and processes are no longer specifically defined. Functions are considered to be anything required for good governance while processes are essentially whatever the council chooses to do to achieve those principles.

The government claims that the bill will reform local government in various ways, including providing a better understanding of the role of councils as democratically elected bodies. As I said earlier, many people who come into that role have not had experience at being democratically elected, and I think it is important that that is well understood and that work goes into ensuring good governance. The bill will also encourage Victorians to participate more as candidates, voters and citizens in council activities and to contribute to council strategic visions and plans. I think it is really important that that takes place. Quite often people are very quick to criticise local government, but it is at the coalface, at ground level, as we know. More understanding and more education for people on the planning and operation of a council, whether they choose to run or not, would make for a better world; there is no doubt about that.

The bill will encourage councils to embrace innovative and collaborative arrangements that increase organisational efficiency and deliver public value for residents. Public value for residents is not just about perception; it actually needs to happen. This is particularly important when we consider the lack of faith people hold in the decision-making process in councils and in all tiers of government. The bill will also provide a sound framework for the sector to become more efficient and enterprising in its local governance.

The main reforms in the government's view are that mayors will provide greater leadership to councils by adopting more extensive responsibilities and

undertaking a commitment to report progress annually to their communities on the council's four-year plan. It is about being a good council with good governance but also about explaining to the community what you are doing, why you are doing it and how you are doing it. It is extremely important to keep communication lines open.

Quite often somebody will say that they live in an area with the worst council in the state, and then there is almost a race to the bottom. They will say that their council is the worst in the state. It is because they do not agree with the recommendations or charges, or more to the point they do not understand how the decisions were made and how the process works. It is a two-way street in terms of understanding the decisions that are being made and why they are being made by both parties. It is about telling people and those people taking the opportunity to learn as well. Councils will integrate strategic planning and reporting and adopt a long-term approach, comprising a four-year council plan, as I said, a long-term community vision, a 10-year financial plan and a 10-year asset plan.

The bill will strengthen the minister's powers to deal with individual councillors who are contributing to or causing serious governance failures at a council. I think it shores up those powers and allows more flexibility, which we did not have when the Rural City of Wangaratta was in trouble in terms of rogue councillors — those powers were not there to remove single councillors or to deal with individuals. This will obviously make it a more transparent process. It is an important step so you do not have to remove a whole council, go into administration and go through that whole process again. I have seen the scarring in the community of Wangaratta and how much pain and uncertainty that caused to our community, whether that was in planning or any other part of the council's role. Certainly these changes will improve that. The bill will improve the capacity to remove a mayor from office by a council process. This has been limited to mayors who have elected to serve two concurrent terms.

There are various other parts to the bill, but I will not go into too much detail about them with the time I have left. I will pick out a couple. The bill requires the minister to consult with the Victorian Electoral Commission (VEC) before determining the election method and various other areas in which to work with the VEC.

I understand there has been plenty of consultation throughout this process with the local government authority, with the Municipal Association of Victoria, and with other sectors to ensure that they all have had

an opportunity to have their say. With that, I commend the bill to the house.

Mr J. BULL (Sunbury) (18:23) — I am also pleased to have the opportunity to speak on the Local Government Bill 2018. What we know is that the role, structure and functions of local government have evolved over the years. The expectations and the demands placed on our local municipalities by local communities have changed, but what we know and what has not changed in its entirety is the Local Government Act 1989. That is not to say of course that there have not been amendments; there have been a significant amount of amendments to this legislation — over 100 in fact — which has resulted in a clunky piece of legislation that in many parts can in fact be contradictory.

This bill, as we have heard this evening, replaces the 1989 act, modernising the governance of our municipalities and bringing the legislation into the 21st century. We on this side of the house are of course a modern government, an active government, a busy government, a government they gets on with things, and we are committed to making things fair. This is an important piece of legislation because we know that our local municipalities play a key role in supporting our local communities. Other members in their contributions have highlighted this, and I will go into that a little bit further later on in my contribution.

Local communities right across the state expect and deserve ward councillors, mayors and councils that work hard for local communities, that are responsive to their needs and that deliver services each and every day.

Earlier this year I had the pleasure of tabling in this Parliament a report of the inquiry into the sustainability and operational challenges of Victoria's rural and regional councils. In the work undertaken by the committee we had the opportunity to travel right across Victoria to some great rural and regional communities to hear of the experiences of councils, community groups, individuals and stakeholders. Public hearings were held in Melbourne, Traralgon, Wycheproof, Kerang, Shepparton, Bendigo and Colac. The committee made 14 recommendations. We learned of the more acute challenges that our rural and regional councils face. I am not going to spend too long on that report, but I just want to highlight a number of —

Mr Richardson interjected.

Mr J. BULL — I know the member for Mordialloc was particularly passionate about this committee, which did a significant amount of work.

All of these small municipalities face significant challenges. We have of course seen that for those with smaller populations and often very large road networks, roadside weed and pest management are significant financial burdens. How does this relate to this bill? Section 4.2 of this report talks about increased responsibilities for municipalities:

The committee heard repeatedly that a major cause of the growth in expenditure was an increase in the responsibilities undertaken by local councils. The committee heard that both the number and scale of responsibilities has increased. Greater Bendigo City Council quoted a review which found that:

Historically, local government has been focussed on what are defined as 'essential' or 'core services' being roads, rates and rubbish. Today local government has become ... more complex.

The concept of essential or core services has moved beyond the historic definition and today includes —

and a number of members have spoken about this in their contributions —

strategic planning, child care, waste, community development and recreation.

In addition to an evolving definition of services is the expectation that local government is not just a provider of services but should also facilitate and promote economic growth and development within the municipality and wider region.

With these additional responsibilities and additional requests from local communities there is a greater responsibility for our municipalities to be responsive to those communities, and an act from 1989 just does not support a number of these evolving municipalities the way that it should. The report goes on to note that:

Several councils informed the committee that they now offer in excess of 100 different services.

If we take the findings from the committee and then look at the extensive body of work that is involved in the Local Government Act, we can see that changes needed to be made.

I want to take this opportunity to discuss the importance of having a well-connected, hardworking, active municipality. I spoke earlier about the importance of good ward representation and good mayoral representation. I think that communities that are well serviced by good, hardworking ward councillors will then see that reflected right through the body of the work of the municipality itself.

I heard the member for Yan Yean speak about the Growing Suburbs Fund, and that is also a fund that is particularly important to my area. A good state local partnership, such as the partnership that has been struck

in my electorate, can actually result in significant positive outcomes for local communities. If I take very briefly my own community and have a look at some of the projects and infrastructure that have been delivered through things like the Growing Suburbs Fund, there is \$3 million for the Sunbury global learning centre, \$2 million for the warm water pool, \$100 000 for the BMX skate park, nearly \$500 000 for the Boardman Reserve — all in partnership with the local municipality — and there are a number of other projects that are included in that. These are projects that make a genuine difference to people's lives — projects that benefit my community — and they are important in the context of a council's ability to service, in my case, a rapidly growing community.

As we have heard, the bill before the house this evening repeals and replaces the Local Government Act 1989, giving the Minister for Local Government the power to suspend for up to a year those individual councillors who pose a significant threat to the governance of a council. The bill will clearly define sexual harassment under the councillor code of conduct and introduce the power to remove councillors for serious sexual harassment. It will allow mayors serving two-year terms to be ousted from their roles following a motion passed by at least three-quarters of the councillors in office. New measures will be provided to ensure that service charges levied by councils do not exceed the cost of those services. Importantly, the inclusion of four-year budgets within the act to meet higher standards for strategic planning, which I mentioned earlier, and financial management will be very well received by communities.

One thing that was certainly highlighted in the committee's work was the continuity of the delivery of services — being able to provide projects and programs that are not just on a year-to-year funding cycle but have a greater life span. That is something that I think will certainly be well received and well supported in the community.

This government stands for best practice in local government. This is a significant piece of legislation. It sets out a whole range of various items of framework that go to the heart of governance for our municipalities right across the state. The bill will help to modernise our municipalities and ensure they are more robust, and there is a new set of rules that governs the behaviour of those local representatives.

The Andrews Labor government is committed to making things fair and getting things done. I am very, very proud and very pleased that we are not just a government for today but a government for

tomorrow — a government that is committed to and focused on delivering for each and every Victorian right across the state. I commend the bill to the house.

Ms SANDELL (Melbourne) (18:32) — I rise today to speak briefly on two issues relating to this bill. I will not go into a lot of detail or take up much time — I will leave that to my colleagues in the upper house, who will seek to improve the bill with amendments — but speak more about the Greens' views on the entire bill.

I want to raise two quick issues today. The first relates to who gets to vote in council elections. This is especially important here in the City of Melbourne, which covers most of my electorate and where we stand today. As many people will know — and I hope members in this place will know, because I have spoken about it before — the voting system for the City of Melbourne council elections is deeply unfair and in fact quite gerrymandered. Many businesses are automatically added to the roll and given two votes when residents only get one. Also, non-resident property owners — that is, people who do not live in the City of Melbourne but own property in the city — also get up to two votes. This bill does not change that, so, to be clear, the government is actively choosing to keep this unfair system of voting.

The current voting system for all of our councils favours wealth and landownership over residents. The City of Melbourne, for example, has 60 per cent non-resident property owners or businesses on the roll. That has resulted in its being the wealthiest and also having the highest proportion of males of any electoral roll in the country, which is a really adverse outcome if you ask me. Is this the kind of democracy that we want in our city? As a society we actually granted universal adult suffrage to most men and women in 1902, irrespective of whether they were wealthy enough to own land, yet this gerrymander still exists in our councils. This is despite the Local Government Act 1989 review directions paper providing two alternative options that would have seen an end to the gerrymander and the voting system made a lot fairer.

I know the member for Richmond is having a chat with the opposition, but maybe he might learn something if he listens to the speech.

Mr Wynne — So I might learn something from you about the City of Melbourne?

Ms SANDELL — Yes. You might learn something from my speech if you manage to actually listen rather than talk to the opposition about maintaining the current

voting system, which benefits the Labor and Liberal parties but is actually deeply unfair for residents.

The Local Government Act review directions paper provided two alternative options to make voting a lot fairer. It recommended either making it so that in the future to vote in local council elections you have to be on the state electoral roll, but retaining the right to vote for people who currently own property so they are not disadvantaged by the changing rules, or maintaining the existing voting system but stopping the automatic enrolment of property owners, instead requiring those people to apply to enrol for future council elections if they choose to do so.

Either of these options would have been a lot fairer and in fact more democratic than the current system, but instead this government has backed down. They know that a Melbourne City Council filled with representatives who have big corporations' and property developers' interests at heart is better for both the Labor and Liberal parties in Spring Street, much better than a council that truly represents the people who live here, no matter their wealth. I am disappointed that this bill fails to uphold a core value of our democracy — that is, that our ballot box should respect the idea that one citizen gets one vote and that vote has one value. I will continue working with my colleagues, particularly in the City of Melbourne council, as well as the local community to ensure that the City of Melbourne elections are democratic, fair and free from undue bias.

One of the people who has always upheld the rights and views of residents is one of our local councillors, Rohan Leppert. I wanted to make a special mention of him today as he ran as a candidate for Lord Mayor of Melbourne in the recent by-election. Rohan is actually one of the smartest people I know. He would have made an excellent Lord Mayor. I am honoured to know him, and the citizens of the City of Melbourne are really lucky to have someone so diligent and intelligent as their councillor. I know a lot of them are really appreciative of him for all the work that he does.

I also want to thank all the volunteers who worked tirelessly on his campaign to make sure that issues of fairness, equality, good development and environmental sustainability were advanced during the campaign. There are too many volunteers to name and I do not want to leave anyone out, but thank you to all of you who put in so many hours. You folded and delivered letters, you put up placards, you stood at train stations in the morning and evening, you were on campaign committees, you organised and attended fundraisers and so much more. We cannot thank you

enough. We are also indebted to the other Greens councillor, Cathy Oke, for her tireless work for our city's sustainability and also the work that she has done recently for women. All these people do fill me with hope for the future.

I would also like to congratulate our newly elected Lord Mayor of Melbourne, Sally Capp, the first woman to take the job in almost three decades. Melbourne is an amazing, livable, vibrant and diverse city, but as we all know, it is not without its challenges. Just this week the *Age* reported that Melbourne has reached a level of population density greater than New York City. Successive governments have failed to plan for our city's growth, which is why much of what we love about this city, as well as its environment, is really under pressure today. I look forward to working with Ms Capp on the issues that are important to residents in our city.

Some of the issues that people regularly bring up with me include improving public and active transport; reining in inappropriate development; making sure everyone has a safe place to call home; ensuring our diverse population, such as our African-Australian communities, have the same opportunities for education and employment as everyone else; and also protecting our livability, heritage, arts and of course wonderful parkland. The residents of the City of Melbourne want Melbourne to be built for people, not just for property developers or the big end of town. I stand ready to work with the Lord Mayor on these aims.

This brings me back to the second issue that I would like speak to on this bill — that is, that this bill does not prohibit donations to councillors or candidates from property developers or the gaming industry. These corrupting donations to councillors and candidates are simply wrong. It is no wonder the bill does not remove or limit them, because both the old parties in this house benefit greatly. It is shameful that candidates and incumbents continue to allow themselves to be bought so easily and so openly.

As I have already mentioned, the Greens will move to improve this bill in the other place. However, the fact that this bill maintains the franchise status quo while not banning donations from vested interests really is a huge gaping hole.

Mr DIMOPOULOS (Oakleigh) (18:40) — It gives me great pleasure to speak on the Local Government Bill 2018. This is a really important bill. Obviously local government is an important level of government and it does evoke a lot of emotion. One of the tests — probably not the only one — is that when the radio is

on about local government, the switchboard lights up. It is a very important area of policy and a very important level of government because it impacts people's lives every day.

This bill is comprehensive. As I think the member for Sunbury and the minister and others have said, it is a comprehensive bill, and it is the first time in 30-odd years that the act has been redeveloped, in a sense, in such a comprehensive way. I want to read a quick paragraph from the minister's second-reading speech, which I think is colourful but also sets a bit of a good context about the historic nature of this bill. She said:

When the existing principal legislation for councils received royal assent in 1989, the Berlin Wall remained implacably in place, the internet and Skype were future fantasies and Victoria had 210 relatively small councils operating much in the way they had for generations. That world is as unrecognisable to Victoria's 79 modern councils as it is to most members of this house.

That is absolutely correct. I think this bill is timely. It is probably overdue really, but it took a long time to get here. It was an appropriately long time because there was an important conversation required, and more so than in some other areas of public policy because while local government is a construct of the Victorian statute, it is actually an independent level of government in many respects, and we should respect that independence. I think this bill does. I believe this bill provides more independence by providing more scrutiny, better governance, more accountability and more transparency. The minute you do that with a sector you build more trust around that sector, and that trust brings with it more independence in the future. The more trust you have in an institution the more it can build its own independence.

There are many provisions here but I would like to just focus on a number that I think are really critical and some that are of interest to me and my community. The concept of developing a four-year budget is not news to us in this level of government. I remember that when I was on council we would see a four-year budget but really we were only required by law to provide an annual budget. The forward budget, so to speak, was more for our internal use rather than for the community. Many councils do four-year budgets, but this bill will require them to do so for the benefit of the community.

Along with the four-year budgets, this bill requires councils to establish 10-year financial plans and 10-year asset management plans. Again, that is really vital when you look at the billions of dollars of community assets that councils have custodianship over, and more and more there are complicated ones

that require active management and depreciation support over time so that councils are not left with a huge infrastructure deficit and depreciation gap in terms of maintaining their assets. It is really important that these things happen. As I said, with some of the provisions of this bill, and I think the minister also referred to this, some councils do these things, but this bill enshrines them in law.

Another important element for me is the mayor's role. I think this bill rightly extends the role and enshrines it. It makes it stronger in law. The bill sets out some additional responsibilities for mayors, the most important one being the responsibility of mayors to report annually to the community on the council's progress against the four-year council plan. Some mayors already do that in their monthly newsletters or the annual reports, but this requires them to take some ownership over it. In my experience on council primary ownership of the council plan was taken by the CEO. I think that is appropriate, but I think it is more appropriate, as a matter of fact, to get a bit of a team approach happening between the mayor, as the representative of the elected arm of the organisation, and the officers as represented through the CEO. I think it is really important that that happens. I think what this will do is train a new generation of mayors to take a bit more interest in the council plan. I am not saying they do not now, but sometimes you can take a bit of a back seat to the CEO in terms of the council plan because you have the politics to manage, you have community sentiment to manage. This will encourage mayors, with the support of the CEO and the councillors, to take a bit more leadership on the council plan.

The other provision that I think strengthens the mayor's role is the provision that ensures the CEO consults the mayor on the agenda of the council. This is pretty basic and it happened in my council, but I know that in some councils that does not happen, whether it is because of a broken relationship between the CEO and the mayor or because the mayor does not take a particular interest. I think it is absolutely appropriate that there is consultation in terms of the council agenda, so that things do not come up with 5 minutes warning to the elected arm of the organisation.

I have just a couple more things given the limited time I have. I also think it is very important to endorse comments made by previous speakers about the value of ensuring that each citizen has an equal vote. This is where I do not understand the Municipal Association of Victoria's (MAV) stance on our approach to defining only three structures of how councillors may be elected. I think the MAV made a ridiculous statement. It said:

It could significantly change how communities are represented.

Yes, I agree. It could actually significantly change it by actually giving each voter an equal say in who they are electing. I think that is a principle that is beyond question, and I thought we had put it to bed decades ago. Nonetheless, I am pleased with that provision and I disagree entirely with the MAV's stance on that.

I also want to commend the bill's work towards creating, as I said at the beginning, greater transparency and accountability for councils. The minute you do that you also create, in time, greater independence. I am referring specifically to the provisions which require — again some of these have already been done by councils, but now it is enshrined in law — a CEO employment and remuneration policy; councils must create that. They must create governance rules to govern the conduct of council meetings and a gifts policy. They must create a community engagement policy which the mayor must have a fair bit of investment in. There must be an investment policy which deals with council investment decisions and a borrowings policy. These are really simple things but really important things for the accountability and transparency that the organisation provides to the community, and it is stuff that is not unusual in other levels of government.

What took my particular interest was the strengthening of the audit and risk framework within the councils. As other former mayors in this place, around the time that I was in local government I chaired the audit committee. Have you heard of anything more ridiculous than that? I chaired the audit committee for an organisation that I had a vested interest in because I was the mayor of it. How could you get any independence? That was changed I think three or four years ago so the chair of the audit committee could not be a mayor or a councillor. I looked at the provisions in the current act in terms of the audit and risk committee, Acting Mayor — sorry, Acting Speaker; I am getting my offices mixed up — and it is really quite thin in terms of the requirements of a councillor in audit and risk. The only requirements are, in section 139:

(2A) The chairperson of an audit committee—

- (a) must not be a Councillor; and
- (b) must not be a member of Council staff ...

And:

- (3) An audit committee must be constituted in the prescribed manner.

The new provisions in this bill are extraordinarily robust. Clause 52 provides that an audit and risk committee cannot consist of a majority of members who are councillors and cannot include council staff. This is entirely appropriate; it has to be at arms length. And there are a whole range of other provisions. A council must put together an audit and risk committee charter. It is an audit and risk framework which is worthy of the significance both in terms of financial significance and the significance of community faith in local government. It is absolutely worthy, and it has been a long time coming. I support that provision.

I support all the provisions in this bill. I think it is an excellent bill. I commend both ministers, the current minister and the then minister who started this journey, and I commend the bill to the house.

Mr WAKELING (Ferntree Gully) (18:50) — It gives me pleasure to contribute to the debate on the Local Government Bill 2018. Can I say from the outset that local government delivers important services for the Victorian community. In fact I am probably one of those rare beasts that actually has served on both sides of the fence: as a councillor but also as an employee of local government. I think that has given me a great opportunity to understand the challenges local government face and it has also given me a very good understanding of the important work that they deliver. I also understand the benefits of having a very strong and strategically focused local government — I served as a councillor in the City of Knox — but I also understand the challenges of having a dysfunctional council, being a former employee at Nillumbik council in the late 1990s, when in the first week of gaining employment I then learned that the council was sacked. We operated with administrators and then we went through the farce of senior management in fact taking legal action against the then former councillors.

Mr Wynne — How did that all go?

Mr WAKELING — It certainly did not go well, and from a governance perspective it certainly did not look after the interests of the community and did not look after the interests of the employees of the council. I place that on the record because I think that gives me a unique opportunity of understanding the challenges that local governments face both in terms of their aspirations to deliver services for the Victorian community but also the challenges they face as organisations.

I think all of us come to this place with a view that we want local governments to be best placed to look after Victorians. We want them to be best placed to utilise

the rates that they receive to deliver services and to provide infrastructure that meets the needs of local communities. That will mean different things for different communities. For metropolitan councils, they can deliver a vast range of services that many rural councils could only dream about. Regardless of the level of rates they could levy against their residents, by sheer distance there are many services that local communities cannot receive in rural Victoria that can be delivered in metropolitan Victoria.

I note with the bill before the house that the member before me made some commentary regarding some of the concerns that the Municipal Association of Victoria have raised. I wish to say that it is imperative that whatever we do in regards to the delivery of new legislation with respect to local government — and the bill before the house has 388 pages — we have got to ensure that what aspirationally can be beneficial for metropolitan councils is not going to impose a significant burden on small or rural councils which they cannot deliver, even if they wished to, because constraints of revenue and constraints of geography may make it difficult for them to in fact deliver on some of the provisions of the bill before the house.

I note that there was discussion before in regard to asset management and an asset management strategy. I must say that when I was a councillor we went through an asset management strategy, and I learned a lot about assets. I learned a lot about the lifecycle of drains and footpaths and buildings. Certainly working at a metropolitan council I think that placed Knox on a good footing in terms of identifying what its future needs were in ensuring that the council was better placed into the future to identify what moneys needed to be set aside by councillors to ensure that they could deliver on the upkeep of the assets of that local community. I understand the benefits of having a strategic approach. I am mindful, though, that for smaller councils, for rural councils, the asset management strategy for a 10-year period may in fact be difficult professionally and financially to develop, and even if it is developed, they still may be placed in a very difficult position to financially deliver on the plans that are developed over that 10-year period. I just think we need to be mindful that whatever we put in legislation does not burden those councils which may not be able to deliver on some of the objectives of the bill before the house.

I understand the bill is also going to provide for a greater role in terms of the mayor, and I do understand the importance of the role of the mayor within Victorian councils. I think that by and large the Victoria community is broadly supportive of local government. Despite the protestations you will hear on radio and in

other media outlets about councils, I think most Victorians believe that their local government do provide an important service to the community, although questions will always be asked about the breadth of services that councils involve themselves in, not just from a political perspective but in terms of the breadth of services that they are delivering on and whether or not they are more appropriately dealt with by other levels of government. I think that is an important discussion that all councils need to look at in terms of understanding what their critical role is and what it is not in terms of trying to deliver services for which another tier of government may be more appropriately held responsible to deliver on.

Can I also say that I understand that a level of consultation has occurred leading up to where we are today. However, concerns have been raised about the level of consultation that occurred between the exposure draft that was put out for comment and the delivery of this bill. I do understand that some councils have expressed concerns with the legislation in this form before the house as opposed to previous information that was outlined in the exposure draft discussion paper.

I wish to place those issues on the record because I think it is important that we have a very strong and active local government that is focused on supporting Victorians, that is focused on delivering services and that is focused on those important areas for which councils are responsible, whether it is in children's services, whether it is in sports and leisure, whether it is just dealing with basic infrastructure such as roads and footpaths and our playgrounds, and the breadth of other services that councils provide.

I know by and large that council staff are there for the right reasons; they genuinely believe that they are delivering important work for their local communities. I know that broadly speaking councillors themselves are also there for the right reasons: to support their local communities. But again, the challenge of any bill and major reform regarding that sector is that one piece of legislation applies to all councils, regardless of their size and regardless of their capacity to deliver services for the Victorian community. I wish to place on record the concerns that have been raised by some councils, but again I wish to recognise the work that has been done by Victorian councils in the delivery of important services.

With some final comments, can I place on record my congratulations locally to the work that has been undertaken by my own council, the Knox City Council. I thank the mayor and the councillors for the work that they do delivering for our region. I also place on record

my thanks for the hard work of the staff at Knox City Council, ably led by their new chief executive officer and his management team. On behalf of my local community, on behalf of the Knox community, I do wish to place on record my congratulations and thanks.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — The question is:

That the house now adjourns.

Sanatorium Lake, Mount Macedon

Mr WAKELING (Ferntree Gully) (19:00) — (14 567) I wish to raise a matter tonight with the Minister for Energy, Environment and Climate Change, and the matter I wish to raise is in regard to the removal of trees at the Sanatorium Lake picnic ground in Mount Macedon. This is an issue that has been raised with me by Amanda Millar, the Liberal candidate for Macedon, who has raised concerns with me on behalf of her community. She has been speaking with representatives from the Mount Macedon community who have been concerned about the way in which the government has managed the removal of poplar trees at the Sanatorium Lake picnic ground.

These trees, which are clearly non-native trees, have been at this location potentially for upwards of 150 years. A decision was taken to remove the trees from the site. The trees were bulldozed, but interestingly what happened is that when those trees were bulldozed they were not removed — they were effectively just left and more importantly were pushed into a neighbouring creek. That has resulted in branches and leaf matter being caught in the waterway and washed down the creek.

The community has raised three concerns. The first concern that has been raised is why a decision was made in the first place to remove those trees which, whilst being non-native, certainly were an important part of the Mount Macedon community. The second concern that has been raised is in regard to the trees that were removed as there is clearly an opportunity for smaller trees to grow through. The poplars and any offshoots have not been removed, so there is that potential for those trees to grow back. The third and more important issue is why action was taken in such a way that has seen the trees pushed into a creek where they are washing downstream and causing great concern for the local environment. The action I seek is for the Minister for Energy, Environment and Climate Change to provide an explanation to the Mount

Macedon community and explain why the decision was made and why a decision was taken not to remove the trees from the site but to allow them to be pushed into the local creek.

Ivanhoe electorate infrastructure projects

Mr CARBINES (Ivanhoe) (19:03) — (14 568) My adjournment matter is for the Treasurer, and the action I seek is that the Treasurer visit the Ivanhoe electorate to review future job and investment opportunities in the Ivanhoe electorate. In particular we could go and meet with some of those who have worked on the \$140 million Hurstbridge line track duplication between Heidelberg and Rosanna, which is now complete and will see a new timetable with extra services in the morning and afternoon peaks operating from August. We could visit my old school, Viewbank College, where an \$11.5 million redevelopment is almost complete in terms of a new performing arts centre which will be operating in August this year.

We could discuss with Ivanhoe Primary School the \$6.5 million classroom expansion and modernisation that has been funded in the past two budgets. There is the \$3 million Victoria State Emergency Service redevelopment and new headquarters in West Heidelberg; the \$6 million new Olympic Village Primary School in West Heidelberg, which will be out to tender in September this year; the \$6.28 million redevelopment of Rosanna Golf Links Primary School — my daughter attends prep in the new classrooms there that are supporting 600-plus students; and the \$3 million redevelopment of St Martin of Tours Primary School that is supporting extra classrooms for some 650 students, with our friends at Catholic Education Melbourne.

The \$110 million Chandler Highway duplication project on the way out to the Ivanhoe electorate, on our border there in Northcote, is a project we will see commuters using before the end of this year. It is a significant project for people who cross the Yarra in the Ivanhoe electorate. Of course there is the Olivia Newton-John Cancer and Wellness Centre and the research and medical equipment investments in this year's budget of some \$18 million for which we received the personal thanks and advocacy of Olivia Newton-John on her recent visit to the Parliament. That is another project that I think the Treasurer would be keen to hear more about.

Of course that does not include the \$350 million redevelopment and removal of level crossings at Lower Plenty Road in Rosanna and Grange Road in Alphington, which have been removed. Let us make

sure that in pulling all that together with the duplication works these are projects that are making a real difference to the lives of people in the Ivanhoe electorate, projects that I know the Treasurer would be keen to understand more about. Let alone the \$4 million for sporting clubs such as Heidelberg United Soccer Club this year; De Winton Park for Macleod Football Club and Rosanna Cricket Club; Viewbank Tennis Club; and the \$1.5 million for Nets Stadium in Macleod, where we have got 95 teams playing netball every Saturday. These are the investments that I want to continue to deliver in the electorate, and I want to explain those and show those to the Treasurer so we can continue to invest in the Ivanhoe electorate.

South Gippsland Highway

Mr D. O'BRIEN (Gippsland South) (19:06) — (14 569) My adjournment matter is for the Minister for Roads and Road Safety, and the action I am requesting is for him to expedite the construction of the realignment of the South Gippsland Highway at Koonwarra. This is a project otherwise known as the Black Spur bends as it will take out the dangerous bends in the Black Spur Creek area between Koonwarra and Meeniyar.

The reason I am asking for this to be expedited is twofold. The project is proceeding thanks to the federal government, which provided \$25 million for it, which was matched in last year's budget by the state Labor government. However, there was another fatality there only a few weeks ago where unfortunately a man driving a milk tanker rolled on the Black Spur bends, so I have had quite a number of people raise with me their concerns and ask what has happened with this and why has it not proceeded.

When I looked at the VicRoads website tonight I saw a June update that indicates that the start of works is now expected in early to mid-2019, and that is of significant concern in the community. This is a project that was funded in the federal and state budgets last year and that has been on the cards for probably over 20 years, probably nearly 30 years in some early planning. I appreciate that the minister's response will, I am sure, address the fact that there are some federal Environment Protection and Biodiversity Conservation Act 1999 complications that are currently underway and also some cultural heritage investigations that are also underway, which I believe are the two reasons for the delay, but this is a project that we do need to get finished, so I am asking the minister to expedite any works that need to be done to address those two issues so that we can get this project started.

The people of South Gippsland have been very patient on this project over a number of years, and I again thank my federal colleague Darren Chester who, when he was the infrastructure minister, provided the funding for this. I note, though, that the state minister should also have been providing funding for the South Gippsland Highway further down the line between Meeniyar and Yarram as part of this funding agreement. That was what the original deal was, but that has not occurred, and I believe there is \$11 million owed to that part of the road that needs to be done. I also ask the minister to expedite the Coal Creek bends at Korumburra, which is also a project in the planning stages, but my specific request is to get on with the Black Spur project to save lives and to make our transport in South Gippsland much better.

Yuroke electorate sporting reserves

Ms SPENCE (Yuroke) (19:09) — (14 570) My adjournment matter is to the Minister for Local Government, and the action I seek is for the minister to provide me with an update as to what opportunities may exist to help provide facilities for newly developed communities in the Yuroke electorate. The Yuroke electorate includes a number of new housing estates and covers one of the fastest growing areas in our state. Master plans for many local developments include future plans for facilities such as sporting reserves, and I know that many local communities are keen to see these new facilities take shape. These are facilities such as the new AFL and tennis facilities and pavilion at the Merrifield West recreation reserve development and the development of the Mount Aitken district recreation reserve, including softball fields and pavilion. This government has a fantastic record of working with the Hume City Council to deliver improved infrastructure in my community, and I look forward to hearing from the minister about opportunities to continue this work into the future.

Walker Park, Nunawading

Ms RYALL (Ringwood) (19:10) — (14 571) My adjournment request is for the Minister for Sport, and the action I seek is for the minister to fund Mitcham sporting club to enable a contribution to a newly constructed modern clubroom facility that also caters for girls and women, one that can rapidly meet the growing sporting community needs at Walker Park in Nunawading now and into the future.

The Mitcham Cricket Club was initially established in 1883 and the Mitcham Football Club in 1888. They are the two oldest sporting clubs in the City of Whitehorse. Walker Park in Nunawading became home to these two

clubs in 1910. In 1957 a grandstand was built, and in the early 1980s the clubs were given a social room underneath the grandstand. In 2000 they finally got some toilets and change rooms. In the small, dimly lit social clubroom and change facilities Mitcham Football Club, Mitcham Junior Football Club and Auskick, Mitcham Cricket Club, Mitcham junior cricket club and the Milo clinic, as well as the Mitcham Eastern Football League netball club, undertake their administration, club meetings and presentations. The logistics of this are chaotic and difficult to organise because of the size of the clubs as well as all of the other club activities that go on in that small area underneath the grandstand.

Those that use the club facilities include players, members and the supporters and families of both home and away teams. Football, cricket and netball-related activities bring thousands of people each week to use the Walker Park facilities. There are three senior football teams; 17 junior teams, including three girls teams; and 150 kids that play Auskick, both girls and boys. The cricket club has 10 junior teams, six senior teams, three veterans teams and a Milo clinic for boys and girls as well. The football, cricket and netball clubs that make up the Mitcham sporting club have been neglected. They are growing rapidly. They have the capability to add women's football to the sporting club, yet the facilities do not cater for the current needs of the club let alone the future needs.

Stopgaps and bandaids have involved looking at trying to make the rooms compliant rather than actually building something for the future needs of the clubs, including disability restrooms, which they do not currently have at the moment. You cannot get a wheelchair or walker into them, which is very embarrassing for those with disabilities. There are no facilities for girls and women. It is restrictive. The walls and beams hold up the grandstand, which means they actually cannot make those rooms bigger, and there is next to no natural light in the facility. People cannot move away from the bad weather. I ask the government to match the federal government's commitment to fund this facility.

Seaford North Primary School

Ms KILKENNY (Carrum) (19:13) — (14 572) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to join me on a visit to Seaford North Primary School to officially turn the first sod on their brand-new gymnasium and performing arts centre. I was delighted that \$5.02 million was allocated in the 2017–18 Victorian budget to upgrade this wonderful local school. This significant investment will help make sure that current

and future students at Seaford North Primary School will enjoy wonderful new upgrades, giving them the first-rate facilities they deserve to get a great education.

This investment is just part of the nearly \$9 billion investment in schools and education by the Andrews Labor government over our four years, more than double that of our Liberal-National predecessors. This is further evidence of this government's absolute commitment to the importance of education, to making Victoria the Education State and to making sure that every Victorian student has access to a great local school. I look forward to welcoming the minister at Seaford North Primary School to celebrate this multimillion-dollar upgrade with the school community.

Portsea beach

Mr DIXON (Nepean) (19:14) — (14 573) My adjournment matter is for the Minister for Energy, Environment and Climate Change, and the action I seek from the minister is to read and act on the recommendations of the Water Technology consultants' review of Advisian's report into restoring the now non-existent Portsea beach. The Advisian report brought forward a number of options to halt the erosion of the beach. The one chosen by the government was a \$3 million option to build a rock wall on the beach, which is essentially the end of the beach. It is saying the beach will no longer exist, and that will just stop the erosion into the foreshore and the properties on the foreshore.

The review was actually commissioned by the Mornington Peninsula council because they were obviously very concerned that Portsea beach would no longer exist and there would be a rock wall in its place. I will read the four recommendations, which I want the minister to read carefully and act on. The first recommendation states:

Based on the report and its appendices, it is considered that there is insufficient information to allow for the selection of a preferred option for detailed designed purposes.

The option that was selected was to build this \$3 million rock wall on what used to be the beach. The second states:

Most of the options that have been considered include some degree of risk. Further detailed analysis would be required to assess any preferred options to minimise the risk that they may have unintended consequences.

The third recommendation is:

The rock revetment option —

which is the one that has been chosen by the minister

will prevent further erosion of the specific section of the beach face but will not remediate the Portsea front beach.

The fourth recommendation is:

A shorter version of the groyne option proposed for the eastern end of the sandbag wall is one option that is relatively low risk and has the potential for ameliorating erosion and remediating the beach.

That is what we want. We want the beach to come back; we want the erosion to be stopped. Local businesses have suffered incredibly because the beach is no longer useful not only in terms of visitors but also in terms of the number of dive boats. The dive industry has actually left Portsea because of the fact that there is no beach there anymore and waves are crashing into the area. The report that the minister is actually referring to, which has chosen that option of the rock wall, has now been reviewed independently because of the concerns of the Mornington Peninsula Shire Council.

I ask the minister to review the recommendations that I have just read out and respond to them, because they are independent, and I think the options that they talk about and choose are ones that are very attainable and do not cost as much as the \$3 million rock wall option that has been chosen.

Williamstown waterways

Mr NOONAN (Williamstown) (19:16) — (14 574)
Tonight I wish to raise a matter for the Minister for Ports, and the action I seek from the minister is for him to publicly release a technical dredging study into the Williamstown waterways. As most members would be aware, the Williamstown area is very fortunate to have a significant set of maritime activities, local businesses, obviously a very big shipyard and of course a number of local yachting and fishing clubs. Each of those clubs and small businesses is really critical to our local community.

In more recent times the maritime precinct has faced a number of challenges arising from the increased use of the bay's shipping channel. I have been informed by local stakeholders that the issue of surge waves has become increasingly problematic for them, as it is causing some damage to their facilities and to local boats. The surge waves have also caused a large amount of sediment to accumulate along the Williamstown seabed, causing a shallowing of the water's depth. This is producing a range of unfavourable consequences for our local clubs.

A number of years ago the minister made a decision to commission a body of work. I understand that that is a very complex body of work, but it is basically at a point where it is probably ready to be released back to those stakeholders. Therefore the action I seek is for the public release of the report.

Beaumaris Secondary College

Mr THOMPSON (Sandringham) (19:18) — (14 575)
My adjournment debate matter is directed to the attention of the Minister for Education. The action I seek is the opportunity to exercise a right of reply at the opening of Beaumaris Secondary College on Saturday to accurately present the historical record in relation to reinvestment in Beaumaris Secondary College. The position of the coalition has been misrepresented by the Labor Party. Prior to the 2010 state election, after 11 years of Labor governments, I quoted a Beaumaris family:

We are a Beaumaris family trying to choose a secondary school for our two boys. We want to support the state system however ... (the school) has been neglected for decades and is in desperate need of redevelopment. I hardly think this learning environment will provide the pupils the 'opportunity to shine'.

The coalition committed \$6 million to Sandringham College, including the Beaumaris campus. At the 2014 election the Labor Party had committed \$6 million to public education and announced \$4 million for a standalone school in Beaumaris. A standalone school cannot be built for \$4 million.

In 2014 the coalition had committed over \$17 million to public education, including \$7 million for Beaumaris, and in addition had announced a multimillion-dollar co-investment partnership with the Melbourne Cricket Club (MCC) in sports facilities at Beaumaris as part of Sandringham College, with Victorian certificate of education subjects being taught at Beaumaris. The catalyst, the cornerstone and the leverage point for the massive reinvestment in the new Beaumaris Secondary College has been the investment by the MCC Foundation. The MCC required the concurrent Department of Education and Training investment to deliver a completed project of a world-class standard.

On 14 June 2013 I convened an early-morning meeting at the Beaumaris school ovals. The object of the meeting was to advance the potential co-investment by the Melbourne Cricket Club foundation and the education department for the redevelopment of sporting fields and the provision of world-class education facilities at the high school site for the benefit of future

generations of district students. These facilities were to be available to the school community, MCC sporting teams and local sporting clubs. The co-investment vision has now become a reality. If it were not for the 2013 meeting of minds, the new hallowed turf and world-class sporting precinct in Beaumaris — forming part of the newly established Beaumaris Secondary College — would not have reached fruition and leveraged further concurrent investment and redevelopment.

I pay tribute to Mr Stephen Spargo, the then chair of the MCC Foundation; Ron Wakefield, president of the Sandringham College school council; Adam Ryan, innovator and Beaumaris resident; Allen McAuliffe, Sandringham College school principal; successive school council members; the Beaumaris Secondary College principal; the new school council presidents; local principals; Howard Kelly; members of the wider Beaumaris community; representatives of the MCC; and City of Bayside councillors for their support and commitment to the realisation of a vision.

Apprenticeships and traineeships

Mr RICHARDSON (Mordialloc) (19:21) — (14 576) I will give the member for Sandringham a bit of a breather. My adjournment matter this evening is for the Minister for Industry and Employment, and the action I seek is for the minister to update my community on how many apprentices are likely to be employed on major projects that are being delivered in and around my community. Major projects in Victoria, as a contrast to those opposite, number 80. Some of those major projects include the Mordialloc bypass, level crossing removals and of course the Beaumaris Secondary College redevelopment, which will have substantial benefits for our local community in the bayside region and is an important project more broadly.

The Minister for Education has joined me on a number of occasions at that site to celebrate the investment by a Labor government in that school community that has been budgeted over a number of budgets — Labor budgets. We are investing in schools over and over at record levels. Remember that the last state budget — the last education budget — is more than all four of the coalition budgets during their reign of government. This highlights the contrast with how Labor invests in skills, invests in the next generation and supports young people. Importantly the Beaumaris college redevelopment has had 10 per cent of its workforce made up of apprentices. That is how we put Victorians first. We put Victorian skills first and support our local community.

There is great excitement in the Mordialloc electorate and surrounding communities because the Mordialloc freeway, which has been promised for many years — decades — is finally coming to fruition. Vivally, 10 per cent of those working on that project will be apprentices. That is an exciting outcome, and it means that young people in our community can get skills and training and the jobs of tomorrow right here in their local patch.

Excitingly, the level crossing removals at Cheltenham and Mentone that have been talked about for many years will start construction at the end of this year. Significant work will be undertaken to get rid of these dangerous and congested level crossings. Sadly, 120 years ago the first known casualty occurred. A train on the Frankston line going towards Mentone racecourse struck a young boy. Now, 120 years later, a Labor government will be funding to get rid of this dangerous and congested level crossing. It is an extraordinary local project that will have significance into the future. Importantly our procurement policies will mean that Victorian workers will get an opportunity to work locally on that project and apprentices will be able to go through and be trained on these major projects.

In conclusion, I ask the Minister for Industry and Employment to update my community on how many apprentices could be employed on these major projects that are being delivered in and around my community.

Responses

Ms NEVILLE (Minister for Police) (19:24) — A number of members have raised a range of issues with different ministers, and I will pass those issues onto those ministers.

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

House adjourned 7.25 p.m.

