

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 20 February 2018**

**(Extract from book 2)**

**Internet: [www.parliament.vic.gov.au/downloadhansard](http://www.parliament.vic.gov.au/downloadhansard)**

**By authority of the Victorian Government Printer**



## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable KEN LAY, AO, APM

## **The ministry**

(from 16 October 2017)

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

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

**Speaker**

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

The Hon. TELMO LANGUILLER (to 25 February 2017)

**Deputy Speaker**

Ms J. MAREE EDWARDS (from 7 March 2017)

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

**Acting Speakers**

Ms Blandthorn, Mr Carbines, Ms Couzens, Mr Dimopoulos, 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.

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

The Hon. D. M. ANDREWS

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

The Hon. J. A. MERLINO

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

**Leader of The Nationals**

The Hon. P. L. WALSH

**Deputy Leader of The Nationals**

Ms S. RYAN

**Heads of parliamentary departments**

*Assembly* — 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**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn <sup>2</sup>	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent <sup>3</sup>	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio <sup>4</sup>	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma <sup>1</sup>	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John <sup>5</sup>	Morwell	Ind
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David <sup>6</sup>	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison <sup>7</sup>	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard <sup>8</sup>	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian <sup>9</sup>	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahan	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Thorpe, Ms Lidia Alma <sup>10</sup>	Northcote	Greens
Kairouz, Ms Marlene	Kororoit	ALP	Tilley, Mr William John	Benambra	LP
Katos, Mr Andrew	South Barwon	LP	Victoria, Ms Heidi	Bayswater	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kilkenny, Ms Sonya	Carrum	ALP	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Knight, Ms Sharon Patricia	Wendouree	ALP	Ward, Ms Vicki	Eltham	ALP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Watt, Mr Graham Travis	Burwood	LP
Lim, Mr Muy Hong	Clarinda	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Williams, Ms Gabrielle	Dandenong	ALP
McGuire, Mr Frank	Broadmeadows	ALP	Wynne, Mr Richard William	Richmond	ALP

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

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

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

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

<sup>5</sup> Nats until 28 August 2017

<sup>6</sup> Elected 14 March 2015

<sup>7</sup> Died 23 August 2017

<sup>8</sup> Elected 31 October 2015

<sup>9</sup> Resigned 2 February 2015

<sup>10</sup> 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 Hodggett, 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*): Mr Gepp and Ms Patten.

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

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

# CONTENTS

## TUESDAY, 20 FEBRUARY 2018

ACKNOWLEDGEMENT OF COUNTRY .....	247
QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS	
<i>Minister for Roads and Road Safety</i> .....	247, 249, 250
<i>Ministers statements: paramedics</i> .....	248
<i>Wire rope barriers</i> .....	248, 249
<i>Ministers statements: health funding</i> .....	249
<i>Ministers statements: federal health funding</i> .....	250, 251
<i>Metropolitan Fire Brigade enterprise bargaining agreement</i> .....	251, 252, 253
<i>Ministers statements: Latrobe Regional Hospital</i> .....	253
CONSTITUENCY QUESTIONS	
<i>Mornington electorate</i> .....	255
<i>Yan Yean electorate</i> .....	255
<i>Mildura electorate</i> .....	255
<i>Broadmeadows electorate</i> .....	255
<i>Rowville electorate</i> .....	255
<i>Eltham electorate</i> .....	255
<i>Melbourne electorate</i> .....	256
<i>Williamstown electorate</i> .....	256
<i>Burwood electorate</i> .....	256
<i>Carrum electorate</i> .....	256
RULINGS BY THE CHAIR	
<i>Questions without notice and ministers statements</i> .....	257
PARKS VICTORIA BILL 2018	
<i>Introduction and first reading</i> .....	257
EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018	
<i>Introduction and first reading</i> .....	257
NOTICES OF MOTION	
<i>Removal</i> .....	257
PETITIONS	
<i>Forest Road, The Basin, pedestrian crossing</i> .....	257
VICROADS	
<i>Western roads upgrade</i> .....	258
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 2</i> .....	258
ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE	
<i>Fuel prices in regional Victoria</i> .....	258
DOCUMENTS .....	258
HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017	
<i>Council's amendment</i> .....	259
OATHS AND AFFIRMATIONS BILL 2017	
<i>Council's amendments</i> .....	259
ROYAL ASSENT .....	259
APPROPRIATION MESSAGES .....	259
RESIGNATION OF LEGISLATIVE COUNCIL MEMBER	
<i>Ms Hartland</i> .....	259
JOINT SITTING OF PARLIAMENT	
<i>Legislative Council vacancy</i> .....	259
BUSINESS OF THE HOUSE	
<i>Program</i> .....	259
MEMBERS STATEMENTS	
<i>Ainslie Park pavilion</i> .....	264
<i>Sunshine Groupe</i> .....	264
<i>Northern Highway, Echuca, pedestrian crossing</i> .....	265
<i>Anna Lanigan</i> .....	265
<i>Jenny Nola</i> .....	265
<i>Michael Gallus</i> .....	265
<i>Coco</i> .....	265
<i>Les Potts</i> .....	265
<i>Mount Martha north beach</i> .....	266
<i>National apology commemoration</i> .....	266
<i>Consulate of the Republic of Slovenia</i> .....	266
<i>Geelong Pride March</i> .....	266
<i>Melbourne tourism</i> .....	266
<i>Mordialloc Sporting Club</i> .....	267
<i>Esplanade, Lakes Entrance, pedestrian crossing</i> .....	267
<i>Victorian Premier's Volunteer Champions Awards</i> .....	267
<i>V/Line air-conditioning trial</i> .....	267
<i>Australia Day awards</i> .....	267
<i>Shepparton electorate</i> .....	268
<i>St James Primary School, Vermont</i> .....	268
<i>Parkmore Primary School</i> .....	268
<i>Asian Business Association of Whitehorse</i> .....	268
<i>Sameway</i> .....	268
<i>Chinese Youth Society of Melbourne</i> .....	268
<i>Yan Yean electorate</i> .....	268
<i>Serious sex offenders public register</i> .....	269
<i>Midland Highway upgrade</i> .....	269
<i>International Mother Language Day</i> .....	269
<i>Reverend John Mann</i> .....	270
<i>Wattle Park Primary School</i> .....	270
<i>Solway Primary School</i> .....	270
<i>Ashburton, Ashwood &amp; Chadstone Public Tenants Group</i> .....	270
<i>Eastern Gymnastics Club</i> .....	270
<i>Serbian Orthodox Church, Keysborough</i> .....	270
<i>Wooranna Park Primary School</i> .....	270
<i>Country Fire Authority memorial service</i> .....	270
<i>Mission Possible</i> .....	271
<i>Student leadership awards</i> .....	271
<i>Monterey Secondary College</i> .....	271
<i>Frankston ministerial visit</i> .....	271
<i>Frankston Prime Minister's visit</i> .....	271
AUDIT AMENDMENT BILL 2017	
<i>Second reading</i> .....	272
MARINE AND COASTAL BILL 2017	
<i>Second reading</i> .....	285
PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017	
<i>Second reading</i> .....	310
ADJOURNMENT	
<i>Malvern Valley Primary School</i> .....	320
<i>Geelong electorate major events</i> .....	321
<i>Wire rope barriers</i> .....	321
<i>East Bentleigh Primary School</i> .....	321

# CONTENTS

---

<i>Albury train stabling</i> .....	322
<i>Yuroke electorate health services</i> .....	322
<i>Shepparton rail services</i> .....	322
<i>McLeod Road, Patterson Lakes</i> .....	323
<i>Worn Gundidj Enterprises</i> .....	323
<i>Frankston North education plan</i> .....	324
<i>Responses</i> .....	324

**Tuesday, 20 February 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)** — 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 present today.

### QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

#### Minister for Roads and Road Safety

**Ms RYAN (Euroa) (12:04)** — My question is to the Minister for Roads and Road Safety. Recently you and VicRoads officials met the Shire of Corangamite. The mayor placed on record to you her concerns over the loss of roads funding to her shire, particularly the loss of the country roads and bridges funding. In front of this audience you told the mayor, ‘Well, it’s better than a kick in the dick’. This is disgraceful, gutter language from a minister to the elected mayor of Corangamite. Minister, if you have so little respect for those you meet, isn’t it better that you just resign?

**Mr DONNELLAN (Minister for Roads and Road Safety) (12:05)** — I thank the member for her question. I actually spoke to the mayor yesterday and indicated that was an inappropriate use of language. What I should have said was it was better than a kick in the head. In other words, what my reference was in relation to — let me be very clear — was the improvements in funding throughout the South-West Coast. Whether it be on the Great Ocean Road, whether it be the doubling of rebuilds and maintenance in the South-West Coast, the money has increased across the board. But let me be very specific —

**The SPEAKER** — Order! The minister will resume his seat.

**Ms Kealy** — On a point of order, Speaker, the minister made a comment that I find deeply offensive, and I ask him to withdraw. To say that it is okay to say ‘It’s better than a kick in the head’ when we have got such an issue around violence against women and violence in the workplace and assaults against people within the city and in Victoria — I think it is an entirely inappropriate comment. It is no better than saying ‘Better than a kick in the dick’, and I ask him to withdraw.

**The SPEAKER** — The member for Lowan has asked that the comment be withdrawn. I ask the minister to withdraw.

**Mr DONNELLAN** — I am happy to withdraw the comment, but it is a bit difficult to explain —

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister has withdrawn.

**Mr DONNELLAN** — I actually rang the mayor yesterday immediately on finding out that offence had been caused and apologised. The comment was made in relation to the improvements in maintenance and the like under the Labor government.

#### *Supplementary question*

**Ms RYAN (Euroa) (12:07)** — You have described those from country Victoria who have raised concerns about your policies as ‘banjo-playing conspiracy theorists’ and ‘dingbats’, and along with your comment to the mayor of Corangamite, it is clear that you do not respect country Victorians. Minister, your language and behaviour have been an embarrassment to the government for some time. How many other examples of bad language and inappropriate behaviour in your capacity as a minister have you had to apologise for across Victoria?

**Mr DONNELLAN (Minister for Roads and Road Safety) (12:08)** — I thank the member for her question, and I specifically say that, as I said at the time, those comments were specifically directed at those who ignored the science in relation to wire rope barriers, which were a member of the National Party and a member of the Liberal Party. That was specified at the press conference, and it related to the fact that we know these wire rope barriers save lives — 1800 hits last year, 300 alone in the eastern region —

**The SPEAKER** — The minister will resume his seat.

**Mr Clark** — On a point of order, Speaker, the question was specifically on how many other occasions has the minister had to apologise for offensive language? I ask you to bring him back to answering that question.

**The SPEAKER** — Order! The minister had consumed approximately half of the time allocated to him to answer his question. I ask him to now come to answering the question.

**Mr DONNELLAN** — As I very clearly indicated, this was specifically in relation to members who continue to ignore the science of the wire rope barriers, continue to ignore the police, continue to ignore road safety —

**The SPEAKER** — Order! The minister will resume his seat.

**Mr Hodgett** — On the point of order made by the member for Box Hill, I ask you to bring the minister back to actually answering the question that was asked.

**The SPEAKER** — Order! The supplementary question did include a reference to the comments that the minister is referring to. I ask the minister, though, to come back to answering the question.

**Mr DONNELLAN** — As I indicated in my earlier answer, I apologised to the mayor of Corangamite yesterday. But let me be very clear: I do not apologise to members of the house who have available information to understand why wire rope barriers save country lives.

**Mr R. Smith** — On a point of order, Speaker, you have already directed the minister twice to come back to answering the question. He refuses to do so, in complete disrespect of what you are saying to him. Given that his time has now expired and given that with only 16 seconds to go he has still not complied with your directive, I ask you, under sessional orders, to require a written answer from the minister. How many times has he had to apologise to people he has met in his capacity as minister for his bad behaviour and bad language, which has been on display in this chamber and, I am sure, around the state on many, many occasions?

*Honourable members interjecting.*

**The SPEAKER** — Order! The Minister for Police! The supplementary question was a very long question. I will consider the matter at the end of question time.

### Ministers statements: paramedics

**Mr ANDREWS** (Premier) (12:10) — I am pleased to rise to announce that paramedics are now arriving at cardiac arrests faster than ever before and a record number of Victorians are surviving those cardiac incidents, those heart attacks. A record number of bystanders — this is in many respects the most important point — are stepping in to help, whether it be to administer CPR or to use a mobile defibrillator unit. But our paramedics are responding to more cardiac arrests. They are getting there faster, they are being supported by firefighters and also bystanders and they

are delivering better outcomes — saving lives and changing lives.

That is in every respect due to the funding and support that this government has provided to our ambulance paramedics and to our firefighters as well through the emergency medical response program and through our delivery of our election promises around the installation of defib units in a number of different locations. All of these policies are about supporting those who every hour of every day in every part of the state work hard to keep us safe, to keep us well and to respond in some of the darkest times, some of the most difficult circumstances.

We are very proud of our paramedics — very proud indeed. That is why we are investing more than \$500 million in recruiting more than 450 of them and in new equipment, new branches, new technology and above all respect for our ambos — not at war with them, not briefing the media against them and not running around devaluing the work that they do but instead valuing the contribution, the skill, the commitment and the outcomes that our paramedics are delivering across Victoria.

### Wire rope barriers

**Mr WALSH** (Murray Plains) (12:12) — My question is to the Minister for Roads and Road Safety. Expressing deep concern over the closeness of the location of new wire rope barriers less than 2 metres from the edge of the Calder Freeway, Captain Andy Chapman from Elphinstone Country Fire Authority (CFA) said about them during last week's Faraday grassfire that the close placement of wire rope barriers:

... allowed the fire to get away ...

The restrictive nature of the barriers left CFA trucks and members precariously placed on the highway ... 'One of our members was nearly smashed by a semi-trailer ... It's only a matter of time before someone gets hurt or killed'.

Minister, these are legitimate concerns raised by a CFA captain. Will you now apologise to Captain Chapman for calling him a 'banjo-playing dingbat'?

**Mr DONNELLAN** (Minister for Roads and Road Safety) (12:13) — I thank the member for his question. Let us be very clear: the comments, as I have indicated previously, were very much directed at members, and I very much thank the CFA for the work they do in relation to saving lives. These rollouts were set up by a set of protocols signed in 2014 under the previous government, under I think it was Terry Mulder, and these protocols indicated — and I believe these have met the protocols — that they need to be —

**Mr Walsh** — On a point of order, Speaker, on the issue of relevance, the question was very clear: will the minister now apologise to Captain Chapman for calling him a ‘banjo-playing dingbat?’. I ask you to bring him back to actually answering that question.

**The SPEAKER** — Order! The minister in his answer indicated that his comments were directed not at the person mentioned in the question. The minister is being relevant to the question that has been asked.

**Mr DONNELLAN** — This is not the first time the coalition has called into question the efficacy of the wire rope barriers. If I can remember, the last time was in 2010 that we had this two-bob stunt — and I might add, a two-bob stunt — by the coalition in relation to wire rope barriers. These have been rolled out for approximately 27 years. In 2014 the coalition government themselves at the time signed a set of protocols, which is what we are working under. But let me be very clear: the comments were directed directly at those in the coalition who ignore the science of wire rope barriers.

*Supplementary question*

**Mr WALSH** (Murray Plains) (12:15) — Broadford Country Fire Authority Captain Jamie Atkins has also raised concerns that a car fire on the Hume Freeway should have been contained to a blaze of no more than a quarter of an acre, but instead it developed into a 10-acre fire, and could have been worse, due to the CFA brigade’s inability to get to the fire due to the poorly considered placement of wire rope barriers. Minister, do you simply disregard advice from people in country Victoria, like Captain Jamie Atkins? Are they, in your words, ‘just conspiracy theorists’?

**Mr DONNELLAN** (Minister for Roads and Road Safety) (12:16) — I thank the member for his question. I certainly do not ignore the advice of people who give their time to protect us. As I keep indicating, the comments were very much directed to the politicians who ignore the signs, who have the capacity to actually get the briefings and know that you are four times more likely to die on country roads; that 109 out of 155 accidents last year related to people exiting the road on the left or crossing from one side of the road to the other; and that these wire rope barriers stop the death and mayhem that occurs on our roads. This is world renowned. The infrastructure has been identified by the Monash University Accident Research Centre, has been identified by the Swedish experts and has been identified by the TAC as the best way to stop country people dying on roads.

**Ministers statements: health funding**

**Ms HENNESSY** (Minister for Health) (12:17) — I rise to update the house on some very important clinical outcomes that are being achieved here in Victoria. As the Premier noted in his ministerial statement, we have seen some record results, particularly in the cardiac arrest survival space. I would also like to join with him in providing our appreciation, our recognition and our deep thanks to our paramedics who have delivered these record results.

It is my great delight to advise the house that we have hit the fastest ever statewide ambulance response time to cardiac arrests at 7.7 minutes; we have had a record number of patients who have survived cardiac arrests; and we have had 379 Victorians who have walked out of a hospital after a significant cardiac arrest. So this is not just data. This is about people’s lives being saved. It is about real people. The Premier and I had the opportunity to meet with a young man called Angus this morning who is now able to go on and live a full and productive life despite the fact that he suffered a cardiac arrest at the age of 22.

But of course this requires support and investment, not just in our hardworking ambulances but also right across our health system, and that health system is under great, great challenge by virtue of the fact that the Turnbull government want to bring their razor gang into public health care and they do not want to fund it properly at all. What we know that the Turnbull government want to do is effectively cut \$2.1 billion from our health system over the next five years. That will not have a positive impact. We have a growing population, an ageing population and new technology that is required to support our patients. It will ultimately result in less services, less nurses and less doctors in our health system.

This side of the Parliament will continue to stand up for public health care, while the Liberal-National parties always cut.

**Minister for Roads and Road Safety**

**Mr GUY** (Leader of the Opposition) (12:19) — My question is to the Premier. Premier, you previously said that the standard you walk past is the standard you accept. The Minister for Roads and Road Safety’s language to the Corangamite mayor at an official meeting is a disgrace. Do you still back your minister, despite these vile comments, or will you now sack him?

*Honourable members interjecting.*

**The SPEAKER** — Order! Members can leave the chamber if they do not wish to participate in question time.

**Mr ANDREWS** (Premier) (12:20) — I thank the Leader of the Opposition for his question. As the Minister for Roads and Road Safety has just made clear in an answer to an earlier question —

*Honourable members interjecting.*

**Mr ANDREWS** — Those opposite have asked the question; they seem uninterested in the answer. As the minister has made clear, he did not intend to cause offence. He is deeply regretful and has apologised, and I believe that is appropriate.

*Honourable members interjecting.*

**The SPEAKER** — I warn the members for Caulfield and Hawthorn.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) (12:21) — Premier, your Minister for Sport abused his local Country Fire Authority, the Deputy Premier abused the Volunteer Fire Brigades Victoria and protective services officers, the Minister for Roads and Road Safety has abused country Victorians and your Minister for Health even abused the Deputy Premier. Premier, what are you going to do about the culture of bullying and disrespect that is enveloping your government?

**Mr ANDREWS** (Premier) (12:21) — A question that could not have been asked by too many over on that side! The member for Warrandyte did not get up and ask it. The member for Mount Waverley did not get up and ask it. Do you want me to keep going, because I could list a whole bunch of them that could not have possibly got up and asked that question? Then to laugh while the question was being asked — a matter of great gravity and seriousness. The member for Brighton thought it was pretty funny, laughing, busting herself laughing —

**Mr Guy** — On a point of order, Speaker, I have raised a supplementary question to a serious substantive question about comments made by the Minister for Roads and Road Safety.

**Ms Green** interjected.

**The SPEAKER** — I warn the member for Yan Yean.

**Mr Guy** — I have outlined other examples where the government's culture of bullying and disrespect is

clearly over the top. I have asked the Premier for a clear answer as to what he is going to do to counter this culture that has enveloped his government. The least he could do would be to answer it respectfully rather than behave like a fool —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition knows the end of that point of order was not appropriate. I ask members of the government to come to order. I ask the Premier to come back to answering the question.

**Mr ANDREWS** — As I was saying, the Leader of the Opposition asked me a question. Some found that quite funny. Apparently it is a serious matter but one you would laugh about. My answer to the Leader of the Opposition's question is in two parts. One, I reject the list that he provided to the house, and secondly, my answer is as follows: \$2000 million to implement every recommendation of Australia's only Royal Commission into Family Violence.

**Mr Guy** — On a point of order, Speaker, on relevance, the Premier has announced that he has rejected the list that was read, yet his own minister is on record apologising to the Deputy Premier for the comments that she made. I ask you to counsel the Premier about providing misleading information to the Parliament given that his own minister has admitted to and apologised for both these matters.

**The SPEAKER** — Order! I understand the point that is being made, but it is not a point of order. The Premier has completed his answer.

### **Ministers statements: federal health funding**

**Mr FOLEY** (Minister for Mental Health) (12:24) — As we heard earlier, the Turnbull government is rolling out some \$2.1 billion of cuts to Victoria's health services. This is bad for all Victorians, but it is particularly bad for Victorians with mental health challenges and it is doubly bad if you are a regional and rural Victorian facing mental health challenges.

The 67 000 Victorians who are in the state's mental health services are disproportionately overrepresented in our regional and rural communities, so I was particularly disturbed to see buried away in the changes to the public health networks (PHNs) funding the end of funding for the mental health nurse incentive program. It is a program that has been run successfully for a decade, a program that supports vulnerable Victorians when they are isolated and alone, and a

program that delivers early intervention and prevention services when they are needed most.

That has been done away with through a flexible funding model by the PHNs where more services will be demanded through this money. I was particularly disturbed to see that the funding in the Murray PHN will see, in the Bendigo region alone, services cut through Tristar Medical Group to 3700 patients who received that support from those seven nurses in that particular service last year.

What regional and rural Victorians need to do is to demand leadership and support from their representatives. They will get that on this side of the chamber, but they have seen no support from Malcolm Turnbull and his savage cuts to mental health. I call upon those opposite to stand up for regional and rural Victorians with mental health challenges, and to tell Malcolm Turnbull to end these cuts.

### **Metropolitan Fire Brigade enterprise bargaining agreement**

**Mr GUY** (Leader of the Opposition) (12:26) — My question is to the Premier. Premier, your current hand-picked Metropolitan Fire Brigade board, like virtually every board member and senior officer before it, is refusing to give the United Firefighters Union full veto powers over the chief officer. As a result the union secretary has declared war on you, and is demanding that you honour the deal made by you, your department and your minister. Premier, what was the deal that Peter Marshall was referring to, and what undertakings were given by you to this man that he believes that you have not honoured?

**Mr ANDREWS** (Premier) (12:27) — I truly am very grateful to the Leader of the Opposition for his question. I expect the agreement — the deal, as the Leader of the Opposition put it — that the secretary of the union is referring to is the enterprise bargaining agreement. It is not something those opposite would know much about, having I do not think ever landing one.

**Mr Guy** — On a point of order, Speaker, on relevance. The Premier was asked to provide details of the deal that Peter Marshall says the Premier has made with him. He has been asked a straightforward question: to detail what those details of the deal provisions were, and he will not answer it.

**The SPEAKER** — Order! The Premier's answer directly indicated that the deal that was referred to in his

understanding was the agreement. The chair is not in a position to determine this matter for the Premier.

**Mr ANDREWS** — You do not get a second chance at it — you wrote the question and you do not get a second chance at it, old mulligan Matt over there. You do not get another go. The deal is the enterprise bargaining agreement, I would expect, and one that will be out for a vote by career firefighters quite soon. We would urge them to support it, and that would be the outcome we would expect.

### *Supplementary question*

**Mr GUY** (Leader of the Opposition) (12:28) — Premier, can you now guarantee that the Metropolitan Fire Brigade board will not be bullied and dismissed, like you dismissed the Country Fire Authority board, if they fail to deliver on all the details of the enterprise bargaining agreement deal that you have made with Peter Marshall, the one he believes you are yet to honour?

**Mr ANDREWS** (Premier) (12:29) — Thank you very much, Speaker. The Leader of the Opposition may be unaware that the board of the Metropolitan Fire Brigade have actually agreed to the enterprise bargaining agreement. That is why it is going out for a vote quite soon. If you need a briefing I can arrange one for you.

### **Ministers statements: federal health funding**

**Mr PALLAS** (Treasurer) (12:29) — I rise to update the house about a threat facing Victoria's health system: the federal Liberal government.

In our last budget this government invested an additional \$1.67 billion in our hospitals to meet demand and also to cut elective surgery waiting times. After years of neglect by the opposition what we are seeing is Victoria's health system finally getting the attention it deserves and, might I say, a minister committed to its consistent improvement. But now, not content with the damage that their counterparts managed in four years when they occupied the government benches in this place, the federal Liberal government, led by the Prime Minister of Sydney, has now put in place a plan to cut \$2.1 billion from Victorian hospitals. This can all be summed up quite simply: that whilst Labor cuts wait and response times, the Liberals just cut.

Let us not forget what happened to ambulance services in this state while those opposite were in government. They attacked workers, they cut funding, and response times soared. We promised we would end the war on paramedics, and that is exactly what we did. As a result

Victoria is now enjoying strong improvements in terms of ambulance response times, with of course 450 additional paramedics. The federal Liberal government has form when it comes to Victoria. They see it as a place to save money not spend it, using Victoria and Victorians as the milking cow of the Federation. The incompetence of the federal government knows no bounds. In fact it seems that the only sackable offence for a minister in Canberra is funding infrastructure in Victoria. Not content with short-changing us on roads and schools, they are now putting the health of Victorians at risk. This is a cheap jack stunt.

### **Metropolitan Fire Brigade enterprise bargaining agreement**

**Ms KEALY** (Lowan) (12:31) — My question is to the Premier. The Victorian Equal Opportunity and Human Rights Commission found that at least nine clauses of the proposed Country Fire Authority enterprise bargaining agreement (EBA) did not comply with the Equal Opportunity Act 2010. These include discrimination based around parental or carer responsibilities, failure to make reasonable adjustments for those with a disability, and not taking all reasonable steps to eliminate discrimination, sexual harassment and victimisation. Given the proposed Metropolitan Fire Brigade (MFB) EBA has near identical terms to this non-compliant EBA, Premier, why are you pushing this agreement and are these discriminatory terms part of your secret deal with Peter Marshall?

**Mr ANDREWS** (Premier) (12:32) — I thank the member for Lowan for her question. The certification of enterprise bargaining agreements and their compliance with all relevant law is not a matter for me or the member for Lowan or a matter for the Victorian Equal Opportunity and Human Rights Commission. That is a matter for the Fair Work Commission, and anybody with a rudimentary understanding of industrial relations would know that. The member is perfectly entitled to ask the question, and I am simply pointing out to her that the function that she is ascribing, the power and responsibility that she is ascribing to the Victorian Equal Opportunity and Human Rights Commission, is in fact held by the Fair Work Commission. It is for them to certify agreements, or not, as they see fit. On that basis I think I have answered the question.

**Mr Clark** — On a point of order, Speaker, on the question of relevance, this was a question to the Premier about the compliance of an EBA that he has been involved in negotiating with Victorian equal opportunity laws. That is what the question related to,

and as the Premier of Victoria he should answer that question and not try to pass the buck to other people as to whether an EBA that he negotiates complies with Victorian anti-discrimination laws.

**The SPEAKER** — I do not uphold the point of order. The Premier was directly answering the question.

**Mr ANDREWS** — Very briefly, Speaker, I had not intended to rise again, but given that those opposite referred these matters to the commonwealth, the ultimate passing of the buck I would have thought, it is a matter for Fair Work Commission to certify, or not, any enterprise bargaining agreement made under that commonwealth legislation, with powers referred by the member for Box Hill.

**Ms Kealy** — On a point of order, Speaker, I do ask you to bring the Premier back to answering the question. I think we have a decision about what questions are being put. There might be a bit of Dansplaining going on today, and some mansplaining as well. That is excellent; thank you. The question was about whether the discriminatory terms are part of a secret deal with Peter Marshall. We know he will not mention his name, but will he answer a question in relation to Peter Marshall?

**The SPEAKER** — I do not uphold the point of order, but the Premier had strayed from answering the question. I ask the Premier to continue answering the question.

**Mr ANDREWS** — The answer to the question is no. What is more, the explanation of the process is incorrect, and I have —

**Mr Pesutto** interjected.

**The SPEAKER** (12:35) — The member for Hawthorn will leave the chamber for the period of 1 hour.

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

**Mr ANDREWS** — We have not heard much from ‘almost mandatory’ over there — ‘almost mandatory, maybe, coulda, woulda, shoulda, mandatory’ from Hawthorn. He always has to get in on the act, I am sure. This is a matter for the Fair Work Commission. What is more, we have put in place targets for greater diversity in our fire services, we have resourced the delivery of those targets and we have sent to the Victorian Human Rights and Equal Opportunity Commission a reference — not something sent by those opposite but sent by this government. We await that report and its

implementation, just as we are continuing to invest in a better fire service which includes diversity and a culture of respect and inclusion, something those opposite know nothing whatsoever about.

*Supplementary question*

**Ms KEALY** (Lowan) (12:36) — My supplementary is to the Premier. The MFB board and the government have been briefed by the equal opportunity and human rights commissioner in the strongest possible terms that the current MFB agreement should not be continued in its current form due to issues of discrimination. Premier, why have you done a deal with Peter Marshall to include these discriminatory provisions in a new MFB EBA despite being briefed by your own equal opportunity commissioner that they breach anti-discrimination law?

**Mr ANDREWS** (Premier) (12:36) — I cannot really add to my earlier answer. I do not think that the proposition put forward by the member is in any way accurate. But while I am on my feet, around issues of diversity and inclusion, around targets and seeing more and more women involved in our fire services, the member for Lowan should ask the member sitting next to her whether they support such targets.

**Ms Allan** interjected.

**The SPEAKER** — Order! The Premier will resume his seat. The Leader of the House will come to order.

**Ms Kealy** — On a point of order, Speaker, it is quite clear that the Premier has deviated from the question put. The issue of discrimination in the fire services in Victoria is very, very serious. We have had reports of sexual harassment and even rape, and the Premier still will not answer questions about it. He needs to answer and respond to the supplementary question put: why is he pushing this EBA, which breaches anti-discrimination law, when he has had briefings from the equal opportunity and human rights commissioner that that is a fact? He needs to respond to that question.

**The SPEAKER** — Order! The member has made her point of order. In his answer the Premier rejected the accuracy of the question; therefore the Premier is being relevant to the question.

**Mr ANDREWS** — I would simply put it to those opposite, the questioner and others, that they should reflect on some of their own statements refusing to commit to the very targets that are central to a more diverse fire service and one that has a far better culture than the one that we inherited from those opposite.

**Mr Clark** — On a point of order, Speaker, I submit to you that the answer has not been at all responsive to the question that was asked, which was specific about this EBA and its non-compliance with the Equal Opportunity Act. I ask you to require the Premier to provide a written answer.

**The SPEAKER** — I will take the matter into consideration and report back to the house.

**Ministers statements: Latrobe Regional Hospital**

**Mr CARROLL** (Minister for Industry and Employment) (12:39) — I rise to update the house about the Andrews government's \$200 million Regional Health Infrastructure Fund, which is supporting industry and jobs, particularly at the Latrobe Regional Hospital. We are very proud, as the government, to be supporting both industry and jobs in the Latrobe Valley. Our Local Jobs First policy through our industry participation policy is putting local jobs and the local economy first. When it comes to Latrobe Regional Hospital, we have mandated that 85 per cent of content is to be used from local businesses for the upgrade.

So far \$8 million in contracts has been awarded to local tradespeople and suppliers. This is transformational for the local economy and jobs. Take Carpet Country in the Latrobe Valley, a longstanding business in the valley — it is doing the vinyl work and the carpets at the regional hospital. Millers Plumbing, which I know the member for Williamstown has visited in the past, is a longstanding business in Morwell doing the plumbing work. You have also got the Morwell windows being done by Morwell Shopfitters and as well M & P Painting doing the painting at the hospital. The list goes on and on. We are very committed to putting local jobs first in all our industry participation, as well as local content where it is needed most.

But all of this is being put at risk by Malcolm Turnbull's cuts to the healthcare sector. His cuts would mean \$41 million being gutted from the Latrobe Regional Hospital. It would leave Gippsland patients waiting longer for vital health care. More than that, though, it would also hurt local business and put local jobs at risk. Health care is one of our largest industries and one of the biggest employers, and we are here to support it. Malcolm Turnbull's cuts will be a threat to funding and a threat to jobs.

**Mr Watt** — On a point of order, Speaker, with regard to question on notice 13 834 — it was a question to the Attorney-General which I asked last year — it is well past the 30 days which is required for the

answering of that question. I would seek that you ask the Attorney-General to answer the question that I have asked — a very serious question about an individual who is in some great need, and I think it is important that the Attorney-General answer that question.

**The SPEAKER** — I thank the member for Burwood for that point of order. Can I just ask before calling the member for Ringwood that if he has a number of questions on notice that he wishes to raise in relation to answers, could he raise them as one point of order?

**Mr Watt** — Thank you very much, Speaker. I also have other questions on notice, and these ones will be pretty simple because they are all to the same belligerent minister. The belligerent minister is —

**The SPEAKER** — Order! I warn the member for Burwood. I am prepared to hear his point of order on these matters and to follow up the answers to the questions on notice, but he is to refer to people with the due courtesy that this house demands.

**Mr Noonan** interjected.

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

**Mr Watt** — Thank you very much. I asked questions of the Minister for Families and Children around neighbourhood houses. Particularly the questions were with regard to the Burwood Neighbourhood House, the Bennettswood Neighbourhood House, the Power Neighbourhood House, the Amaroo neighbourhood house, the Craig Family Centre and the Box Hill South Neighbourhood House. Every one of those neighbourhood houses has petitions with regard to funding and broken promises by the Labor government around —

**The SPEAKER** — Order! This is not an opportunity to debate the point of order. The member has raised a point of order in good faith.

**Mr Watt** — I do hear what you say. The questions were specifically about the level of funding that the government had put forward, and I think it is important for it to be put on the record. It is important for my neighbourhood houses that the government at least acknowledge the questions and acknowledge the issues around the lack of funding going forward or the promises. So I would ask that you chase it up with the Minister for Families and Children.

**The SPEAKER** — I thank the member for Burwood for his point of order.

**Mr Watt** — On a further point of order, Speaker. The point of order is —

**The SPEAKER** — I am going to come back to the member for Burwood. I am going to take a point of order from the member for Ringwood first.

**Ms Ryall** — On a point of order, Speaker, I raise an issue in relation to an adjournment matter raised on 21 September last year for the Minister for Health — 13 154. I raise the fact that the minister has not been responsive; within 30 days is the actual sessional order requirement. I have people who are actually asking me how on earth they can survive this wait in relation to the dental treatment they need. The minister continually refuses — and I expect that you —

**Ms Green** interjected.

**Ms Ryall** — Excuse me, member for Yan Yean.

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

**Ms Ryall** — I would expect that the minister has heard your request to her continually to provide an answer to this adjournment matter, and I expect that response forthwith.

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

**Mr Wells** — On a point of order, Speaker, I raise a point of order in regard to a question on notice that I put to the Minister for Sport on 17 October last year — 13 260 — concerning a sporting club and infrastructure in my area, and I would ask you to follow that up.

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

**Mr Watt** — On a point of order, Speaker, I raise a point of order with regard to constituency question 13 812. While there was a response recorded, I draw your attention to sessional order 9(2) that says the Speaker may determine that a response is not responsive. I accept that the answer that was given was somewhat relevant partly to the preamble, but it certainly in no way was responsive to the question.

The question asked what actions the minister would take, and at no point in the answer did the minister give any indication as to what actions she would personally take as the Minister for Local Government. I ask that you chase that up with the minister for a response that is actually responsive to the question.

**The SPEAKER** — I thank the member for Burwood for his point of order, and I will follow that matter up, consider it and report back to the member.

## CONSTITUENCY QUESTIONS

### Mornington electorate

**Mr MORRIS** (Mornington) (12:46) — (13 992) I have a question for the Minister for Public Transport. The question relates to access for Victorian seniors to the New South Wales public transport system. Currently, two weeks prior to travel seniors are required to apply for a gold senior or pensioner Opal card, which is valid for 60 days only. After 60 days the card is locked out. Transport for NSW has approached all states and territories to ask that they allow access to the card indefinitely. On the east coast, Queensland, Tasmania and the ACT have given access, but Victoria has not. The effect of the access would be to extend the period for which the card is issued to the standard period, rather than the very limiting 60-day maximum. This would seem to be a minor, easily rectified issue that would certainly be helpful for senior Victorians.

I understand the issue has been raised with the minister or her office, so there is no doubt some familiarity there. So I ask: does the minister intend to take the necessary steps to allow senior Victorians full access to the New South Wales public transport system and, if so, when?

### Yan Yean electorate

**Ms GREEN** (Yan Yean) (12:47) — (13 993) My constituency question is to the Minister for Sport. I ask: what support is the Andrews government providing to women's sport in the Shire of Nillumbik, and what opportunities exist for the Hurstbridge Football Netball Club to attract planning and construction funding for female-friendly change rooms? The participation of women and girls is growing rapidly across Nillumbik, so more facilities are desperately needed at venues such as the Hurstbridge Football Netball Club. I will continue to work to attract financial support from local government and the Victorian government, but if the minister could clarify this for the club, that would be great.

### Mildura electorate

**Mr CRISP** (Mildura) (12:47) — (13 994) I seek information on behalf of my constituents from the Minister for Health on the availability of EpiPens. This question has been raised by a number of constituents who have been informed by both a hospital and a pharmacist that EpiPens are not available, and in fact they have been out of stock all

this year. They have further been told that there currently are none in the country. EpiPens separate life from possible death for a surprising number of people in my electorate, and I ask the minister: when will EpiPens be readily available in Victoria?

### Broadmeadows electorate

**Mr McGUIRE** (Broadmeadows) (12:48) — (13 995) My constituency question is to the Minister for Health. What funding is Broadmeadows receiving from the Health Service Violence Prevention Fund? The Victorian government established this fund as part of its commitment to address violence in healthcare settings and to reduce violence against hospital staff. This would be particularly relevant for the Broadmeadows Hospital, which I had the honour of opening with the Minister for Health last year.

The Health Service Violence Prevention Fund is being rolled out over four years from 2015–16 to 2018–19, and it includes grants for hospitals and health services, mental health services and ambulance services. Capital works funding will help services respond to violence, security and safety risks, and this will be vital for all of the agencies right throughout my community.

### Rowville electorate

**Mr WELLS** (Rowville) (12:49) — (13 996) The question I wish to raise is for the Minister for Public Transport. Minister, can you explain to Knox families when there will be a bus service for students living near Kelletts Road, Rowville, to nearby Scoresby Secondary College?

I have been contacted by a family from Rowville which is very concerned that there is no bus route along Kelletts Road which travels directly north along Stud Road past Scoresby Secondary College. The closest bus service, route 682, travels south via Stud Park shopping centre, and the Telebus service also requires a further connection at Stud Park. Although their school is only 6 kilometres from home, my constituents find bus services are neither well-connected nor frequent enough for travelling by bus to be a practical transport option.

### Eltham electorate

**Ms WARD** (Eltham) (12:50) — (13 997) My constituency question is to the Minister for Education. There is excitement across my electorate over the current build of the Banyule-Nillumbik Tech School at Melbourne Polytechnic's Greensborough campus, a TAFE campus reopened by this government last year. The tech school will give secondary school students in

my electorate — in fact across the north-east — a unique, world-class facility which will give access to innovative, high-tech learning resources offering exciting challenges and pathway opportunities for jobs of the future. Minister, how many Eltham electorate students will stand to benefit from this educational opportunity provided by the Andrews Labor government?

### Melbourne electorate

**Ms SANDELL** (Melbourne) (12:50) — (13 998) My question is to the Minister for Industry and Employment. Will the government expand the recent Flemington jobs program to other housing estates across Melbourne? It can be hard to find work in Melbourne at the best of times, but it is downright unfair if you cannot get a foot in the door because of your religion or the colour of your skin. Many of Melbourne's public housing residents, and especially qualified members of the African community, tell me that they want to work, they are qualified, but they face discrimination that their peers do not. In one of many academic studies 50 per cent of African-Australians reported experiencing discrimination while trying to find work.

A jobs program was recently announced for residents of the Flemington public housing estate, but many see it as an attempt to minimise the damage of Labor's unpopular plan to sell public housing land from under the feet of residents. Jobs programs should be available to all those who need and want them, so today I am asking the government to expand this program to other estates across Melbourne.

### Williamstown electorate

**Mr NOONAN** (Williamstown) (12:51) — (13 999) Today my question is to the Minister for Education and it concerns the Footscray learning precinct. As the minister will be well aware, the member for Footscray and I have worked for many years to build support for a new education precinct to be developed in the Footscray-Seddon area to deliver groundbreaking preschool-to-postgraduate education facilities and pathways. Much work has now been done on the concept and structure for this precinct and the community has been consulted widely. My question to the minister concerns the new secondary school facility to be built on Pilgrim Street, and I ask specifically: what progress has been made to secure the site?

### Burwood electorate

**Mr WATT** (Burwood) (12:52) — (14 000) My constituency question is to the Minister for Public Transport. In light of the fact that train services on the Alamein line were cancelled last Friday morning, I was reminded of the previous Labor government's plan to close the entire line during hot spells. The Alamein line is a line that has been a topic of interest for some time, even as late as the previous election in 2014. So I ask: when will the Andrews Labor government increase services on the Alamein train line in keeping with its 2014 election commitment of 15-minute services during peak times?

### Carrum electorate

**Ms KILKENNY** (Carrum) (12:53) — (14 001) My constituency question is for the Minister for Multicultural Affairs. Minister, when can the Hindu Society of Victoria expect to receive the \$160 000 in funding through the state government's community infrastructure and cultural precincts program that was announced last week?

I was delighted to join the minister at the Shri Shiva Vishnu Temple in Carrum Downs to announce this funding for the Hindu Society of Victoria to upgrade the car park around the temple's cultural and heritage centre. With this funding the driveway and entry points of the cultural and heritage centre will be upgraded with more than 300 car parks added to the site. The Shri Shiva Vishnu Temple, the largest Hindu temple in the Southern Hemisphere, attracts thousands of visitors each year to celebrate special festivals such as Holi and Diwali. The Hindu Society of Victoria does great work, working with local communities to help build a place where everyone feels accepted and respected. We look forward to the minister's answer.

**Mr Watt** — I raise a point of order, Speaker, with regard to the question asked by the member for Yan Yean — actually with regard to the two questions asked by the member for Yan Yean. In her constituency question she very clearly asked two very distinct questions, and I ask you to either rule the second one out of order or rule the entire thing out of order, considering that she asked two questions and that is clearly not within the standing orders.

**Ms Green** interjected.

**The SPEAKER** — Order! The member for Yan Yean will come to order. I will provide advice to the house after I have reviewed the transcript.

## RULINGS BY THE CHAIR

### Questions without notice and ministers statements

**The SPEAKER** (12:54) — On 8 February the member for Box Hill raised a point of order about the responsiveness of the Premier's answer to the fourth question in question time, which was asked by the member for Caulfield. After reviewing the transcript, I consider the answer to be responsive.

## PARKS VICTORIA BILL 2018

### *Introduction and first reading*

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) (12:54) — I move:

That I have leave to bring in a bill for an act to repeal and re-enact with amendments the Parks Victoria Act 1998 and to make consequential and related amendments to certain other acts and for other purposes.

**Mr CLARK** (Box Hill) (12:55) — I ask the minister to provide a brief explanation of the bill.

**Ms D'AMBROSIO** (Minister for Energy, Environment and Climate Change) (12:55) — The bill will re-establish Parks Victoria as a strengthened parks management agency with a clearer line of accountability to the minister.

**Motion agreed to.**

**Read first time.**

## EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018

### *Introduction and first reading*

**Mr MERLINO** (Minister for Emergency Services) (12:55) — I move:

That I have leave to bring in a bill for an act to amend the Emergency Management Act 2013 to provide for new integrated arrangements for emergency management planning in Victoria at the state, regional and municipal levels, consequentially to amend the Emergency Management Act 1986, the Alpine Resorts (Management) Act 1997, the Country Fire Authority Act 1958, the Electricity Safety Act 1998, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Terrorism (Community Protection) Act 2003 and the Victoria State Emergency Service Act 2005, to amend the Alpine Resorts (Management) Act 1997 in relation to municipal councils and the Southern Alpine Resort Management Board, to amend the Victoria State Emergency Service Act 2005 in relation to compensation and to revoke the permanent reservation of certain land and reserve it temporarily and for other purposes.

**Mr CLARK** (Box Hill) (12:56) — I ask the minister to provide a brief explanation of the bill.

**Mr MERLINO** (Minister for Emergency Services) (12:56) — The bill does a few things. Most importantly, it updates the emergency management planning arrangements, so there is a new framework, greater coordination between municipal, regional and statewide emergency management planning. It clarifies the statutory compensation arrangements for Victorian State Emergency Service volunteers to promote fairness for volunteers if they are injured or suffer property damage when undertaking their work as emergency services volunteers. It also delivers greater independence to the inspector-general for emergency management (IGEM). It provides that the appointment of the IGEM will be a Governor in Council appointment, and for other matters.

**Motion agreed to.**

**Read first time.**

## NOTICES OF MOTION

### Removal

**The SPEAKER** (12:57) — Notice of motion 13 will be removed from the notice paper unless members wishing their notice to remain on the paper advise the Acting Clerk in writing before 2.00 p.m. today.

## PETITIONS

**Following petition presented to house:**

### Forest Road, The Basin, pedestrian crossing

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house that a pedestrian crossing should be installed on Forest Road in The Basin.

There are multiple schools, nursing homes, and young families in the area, but no crossing. We want a crossing before a tragedy occurs.

The petitioners therefore request that the Legislative Assembly of Victoria requests VicRoads to provide the necessary funding to install a suitable and safe pedestrian crossing on Forest Road near Wright Street.

**By Ms VICTORIA (Bayswater) (43 signatures).**

**Tabled.**

## VICROADS

## Western roads upgrade

**Mr DONNELLAN (Minister for Roads and Road Safety), by leave, presented project summary.**

**Tabled.**

**SCRUTINY OF ACTS AND REGULATIONS  
COMMITTEE**

*Alert Digest No. 2*

**Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 2 of 2018* on:**

Audit Amendment Bill 2017

Bail Amendment (Stage Two) Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Labour Hire Licensing Bill 2017

Marine and Coastal Bill 2017

SR no. 108 Heritage Regulations 2017

**together with appendices.**

**Tabled.**

**Ordered to be published.**

**ECONOMIC, EDUCATION, JOBS AND  
SKILLS COMMITTEE**

**Fuel prices in regional Victoria**

**Ms RYALL (Ringwood) presented report, together with appendices and transcripts of evidence.**

**Tabled.**

**Ordered that report and appendices be published.**

## DOCUMENTS

**Tabled by Acting Clerk:**

Murray-Darling Basin Authority — Report 2016–17

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

Boroondara — C264, C275

Buloke — C27

Colac Otway — C96

Corangamite — C47

Greater Geelong — C377

Mansfield — C39

Maroondah — C110

Melbourne — C276

Moira — C86

South Gippsland — C100

Whitehorse — C191

Statutory Rules under the following Acts:

*Children, Youth and Families Act 2005* — SR 8

*Legal Profession Uniform Law Application Act 2014* — SR 7

*Magistrates' Court Act 1989* — SR 9

*Subordinate Legislation Act 1994*:

Documents under s 15 in relation to Statutory Rules 134/2017, 7, 9

Documents under s 16B in relation to the *Dairy Act 2000* — Revocation of the Code of Practice for Dairy Food Safety 2002.

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

*Electronic Conveyancing (Adoption of National Law) Act 2013* — Remaining provisions — 14 February 2018 (*Gazette S49, 13 February 2018*)

*Family Violence Protection Amendment (Information Sharing) Act 2017* — Whole Act (except Division 2 of Part 5 and ss 31 and 37) — 26 February 2018 (*Gazette S40, 6 February 2018*)

*Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017* — Whole Act — 27 February 2018 (*Gazette S49, 13 February 2018*).

## HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017

*Council's amendment*

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

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

## OATHS AND AFFIRMATIONS BILL 2017

*Council's amendments*

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

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

## ROYAL ASSENT

**Message read advising royal assent on 13 February to:**

Compensation Legislation Amendment Bill 2017

Firearms Amendment Bill 2017.

## APPROPRIATION MESSAGES

**Messages read recommending appropriations for:**

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018.

## RESIGNATION OF LEGISLATIVE COUNCIL MEMBER

**Ms Hartland**

**The SPEAKER** (13:02) — I wish to advise members that I have received the following letter dated 9 February from the Governor:

I advise that I have today received from Ms Colleen Hartland her written resignation as a member of the Victorian Legislative Council.

I enclose for your information a copy of her letter. I have also sent a copy to the Premier and to the President of the Legislative Council.

## JOINT SITTING OF PARLIAMENT

### Legislative Council vacancy

**The SPEAKER** (13:02) — I have further received the following message from the Legislative Council:

The Legislative Council acquaint the Legislative Assembly that they have agreed to the following resolution:

That this house meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland and proposes that the time and place of such a meeting be the Legislative Assembly chamber on Wednesday, 21 February 2018, at 6.15 p.m.

with which they request the agreement of the Legislative Assembly.

**Ordered to be considered immediately.**

**Ms ALLAN** (Minister for Public Transport) (13:03) — I move:

That this house agrees to the Legislative Council's proposal for a joint sitting on Wednesday, 21 February 2018, at 6.15 p.m. in the Legislative Assembly chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland.

**Motion agreed to.**

**Ordered that message be sent to Council informing them of resolution.**

## BUSINESS OF THE HOUSE

### Program

**Ms ALLAN** (Minister for Public Transport) (13:04) — 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, 22 February 2018:

Audit Amendment Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Marine and Coastal Bill 2017

Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017.

It is not my intent to speak too long on this government business program. It is a good program. It contains bills that have within them substantive policy issues to be considered, discussed and debated. As I always say

optimistically at this time of the parliamentary sitting week, I look for support for these bills and indeed support for the government business program that has been proposed by the government this afternoon. I do want to acknowledge that the opposition have sought a consideration-in-detail stage on the Children Legislation Amendment (Information Sharing) Bill 2017. We are working through how time may be made available for that later in the week, as has become practice.

The other feature that is a little bit out of the ordinary for us this week in the Assembly is of course the joint sitting motion that we have just put to the Parliament to nominate and replace a member for Western Metropolitan Region, Colleen Hartland, who resigned recently from the Legislative Council. This is my first and perhaps only opportunity I will have to place on the record my very best wishes to Colleen and her family. She has served her community for a long period of time with great passion and commitment, and I wish her well for the future.

With those few comments and observations, I commend the government business program to the house and look forward to it being strongly supported by members in the chamber.

**Mr CLARK** (Box Hill) (13:06) — The legislative program consists of four bills. Each of them deal with significant topics of importance to the community. Each of them are bills that deserve scrutiny as to their detail in order to ensure that they achieve good outcomes for the community. It is not an overly demanding number of bills on the notice paper, so hopefully that will provide time for these bills to receive the attention they deserve, for possible amendments and improvements to be considered and for issues and concerns to be addressed and, if possible, resolved. I assume the government may also want to deal with amendments on bills that have been returned to us this week from the Legislative Council.

**Ms Allan** — Yes.

**Mr CLARK** — The Leader of the House indicates that is the case, and I appreciate that indication.

As the Leader of the House also referred to, the opposition believes that amongst all of the bills that are on the program for this week the one that would most benefit from consideration in detail is the Children Legislation Amendment (Information Sharing) Bill 2017. Without wanting to anticipate debate on that bill, it seeks to achieve objectives in terms of better protecting children and ensuring to an appropriate extent that it achieves that objective and enhances the

wellbeing of children health-wise, education-wise and in other respects and that there is sharing of information amongst health professionals, educationalists and other service providers that work with children.

As in so many areas, as well as the objective there is the question as to whether or not the bill successfully achieves that objective. That is something in particular that does cause concern to this side of the house. We want to seek to work with the government to ensure the best possible outcome on this bill to address the concerns that we have and hopefully achieve a bill that can work to bring about the objectives that we would hold in common.

Having said that, in relation to the program itself there remains yet again this week a glaring omission from the program. There is absolutely no excuse for the government not to deal with the issue of the very serious allegations of abuse of office that remain outstanding against the members for Melton and Tarneit, the former Deputy Speaker and Speaker. I will inevitably be reiterating points that I have made on previous occasions, but these are very serious matters that concern the standing, reputation and credit among the community of this house and in particular of the government. It is disgraceful that week after week the government refuses to do the right thing and have these allegations referred to a select committee, be it the Privileges Committee or a specially constituted select committee, so these allegations can be investigated and dealt with.

That was certainly what was done in the previous Parliament under the coalition government. It was something in relation to the then member for Frankston that members of the then Labor opposition were anxious to have pursued, and they were entitled to have pursued and followed through the allegations that were made against that member. That is what happened under the previous coalition government. Those allegations were referred to the Privileges Committee for an investigation and a report. A report was made, and the house then dealt with that report. That process is the sort of process that should be followed in relation to the members for Melton and Tarneit. The fact that the government week after week refuses to allow consideration of the issue, refuses to allow the Leader of the Opposition to bring forward his motion for a select committee and refuses to refer the matter to the Privileges Committee is an appalling reflection on the credit, standing, reputation and standards of the government. For that reason the opposition parties oppose the government business program.

**Mr PEARSON** (Essendon) (13:11) — I am delighted to join the debate on the government business program to support the Leader of the House in her earlier contributions. Can I just say, it is an absolute joy and delight. I derive unbridled pleasure and enthusiasm from being afforded the opportunity to stand on this side of the house and to be a member of a Labor government that is getting on with the job of providing decent, quality, progressive administration in this state.

The bills before the house demonstrate a government which is committed to fulfilling the election commitments that we took to the electorate back in 2014 and also respond to the challenges that arise from time to time. This is a good, solid working program before the house. As the Leader of the House indicated, there will be a few changes to the program this week in terms of the joint sitting. It would be remiss of me not to make the observation that it was in fact the Australian Labor Party that first preselected a Vietnamese Australian to represent the interests of our community in the other place, and that was Mr Sang Nguyen, back in 1996. So I am pleased that when it comes to promoting diversity, when it comes to promoting gender equality, you can always count on the Labor Party and a Labor government to be there in spades.

It would be remiss of me not to make this observation: just recently the Leader of the House became the longest serving female Labor minister in Victorian history, and I believe it is only a matter of time before she becomes the longest serving female cabinet minister in Australian history. Indeed, Deputy Speaker, I was delighted to see on the weekend a photo of you, the Leader of the House, the federal member for Bendigo and the mayor of the City of Greater Bendigo representing the great gender diversity that Bendigo brings to bear by having such a strong array of talented female elected representatives.

This is a very good program. Again, it is disappointing that at every opportunity the manager of opposition business will oppose and seek to frustrate and delay the progressive agenda of an outstanding Labor administration. Far be it for me to pre-empt the comments that the member for Prahran will make, but I guess when he —

*Honourable members interjecting.*

**Mr PEARSON** — Well, look, the member for Prahran really should be known as His Master's Voice, because his master is the manager of opposition business. It can be guaranteed that he cannot rise to his feet and speak on these motions unless it has been vetted, unless it has been cleared by Comrade Clark

over there, the commissar, to make sure that he gets his strict riding instructions. I would hope that a person who professes an interest in progressive politics would join us in this noble crusade of introducing progressive legislation and providing good quality, stable administration to the state of Victoria. I fear that will probably not be the case, but maybe I am doing the member for Prahran a disservice in making those comments.

I end my contribution where I began: I am delighted to be on this side of the house. I am delighted to be a member of a Labor government introducing bills like this before us. I had a somewhat troubled childhood at times. I always remember Collingwood coming second in the grand final and waking up on a Sunday morning and realising that Labor came second in a state or federal election. Yet here we are now; we are a Labor government, we are in power, we have been in power for close to nine of the last 15 years, and I think if you go back to 1982, you are looking at 26 out of the last 37 years — no, that is not right.

*Honourable members interjecting.*

**Mr PEARSON** — I am asked why I have not quoted the Roman Empire. I am sure Publius Clodius Pulcher would have been most envious of a government business program of this scope and tenor.

It is an absolute joy to be able to support the Leader of the House. Again I am honoured and delighted to serve a progressive Labor government, to be a member of the Labor Party, to be a member of a trade union and to be able to bring to bear the power of the state to create a more progressive, fairer and more decent and more equitable society as a consequence of occupying these benches. I commend the government business program.

**The DEPUTY SPEAKER** — Order! I remind members to refer to other members in the house by their correct titles.

**Mr HIBBINS** (Prahran) (13:16) — I do not want to disappoint the member for Essendon, but I will not be joining him in protecting members who misuse their second home allowance.

**Mr Pearson** interjected.

**Mr HIBBINS** — I won't be joining you on that crusade.

In fact in preparation for this debate I did look over some of the previous debates we have had on the government business program, and I would like to take

my advice, indeed for once, from the member for Essendon, who said on 2 May:

I think it is an appropriate course of action for those matters to be investigated.

This was in reference to the police investigation into those members. He went on:

When those investigations are concluded and reported to this place then this place can determine at that point in time what action to take.

He also said on 22 August:

As I have said across the chamber to the manager of opposition business on many occasions, if we look back at the Westminster expenses scandals from 15 years ago, there is a proper process to go through. You do the investigations —

again referring to the police investigation —

and then the house can determine what is a fair and appropriate response.

Well, I did not hear from the member for Essendon whether he thought this was a fair and appropriate response — that is, do nothing — so I would suggest to the member for Essendon he might want to take his own previous advice and that instead of being a complete yes-man and a sycophant to his government, getting his pat on the head from the ministers, he go and suggest to his colleagues that those members should be referred to the Privileges Committee. That is the course of action —

**Mr Pearson** interjected.

**Mr HIBBINS** — You know what? In my research for this debate as well I looked back to see the member for Essendon's credentials when it comes to class warfare. What I saw —

**Ms Allan** — On a point of order, Deputy Speaker, I think there is a point at which we do need to come back to the motion that is before us. The member for Prahran has gone substantially for the entire length of his contribution over why he feels another matter should be considered as part of the government business program. He has made that point — indeed he has made that point repeatedly. However, as fond as I am of the member for Essendon, I fail to see how his professional and personal credentials are relevant to the substance of the debate on the motion that we have before us. If the member for Prahran needs some assistance, the motion before the house is on the government business program, and I have proposed four bills to sit on that program. I am not suggesting that other matters that are broadly within the scope should not be considered. As I have indicated, though, I feel he has canvassed those

substantially, and I would suggest that member needs to be brought back to the motion before the house.

**The DEPUTY SPEAKER** — Order! The member for Prahran will speak on the motion before the house.

**Mr HIBBINS** — You will never see this side of politics support enterprise bargaining agreements that cut penalty rates like the member for Essendon has done. We will not be —

**Ms Allan** — On a point of order, Deputy Speaker, I simply renew my previous point of order. The member for Prahran seems to be wilfully flouting your ruling, and I suggest you bring him back to the motion at hand.

**The DEPUTY SPEAKER** — Order! The member for Prahran will speak to the motion before the house.

**Mr HIBBINS** — The Greens will not be supporting the government business program in this instance. We are very disappointed that the government has not sought to refer those two members to the Privileges Committee. Certainly I welcome this week the joint sitting, which is to select a replacement for Colleen Hartland, a Greens member for Western Metropolitan Region in the other place, who did a fantastic job representing her constituents and progressing the causes that she and the Greens are passionate about. She set the bar very high for Greens MPs, something that I think current and future Greens MPs would do well to try to live up to. With those remarks, we will not be supporting the government business program.

**Mr McGUIRE** (Broadmeadows) (13:21) — This week's government business program protects children, protects public funds and protects our environment. Such initiatives represent another chapter in the story of a big picture government that is getting it done for all Victorians. This is the critical proposition; this is what Victorians are looking for us to do.

I want to commend the Leader of the Government, a minister who has through her career managed many portfolios with great success. I want to not just look at the historical proposition and note and acknowledge it for its significance but also look at the contemporary, so delivering the rail crossing removal and delivering the new above-ground rail line. If we keep going in delivering these strategies, we may end up not only being able to match our commitment but maybe even bettering it. I think that goes to the will and strength of the Minister for Public Transport and Leader of the Government, and that should be recognised —

*Honourable members interjecting.*

**Mr McGUIRE** — I know I should not respond to interjections, but there is one railway crossing on Glenroy Road that will be beautifully handled to match the removal in Camp Road. I will take this opportunity to just put that on the agenda. I was not looking for it, but now that it has come up I will put it there.

The manager of opposition business has raised that the opposition wants to work in good faith in debating the Children Legislation Amendment (Information Sharing) Bill 2017. I take him at that proposition. The way in which we have worked now over two parliaments, three Premiers and different administrations to address this critical issue is something that I think we should all continue — the bipartisan approach.

I will just define this bill. Its objectives include providing a legislative basis for government agencies and other service providers to share information, either voluntarily or on request, to promote the wellbeing or safety of a child or group of children. It will also establish an information technology platform called Child Link to enable systemic sharing of information about a child's enrolment and participation in key services that support their wellbeing and safety and to enable governments to create longitudinal child datasets to inform public development and service design.

This could be a really important breakthrough proposition, because we now know what needs to be done after the history of all the inquiries that we have seen on child abuse. We know that the best thing we can do is invest in attitude, education and opportunity. Data sharing provides a way that we can tailor these opportunities for children from whatever background. We know through the social determinants of health and opportunities in life that if you come from a poor background, it is important for us to be able to say, 'Here, we've got a new tool. We'll be able to connect you to greater education and opportunity'. That is an important proposition.

The Audit Amendment Bill 2017 acquits the government's commitment to the former Auditor-General to rewrite and modernise the act to make it more accessible, efficient and effective. The bill also addresses concerns about the Audit Act 1994 raised by the Auditor-General and other key stakeholders in response to the government's discussion paper on the role of the Auditor-General, which was released in early 2016. So that is getting on with that piece of business.

The Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 will strengthen recognition of the importance of distinctive

areas and landscapes, and protect the unique features and special characteristics of such areas, including significant landforms; areas of historical, cultural and environmental significance; natural resources; land productivity; and strategic infrastructure. As the member for Broadmeadows, I look forward to giving a little taste of the history and also the future that we can harness from that incredibly important community.

The Marine and Coastal Bill 2017 addresses similar issues to again enact an election commitment to establish a new marine and coastal act to improve management and oversight arrangements for the marine and coastal environment. This is a suite of policies that are really important to all Victorians.

**Mr CRISP** (Mildura) (13:26) — I rise to speak on the government business program. First of all, we have a joint sitting tomorrow evening, and like other members I too wish Colleen Hartland all the best on whatever she chooses to do next.

We have four bills listed for debate, and with the Leader of the House's permission we may even get to debate the Children Legislation Amendment (Information Sharing) Bill 2017 in detail. The four bills include the Audit Amendment Bill 2017, which is a bill regarding the functions of the Auditor-General. I think all of us in the house at some time or another have read an Auditor-General's report or attended one of their briefings. This bill is designed to further enhance the Auditor-General's activities.

For the Marine and Coastal Bill 2017 The Nationals have a couple of speakers, and we have got some experience in this area. Certainly I think we would all know the member for Gippsland East's history with coastal and marine issues, and we are looking forward to his contribution to this bill. The Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 is another bill that will be before the house on environmental issues. Finally, there is the Children Legislation Amendment (Information Sharing) Bill 2017. As other members have spoken about, child protection and child safety are very important, but no doubt the debate will reveal these are areas that need a delicate balance between protecting our children and protecting privacy. There are a couple of bills that are going to be returned from the upper house, and those amendments will need to be considered.

Of course the outstanding business before this house is that detailed by the manager of opposition business. One way that this could be resolved is by debating the Leader of the Opposition's motion. Also, I note that the member for Prahran, on behalf of the Greens, believes that this issue remains unfinished with the house. So

long as this business remains unfinished The Nationals will continue, in opposition, to oppose the government business program.

### House divided on motion:

#### *Ayes, 43*

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	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	Richardson, Mr
Eren, Mr	Scott, Mr
Foley, Mr	Spence, Ms
Graley, Ms	Staikos, Mr
Green, Ms	Suleyman, Ms
Halfpenny, Ms	Thomas, Ms
Hennessy, Ms	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr
Kilkenny, Ms	

#### *Noes, 40*

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

### Motion agreed to.

## MEMBERS STATEMENTS

### Ainslie Park pavilion

**Mr HODGETT** (Croydon) (13:34) — On many occasions I have had the pleasure of watching football and cricket played at Ainslie Park, where I have also witnessed the state of the ageing pavilion and facilities that the players, spectators and supporters use on a regular basis. Ainslie Park is home to Ainslie Park Cricket Club, which has an extensive junior program as

well as senior and veteran teams. It is also home to the East Ringwood Junior Football Club, which is comprised of 16 junior teams, both male and female, across a range of age groups. The club is a leader in female junior football. Last year in total the female participation rate for the East Ringwood Junior Football Club was 16 per cent, with the club predicting an increase to 32 per cent by 2021. Ainslie Park Cricket Club had 3 per cent female participation, which is expected to increase to 7 per cent by 2021.

The ageing pavilion is in need of upgraded facilities that support the development of both football and cricket competitions, with improved female and disability-friendly facilities and accessibility. While the scope of any redevelopment of the Ainslie Park pavilion is still in the early stages, it will certainly need to include new change and toilet facilities and improved multipurpose rooms for the clubs.

There is a great level of participation across East Ringwood Junior Football Club and Ainslie Park Cricket Club, and that sees the ground and facilities used 12 months of the year. Both clubs are expecting significant growth between 2018 and 2021 across both male and female teams, and improvements made to the facilities will be vital for them to facilitate their growth projections over the coming years. We need to encourage sport among children and adults, including females and players with disabilities, to sustain a healthy lifestyle. I look forward to continuing to work with the club committees, state government, Maroondah City Council and key local stakeholders to advocate for and deliver a redevelopment of the Ainslie Park pavilion.

### Sunshine Groupe

**Mr NOONAN** (Williamstown) (13:36) — It is very rare for me to use parliamentary protection to express what I believe to be a gross injustice inflicted on the people of the Brooklyn area. The matter I refer to involved legal proceedings in the Victorian Civil and Administrative Tribunal between the Environment Protection Authority Victoria and a local tip operated by the Sunshine Groupe. The *Age* newspaper reported earlier this month that the tip had been overfilled by up to 30 metres, is plagued with hotspots, and the group has allowed waste to build up well above the licensed height limits. These extraordinary revelations have deeply angered my community, who have lived with odour and dust for generations.

In fact when I started fighting this problem of odour and dust 10 years ago the number of exceedances of poor air quality in Brooklyn numbered about 40 days

per year, against a national benchmark of five days. That figure might be much lower today, but it has only happened due to the considerable work of the community. In that context, the Sunshine Groupe's decision to ignore their legal obligations and pollute our community is deplorable and inexcusable. To add insult to injury, the previous Liberal government handed a Sunshine Groupe subsidiary, Action Recovery and Recycling in Brooklyn, a taxpayer-funded cheque for \$500 000 to improve their processing.

The Sunshine Groupe has demonstrated contempt for local residents, so today I will write to the Minister for Energy, Environment and Climate Change and request that a full regulatory audit be conducted on this business and that she investigate whether the \$500 000 was appropriately spent.

### **Northern Highway, Echuca, pedestrian crossing**

**Mr WALSH** (Murray Plains) (13:37) — I raise the concerns of parents whose children now have to cross the very busy Northern Highway in Echuca to attend the new Echuca Twin Rivers Primary School. I had a letter from a mother there who says she is a resident of Echuca and:

... a concerned mother of two primary school boys. I write to you to express my concern for the children of Echuca South regarding the lack of a safe and appropriate pedestrian crossing for schoolchildren on the Northern Highway, south of the roundabout at Ogilvie Avenue.

Whilst the children ... are very excited to be transitioning from Echuca South Primary School to the new school site of Echuca Twin Rivers Primary School, located on Wilkinson Drive, we are quite worried about the safety aspect of the new location.

Members of our community have expressed their concerns to the Shire of Campaspe and to VicRoads yet it is disappointing as we find that neither body of authority claims responsibility for implementing the road safety aspect of a pedestrian crossing over Northern Highway. In fact each claim that the other is responsible for such infrastructure.

There are 165 students that were attending the Echuca South Primary School. The overwhelming majority of those students, if they walk to school, will have to cross the Northern Highway. It is a disgrace that VicRoads in particular has not done something about that crossing before this. The school was announced two years ago. It has been built, and VicRoads still has not resolved this issue. Some people have been unkind enough to say that VicRoads does not address an issue until there are statistics to claim it should be done. Those children do have to cross that road and they deserve a safe crossing.

### **Anna Lanigan**

**Mr PEARSON** (Essendon) (13:39) — Recently, I had the honour of visiting the Strathmore and Strathmore Heights Neighbourhood Watch and met with Anna Lanigan. Anna is an absolute Trojan in my community. When it comes to protecting our community and protecting our environment, you can be guaranteed that Anna will always be there.

### **Jenny Nola**

**Mr PEARSON** — I recognise the great work that Jenny Nola from Save Moonee Ponds performs in our community. Like many inner suburbs of Melbourne, Moonee Ponds is undergoing a significant level of change. Jenny has been a tireless advocate for improving the local urban amenity in our community. We are all the richer for the work that Jenny performs.

### **Michael Gallus**

**Mr PEARSON** — Last week local hero Michael Gallus received the Victorian Premier's Volunteer Champions Award for community impact. Michael is the founder of Footys4All, which distributes free balls to disadvantaged communities both here and overseas. In less than six years, Footys4All has distributed 22 000 balls. Mr Gallus also finds time to run a cricket competition on Sunday mornings at Port Phillip Prison. Well done, Michael.

### **Coco**

**Mr PEARSON** — Coco the King Charles spaniel passed away last night aged 16 years of age. Pampered, indulged and a frequent visitor to my home over the last 16 years, Coco was adored by David and Mary and had a very special bond with my daughter Charlotte. She was loved and nurtured, and she brought love and happiness into all of our lives. Sleep well, old friend.

### **Les Potts**

**Mr PEARSON** — A big shout-out to Les Potts for all his labours and endeavours in his work as a member of the Flemington Association. I have got to know Les over the last few years. He brings to bear a passion for and a commitment to Flemington. He is an innovative thinker. He has worked tirelessly to build a better community in Flemington. He is consistently intellectually curious and consistently trying to find ways in which we can look at providing innovative solutions to our community.

### Mount Martha north beach

**Mr MORRIS** (Mornington) (13:40) — I rise this afternoon to address the issue of Mount Martha north beach. This is an issue that has had a number of appearances in debates in this place previously. For more than a decade the beach has been subject to frequent inundation from the bay, resulting in considerable sand loss, damage to the cliff face and damage to existing bathing boxes. Sand renourishment has occurred — in excess of 10 000 cubic metres of sand has been transported from the south — but given the prevailing weather conditions and the break-up of the reef that formerly protected the northern end of the beach, that sand has been lost. The most recent problems have caused the beach to be closed. There has been significant damage to the cliff face at the southern end of the beach.

Late last year I met with representatives from the Minister for Energy, Environment and Climate Change's office to discuss the issue and to seek support for works to protect the cliff face from further undermining. To her credit the minister approved the works very promptly, and the existing revetment is being extended to the south to ensure that the cliff face is protected. Unfortunately there is a chance that some of the existing bathing boxes may need to be removed to facilitate the works. The occupancy of bathing boxes on the foreshore has been an ongoing matter for local debate, and predictably bathing box opponents have seized on this opportunity to have even more boxes permanently removed from the foreshore.

I want to place on record my total opposition to any lessee being forced to surrender their licence because a bathing box must be temporarily removed. The Mount Martha bathing boxes on both north beach and south beach are a feature of the area and much loved. I urge the minister to ensure that as these urgent and very necessary works are undertaken that no licensee is dispossessed of their opportunity to maintain their bathing box on Mount Martha north beach.

### National apology commemoration

**Ms COUZENS** (Geelong) (13:42) — February 13 marked 10 years since former Prime Minister Kevin Rudd said sorry to the stolen generations, a powerful day in Australian history. On that day I stood with thousands of Aboriginal people in Canberra and watched the significant impact the apology had on Aboriginal elders and others who were there that day. I attended the anniversary event at Wathaurong Aboriginal Cooperative to acknowledge the day with many Aboriginal and non-Aboriginal people from the

Geelong community. The speakers, which included the granddaughters of stolen elders, spoke from the heart about their family experience.

### Consulate of the Republic of Slovenia

**Ms COUZENS** — It was a great pleasure to be invited to speak at the official opening of the office of the consulate of the Republic of Slovenia in Geelong last week. The Slovenian community have contributed over many years to the wonderful multicultural city we have today. I also want to acknowledge and congratulate Eddy Kontelj, the first honorary Consul for the Republic of Slovenia.

### Geelong Pride March

**Ms COUZENS** — Geelong held its first Pride March and festival last week at Johnstone Park, which was a great success. Organised by Geelong Rainbow Inc. it attracted lots of support from the Geelong community. Celebrations continued into the evening at the fantastic Piano Bar in Malop Street. It was one of the best nights out I have had in a long time. Aaron Skinner, Philmah Bocks and others made sure everyone had a great night with the classy entertainment and wonderful atmosphere that the Piano Bar is known for.

### Melbourne tourism

**Ms ASHER** (Brighton) (13:43) — I wish to acknowledge the significant work done by Melbourne Airport and of course airline companies in their performance in attracting international tourism visitors and indeed domestic visitors to Melbourne. I refer to a Melbourne Airport passenger performance November 2017 press release, which made the following comment:

Melbourne Airport's international passenger traffic continued to trend upwards, growing almost 10 per cent compared to November 2016.

Last month 857 885 international travellers passed through Melbourne Airport (both ways), while domestic passenger traffic also increased by 3.8 per cent compared to the same period in 2016.

Of course this growth is coming off the back of a Chinese tourism boom in the state of Victoria, and indeed I also note that Air China and a number of other Chinese airlines have increased their direct flights into Melbourne. There are now 12 non-stop flights from Melbourne into China. I will spare the minister at the table my Chinese pronunciation because I know his skills in that area are greater than mine. We have also seen flights coming from Sri Lanka, Qantas is now going to do a Melbourne–San Francisco flight, Tokyo

was added recently, plus LATAM flights and a Virgin service to Hong Kong.

### **Mordialloc Sporting Club**

**Mr RICHARDSON** (Mordialloc) (13:45) — Many local residents have raised their concerns with me about the proposed development of the Mordialloc Sporting Club and how this may impact on live music, local heritage and our community. The Mordialloc Sporting Club was started as the Mordialloc Hotel and originally built by Alexander Macdonald back in 1853. At one stage it even operated as a coach office, with four horse coaches running from Melbourne to Frankston daily.

The hotel has evolved since its early days into the live music venue and community pub that we love, cherish and treasure today. However, the latest proposal to develop the site with townhouse apartments has raised the strong concerns of our local community and the more than 10 000 social members. Residents fear that yet another vibrant live music venue and community meeting place will be greatly reduced and lost. We have already seen this devastating impact up the road at the Mentone Hotel, known as the ‘Edgy’. The loss of yet another community pub and live music venue will be a devastating blow.

People are asking how this proposal is in the community’s best interests and why social club members have not been consulted. We must preserve the buildings that have stood as community meeting places across many decades. If we are to let these precious buildings go, we lose a bit of ourselves and our local identity. Any proposal to change the Mordialloc Sporting Club must seek the views of our community, the more than 10 000 social members and local sporting clubs, including the Mordialloc Football Netball Club. So I call on all relevant parties to save the more than 150 years of history in Mordialloc, and to save live music, local heritage and the Mordialloc Sporting Club for generations to come.

### **Esplanade, Lakes Entrance, pedestrian crossing**

**Mr T. BULL** (Gippsland East) (13:47) — The Lakes Entrance community has long been advocating for more pedestrian crossings along the Esplanade. It is an area that experiences very large holiday crowds. The Lakes Entrance Action and Development Association has long been advocating for this outcome, as have community residents. It is very pleasing to hear that new pedestrian crossings will start to be installed in May this year at Mechanic Street and Barkes Avenue. Full credit to the community for advocating for that outcome.

### **Victorian Premier’s Volunteer Champions Awards**

**Mr T. BULL** — I want to congratulate Graham Symons, a bit of a local identity up in the Omeo area, for receiving a service award in the Premier’s Volunteer Champions Awards. Symo, as he is known locally, is a very important member of the community. He is heavily involved with the Country Fire Authority. He is also involved with the agricultural society that runs the annual show. He is a very deserving recipient of this award, and so I certainly wish him all the best. Derek Amos from Barrier Breakers, Simon Ellis of East Gippsland United Football Club and Geoff Brown from the Stratford Football Netball Club are also to be congratulated on receiving highly commended awards.

### **V/Line air-conditioning trial**

**Mr T. BULL** — The final point I want to raise is the air-conditioning trial on V/Line. It appears this did not happen. I have asked the minister two questions and have received no detail. I would ask her to provide proof that this trial took place.

### **Australia Day awards**

**Ms SPENCE** (Yuroke) (13:48) — I rise to congratulate the recent winners of the Hume Australia Day awards. For many years now, I have had the pleasure of attending this ceremony and each year I am inspired by the winners and their commitment to our community. The 2018 winners were no different. I congratulate Jason Moore and Rick Byers on being awarded joint Citizens of the Year, Michelle Grover on being awarded Young Citizen of the Year and the inaugural Anzac Day ceremony at the new Craigieburn War Memorial as winner of Community Event of the Year.

I was proud to nominate Jason Moore for Citizen of the Year. I have worked closely with Jason for around a decade, whether it be through the Craigieburn basketball club, Hume Relay for Life or the 3064 sports group. Jason is a passionate and inspirational leader within the Hume community, and I am so glad his extensive hard work has been acknowledged.

I would also like to congratulate Kevin O’Callaghan and all of the members of the Craigieburn War Memorial and Remembrance Committee for their award. It is a wonderful testament to the community that such an event can be recognised as Community Event of the Year. As Kevin mentioned on the day, this service offers no entertainment or spectacle; instead it provides a wonderful opportunity to come

together as a community and to remember those who served our country and made the supreme sacrifice.

The awards were followed by a citizenship service for 70 of our newest Australians. As always, it was terrific to share this important day with so many of our local residents, and I thank Hume City Council for hosting this great event.

### **Shepparton electorate**

**Ms SHEED** (Shepparton) (13:49) — I have little time before the election to continue to impress upon the government the needs of my community. With only three members statements left, I will be using them to talk about the most important issues for Shepparton district. Rail is a game changer for my community, yet we continue to be left behind. The knock-on effects of an improved rail service are considerable — more opportunities for business and for tourism and the immeasurable value of linking our community with towns and cities further afield. It will open up Shepparton district for investment and offer a path to future sustained prosperity.

This goes hand in hand with education for our children. The proposal to merge our four secondary schools into a state-of-the-art super-school is really exciting. It demonstrates a faith in our future generations that has been lacking for far too long. Nearly every day I get asked about the plan and when it will be coming to fruition. I look forward to the day I can tell my community that our advocacy has succeeded.

Water is also vital for the people of Shepparton district, and the Murray-Darling Basin plan plays a crucial role in our future. Although this issue does not require a financial investment from this government — and that is a rare occurrence in this place — it sure requires an ongoing massive investment in understanding the impact of water availability on our northern irrigation communities and strong advocacy on our behalf. We have had significant investment since my election in 2014, but there is a lot of work left to be done.

### **St James Primary School, Vermont**

**Mr ANGUS** (Forest Hill) (13:51) — I recently had the great pleasure of attending the morning assembly at St James Primary School in Vermont to present the school leadership badges, including to the school captains, other captains, school leaders and student representative council members. I congratulate all the leaders in the school on their important appointments and wish them and their fellow students, the school staff and wider school community well for the 2018 year. I

also welcome Mr David Mutimer as the new school principal and wish him every success in his new role.

### **Parkmore Primary School**

**Mr ANGUS** — Earlier this week I had the pleasure of attending the Parkmore Primary School assembly to present the school leadership badges, including to the school and house captains. I was also pleased to be interviewed by the school captains, Mia and Ryker, who did a great job running the assembly. I congratulate all the school leaders on their important appointments and wish them and their fellow students, school principal Ms Saraid Doherty, the school staff and the entire school community well for the 2018 year.

### **Asian Business Association of Whitehorse**

**Mr ANGUS** — I congratulate the Asian Business Association of Whitehorse (ABAW) for organising another fantastic Lunar New Year celebration at Box Hill last Saturday. Once again it was a very spectacular event with large crowds in attendance to watch the festival, especially the dancing and lion dancing. I congratulate the ABAW president, committee members and all involved in putting on this great celebration. I also wish all Forest Hill residents of Chinese descent a happy new year in the Year of the Dog.

### **Sameway**

**Mr ANGUS** — I congratulate Mr Raymond Chow and the staff and volunteers from local organisation Sameway on organising the inaugural Lunar New Year celebration at Forest Hill Chase over the weekend. It was a terrific event. Well done also to the Chase for hosting this event and to the sponsors and supporters for getting behind it.

### **Chinese Youth Society of Melbourne**

**Mr ANGUS** — I congratulate the Chinese Youth Society of Melbourne (CYSM) on its 50th anniversary. Well done to all the volunteers involved over the years and especially to the current president, Mr Bill Lau, who has been in the group for 49 of those years. The Chinese New Year display CYSM put on in the city on the weekend was outstanding and very spectacular.

### **Yan Yean electorate**

**Ms GREEN** (Yan Yean) (13:52) — This year's Valentine's Day saw the Andrews government well and truly sharing the love with Melbourne's northern suburbs. Valentine's Day morning saw three ministers at three projects across the north. The members for Eltham and Ivanhoe and I welcomed the Minister for

Industry and Employment to see firsthand the great work underway on the Hurstbridge rail line, including track duplication between Rosanna and Heidelberg, the new Rosanna station and two level crossing removals — and this project is six months ahead of schedule. All up, there are 1000 people in work, including former Ford workers and 60 trainees, apprentices and cadets.

Next I joined Minister Tierney and the member for Eltham at the reopened Greensborough TAFE for an almost \$2 million announcement with Melbourne Polytechnic to train employees working in the residential out-of-home care system.

The morning was rounded out by the official opening of the Mernda police station, which has been operational since November. I joined Ian Hunter from the Wurundjeri land council, Chief Commissioner of Police Graham Ashton, the Minister for Police and community campaigners like Cr Tom Joseph. Mernda now has a state-of-the-art, 24-hour police station and 45 more police on the beat.

Thousands of jobs, better public transport, a reopened TAFE college, investing in our police — all done before midday on Valentine's Day — show the love and respect that Labor has for Melbourne's north and that we are getting it done.

### **Serious sex offenders public register**

**Mr WELLS** (Rowville) (13:54) — This statement welcomes the Liberal-Nationals announcement that, if elected, they will introduce a serious sex offenders public register (SSOP). Labor have failed time and time again to keep Victorians safe. Under the Premier the number of sexual assaults has increased dramatically, going up 24.35 per cent between 2014 and 2016. Enough is enough. The Liberal-Nationals will put the protection and safety of children, families and the community first.

Information from the SSOP register will be made available to the public in three ways. Firstly, a local search will allow members of the public to request details of serious sex offenders who live in their local area. Secondly, an individual search category will allow people with a genuine, relevant reason, such as parents or guardians of children or vulnerable adults, to request information about a specific individual who has contact with a child or vulnerable adult. Thirdly, missing offenders who fail to comply with reporting obligations or who provide false information will have their photos and personal details published and made publicly available.

A number of safeguards are included in the policy. A specific commissioner will be appointed to the SSOP register to determine which offenders pose a serious enough risk to community safety to warrant public disclosure. For example, this will not include offenders with convictions for sexting or other lower level offences. Victorian families deserve to know if they have a high-risk serial sex offender living in their neighbourhood. This policy puts the rights of innocent Victorians first.

### **Midland Highway upgrade**

**Mr HOWARD** (Buninyong) (13:55) — The Andrews Labor government has invested \$12.5 million to install two kilometre-long overtaking lanes in each direction on the Midland Highway between Meredith and Bannockburn. This will also see the construction of flexible safety barriers along the entire length of the road to prevent run-off road crashes. The upgrade will provide a much safer and more reliable journey on this busy stretch of the Midland Highway, which carries around 4000 vehicles per day. This follows on from the work undertaken by the Bracks and Brumby Labor governments when overtaking lanes were installed between Meredith and Elaine and between Elaine and Clarendon. The works that are currently underway on the Midland Highway were promised by Labor ahead of the 2010 election, but sadly nothing was done during the Liberals' four years in government.

Only upon the election of the Andrews Labor government were we able to get this and so many other projects underway to make our roads safer, to upgrade more schools and hospitals and to support our ambulance services to cut response times. I note that a member for Western Victoria Region in the other house, Mr Morris, has noted that one party has dragged its feet on these safety upgrades along the Midland Highway and so many other projects. However, he clearly needs to look at his Liberal Party colleagues to identify those responsible for four years of inaction. I look proudly at the work delivered across my electorate to make our region's roads safer and do so much other work.

### **International Mother Language Day**

**Mr WATT** (Burwood) (13:57) — International Mother Language Day is on 21 February. It is a day to promote linguistic and cultural diversity. Given that the Lunar New Year has recently passed, I wish to say to all my constituents who celebrated at the weekend xīn nián kuài lè, gong hei fat choy and chúc mừng năm mới.

### **Reverend John Mann**

**Mr WATT** — I welcome Reverend John Mann to his service at the Burwood Uniting Church and to the Burwood community as a whole. I was honoured to be asked to speak at the reception after his induction on 16 February. The service was attended by many leaders in the community, including the Whitehorse mayor, Andrew Davenport, and Boroondara councillor Lisa Hollingsworth. John has already hit the ground running, and I had the opportunity to show him the ropes, teaching him how to make the perfect pancake with Tom Thorpe on Shrove Tuesday.

### **Wattle Park Primary School**

**Mr WATT** — It is always an honour to meet with leaders of the future and hand out leadership badges at Wattle Park Primary School. Congratulations to all those who received badges.

### **Solway Primary School**

**Mr WATT** — Congratulations to all the students at Solway Primary School who received their badges on Monday, 19 February. If these students are anything to go by — and I am sure they are — the future is in good hands.

### **Ashburton, Ashwood & Chadstone Public Tenants Group**

**Mr WATT** — Congratulations to the Ashburton, Ashwood & Chadstone Public Tenants Group for their recent Frances Penington Award. I know that they were particularly honoured, and I am honoured to have a group such as the Ashburton, Ashwood & Chadstone Public Tenants Group advocating for public housing in my electorate.

### **Eastern Gymnastics Club**

**Mr WATT** — Congratulations to the Eastern Gymnastics Club for once again winning the Whitehorse Sport and Recreation Australia Day Trophy in 2018.

### **Serbian Orthodox Church, Keysborough**

**Ms WILLIAMS** (Dandenong) (13:58) — On the weekend I had the great pleasure of attending the Serbian summer festival at the Serbian Orthodox Church in Keysborough. The festival ran all weekend and showcased traditional Serbian costume, dance and cuisine. It was very well attended, with thousands, young and old, joining in the festivities.

I was also fortunate to take a sneak peek at the church, which is currently being painted with a very intricate religious mural. Work has been underway on the mural for about a year, and it will be another 18 months until completion. The craftsmanship in this work is truly remarkable, and I know it is something that the community is rightly proud of and will be even more proud of once it is completed. I would like to thank Father Milorad Loncar for the invitation to attend and for his trademark kindness. It was wonderful to be there on the day.

### **Wooranna Park Primary School**

**Ms WILLIAMS** — I also had the pleasure yesterday of presenting grade 6 school leaders at Wooranna Park Primary School with their badges. In addition to the school captain positions, leadership responsibilities span many portfolios, including IT, entertainment and the environment. This new crop of young leaders are exceptionally impressive and I know they will make their school community proud.

I spoke to the students about the meaning of leadership and the wonderful opportunities they will be afforded through the roles they are taking on. I look forward to seeing these young faces take on more leadership roles in our community over the years ahead because, as I told them, this is the beginning of a long journey of leadership and civic participation, not the end. Congratulations to all the student leaders and the amazing team of teachers at Wooranna Park for their work in empowering local students.

### **Country Fire Authority memorial service**

**Ms McLEISH** (Eildon) (14:00) — On Sunday I attended a commemorative service at Panton Hill to mark 35 years since the Ash Wednesday fires. Importantly this marked 35 years since the tragic loss of five members of the Panton Hill brigade. Joining the service were representatives of the Narre Warren brigade, which also lost six members in the devastating Upper Beaconsfield fire.

We remember from the Panton Hill Country Fire Authority (CFA) brigade Maurice Atkinson, Stuart Duff, Neville Jeffrey, Bill Marsden and Peter Singleton. The touching service was held at the firefighters memorial park established in honour of those members by their colleagues, friends and families. Time moves on, our pain tends to dull a little, but it is always there, and memories remain etched in detail as evidenced by Neil Marshall's words at the service.

This serves as a reminder that the role of a CFA volunteer and indeed any emergency service volunteer can be perilous. We take it for granted that our volunteers will return home safely. When our volunteer firefighters are out defending life and property, they need to know that their government and their community have their back. The Andrews Labor government's and the United Firefighters Union's continuing attacks on volunteer firefighters are not only demoralising, they are simply dangerous.

Volunteers are critical to Victoria's surge capacity during major bushfires. Without our volunteers, areas prone to major bushfires will be placed in even greater harm's way. In rural communities we respect our CFA volunteers. The Andrews Labor government should do the same. CFA volunteers can be assured that I will always have their backs.

### **Mission Possible**

**Mr McGUIRE** (Broadmeadows) (14:01) — The codename is Mission Possible. This project will save lives by protecting our military at war. It is valued at \$5 billion and will create more than 2000 manufacturing jobs. The legacy is building Australia's smartest defence and engineering precinct. The epicentre should be right here in Melbourne in the precinct of excellence at Fishermans Bend, because BAE's Land 400 vehicle should win this important defence contract on merit and performance for national security and safety proven in battle.

This next-generation vehicle would deliver the jobs where they are needed most — at Broadmeadows. Last year I inspected one of the supply chain companies in Coolaroo, which has the sophistication and skills necessary to help deliver this vital project. Defence is important to Victoria's economy, employing around 2000 people and contributing about \$8 billion a year. This project must not become another triumph of politics over rational decision-making.

My call is for the Australian government to stop dudding Victorians. Duty demands that the Australian government make decisions on merit and govern in the national interest instead of ruthlessly gaming decisions for perceived political self-interest. Victoria is being denied billions of dollars in infrastructure and health, and should no longer be denied on jobs and growth. I am still waiting for the Australian government to make a commitment out of the unspent \$1.324 billion for the automotive transport scheme into Melbourne's north. We can do this in a collaborative way because this is where it is needed most to transform the so-called postcodes of disadvantage again into postcodes of hope.

### **Student leadership awards**

**Mr EDBROOKE** (Frankston) (14:03) — One of my favourite things to do is to congratulate our local schools and students on their many achievements, and last week I was lucky enough to join some truly awesome groups of kids at Kingsley Park Primary School, Aldercourt Primary School and Mahogany Rise Primary School to present school leadership badges. I know they will all do a fantastic job this year and I wish them the best of luck.

### **Monterey Secondary College**

**Mr EDBROOKE** — Congratulations also to the Monterey Secondary College community on the official opening of their redeveloped school wing. I promised in 2014 that we would fund the \$4 million to make this building reflect the excellent standard of education at the college, and it was marvellous to host the Victorian Premier to officially cut the ribbon. When we make commitments to our community, it is not just business cases or studies — we get it done.

### **Frankston ministerial visit**

**Mr EDBROOKE** — Speaking of which, it was exciting to have the Minister for Public Transport in Frankston to check out the state Labor government's \$200 million worth of investment in the Frankston CBD, including the \$63 million Frankston revitalisation, the \$75.9 million Chisholm TAFE redevelopment and the Overton Road level crossing removal, as well as announcing the exciting final train station designs, with construction commencing next month.

### **Frankston Prime Minister's visit**

**Mr EDBROOKE** — Our community was a little less excited to see our Prime Minister visit Frankston half an hour later to build on his record of committing to zero major infrastructure projects in Frankston with the announcement of — you guessed it again — nothing. Mr Turnbull literally stood in front of the state government sign that told us that a new Frankston station is under construction and posed for photos. Then the Prime Minister had the actual arrogance to swan around on state government-funded, newly redeveloped streets in the middle of Frankston's \$200 million worth of CBD commitments and announce that he was not going to match any funding and was not going to do anything at all.

**AUDIT AMENDMENT BILL 2017***Second reading***Debate resumed from 13 December 2017; motion of Mr PAKULA (Attorney-General).**

**Mr R. SMITH** (Warrandyte) (14:05) — I rise to speak for the coalition on the Audit Amendment Bill 2017. This bill is one that, contrary to what the member for Broadmeadows said earlier in his contribution about it being a commitment to the previous Auditor-General by this government, in fact has been in its stages over the last 10 years probably a commitment by the former Labor government, the Brumby government, about getting some formality around the operation of the Auditor-General's office. It certainly was an ongoing exercise during the coalition's time in government, and it has come to its conclusion under this government. I am sure the Auditor-General, as I have spoken to him, is pleased with the content of the bill, and certainly the opposition does not have any problems with this bill. The Auditor-General, as I said, is comfortable with it, and in our support of the independence of the office of the Auditor-General the opposition will certainly be supporting this bill.

The bill amends the principal act that provides for the appointment of the Auditor-General and the office staff; the circumstances under which an Auditor-General prepares the specification for an audit; who the Auditor-General may audit and how that audit is conducted, including the manner in which to deal with matters of confidentiality; and powers of entry, which the Auditor-General's office had not had occasion to use but believed that if they did need to use them, they would have the powers to do that — this legislation formalises those powers. There are some elevated penalties for various obstructions of an audit, and there is a legislated ability to share information with other Australian jurisdictions. It also covers off the manner and form in which an audit is made. I guess it is to that particular issue, covering around clauses 56 to 65, along with the broader clauses and provisions of the bill, that I will turn my attention.

The Auditor-General's office provides a great service to Victoria in that it enables the public to cut through the spin of government to make sure that the propositions that are put forward by government and the outcomes that the government says it is attempting to reach, or even claims sometimes that it has reached, are overseen. The Auditor-General's office basically makes sure that the operations of the public service, the departments and various agencies that make up government, are held to account, making sure that the

claims by government, as I said, are audited and investigated and that the reality, which is often very different from the spin, is put to the public.

I would like to refer to a number of Auditor-General's reports that have cut through the spin — and certainly the spin of this government over the last three years — in a whole range of different areas. I will show over the next 20 minutes that the spin from and the culture of spin of this government have been put on show for what they are across a range of portfolio areas and a range of topics.

I will start with the very first mistruth of the government, which came to office saying it would rip up the contract for the east–west link and made it very clear to the public at large that the advice that the government received was that the ripping up of that contract would not cost a dollar. That lie was made very clear. Certainly as I and my colleagues move around Victoria — and I have no doubt at all that as members of the government move around Victoria they find the same thing — people, in most cases unbidden, actually raise as a waste of money the issue of the \$1.3 billion that was spent to not build a road.

Despite the claims of the former leader of the opposition, the now Premier, that the contract would not cost a cent to rip up, the Auditor-General actually said in a report entitled *East West Link Project* in December 2015, and I quote:

... the decision to terminate was made without full consideration of the merits of continuing with the project.

Even though the opposition at the time said that the project was a dud project, the reality is, as I said, the Auditor-General made it very clear in his report that in fact the now government had done no such informed consideration that the project was not one that should be continued. The Auditor-General went on to say:

Failure to properly assess the benefits of termination against revised costs and benefits of continuing the project means the government —

and that means the government that came into office in 2014 —

was deprived of comprehensive advice to assure it that termination was the best use of public funds.

What the Auditor-General was saying there very clearly to the public was that the decision by the government to rip up that particular contract and spend \$1.2 billion of taxpayers money on nothing was a political decision and one made without full

comprehension of the ramifications of that. The Auditor-General went on to say:

Terminating the ...

east-west link —

project involved the expenditure of hundreds of millions of dollars for little tangible benefit.

I think that is something that, as I said, the general community in Victoria understands over three years later — that there was no gain at all for throwing that money away. The Auditor-General went on to say:

Following final settlement of outstanding costs —

and this goes back to 2015 —

the state will have incurred costs in excess of \$1.1 billion.

That \$1.1 billion has blown out by an extra \$200 million since then.

The Auditor-General's office, as I said, can cut through a lot of the spin about what the now government had claimed in the past when in opposition and has continued to claim when in government, and it was on show for all to see that the waste of public money was something that was done with, as I said, very little consideration of the ramifications. That money certainly could have been spent on so many other things. Indeed the total cost to the state of this project was only ever going to be about \$2 billion. The fact that more than half of that money was spent on nothing is a real indication to the Victorian community that this government has very little regard for the money that they take from the community.

The government also likes to point to the side letter in their conversations. The importance of that side letter and the reality of what it was and what it indicated to the community about the position that the former government took is very clear in this particular document, where it says:

The only scenario under which the side letter can be argued to have created additional exposures for the state is one in which the state did not have the power to sign the contract. Legal advice obtained by government both before and after ...

I say after particularly because it is the current Labor government that received advice that there was never going to be an instant where the state did not have the power to sign the contract. The importance that the now government puts on the exposure that the side letter gave to the state is again one that the Auditor-General showed was a complete fabrication and completely untrue. It might work well with members calling across the chamber and it might work well from the speaking

notes that senior members of the government give to the backbenchers, but the reality is that the Auditor-General, through his investigations and reports, actually showed that it was of little consequence whatsoever.

If I can turn to another Auditor-General's report, this one entitled *Maintaining State-Controlled Roadways*, which was issued in June 2017, we can see what happened to the government's promises to spend an additional \$1 billion over and above the money that is usually spent on roads. The government claimed they would spend an extra billion dollars on country roads and indeed a further extra billion dollars on outer suburban roads. However, after many Public Accounts and Estimates Committee hearings, Legislative Council Economy and Infrastructure Committee hearings and again in the Auditor-General's report it has been shown that despite the money that the government claimed they would put forward, over three years later country communities have not seen any sign of it having been spent. If you listen to the member for Polwarth or the member for South-West Coast, you know that the deteriorating nature of the roads is one that is a constant irritant for people in the country. It is probably more than an irritant, but it has become dangerous to the point where the government has lowered speed limits from 100 kilometres per hour to 60 kilometres per hour in some areas because the roads are simply not good enough to drive on.

In this particular report the Auditor-General said:

The increasing proportion of the state road network in very poor condition presents a growing risk to public safety and increases road user costs.

The Auditor-General is very clear on the next line:

Not enough funding is allocated to road maintenance to sustain the road network, but VicRoads also cannot demonstrate clearly that it is making the best use of its existing maintenance funds.

So, even with the paltry amount that the government is allocating towards maintenance, the Auditor-General makes it very clear that money is not being spent in a way that represents best value for money.

The Auditor-General goes on to say:

Its approach to road pavement maintenance is reactive, with maintenance generally being carried out only when it becomes critical. Targeted early intervention to prevent roads from needing more costly and extensive maintenance has been limited. This approach has not kept up with the rate of deterioration of road pavements across the network.

As the complexity and cost of maintenance increases, less can be done using the available levels of funding, resulting in an

increasing maintenance backlog and lower levels of service for road users.

Finally, he goes on to say:

The proportion of roads in ‘very poor’ condition is increasing in all regions. In some regions, the proportion of road pavements in ‘poor’ condition has also increased. The two metropolitan regions have had a considerable decline in road pavement conditions since 2015.

As I said, country members hear constantly from their communities that road maintenance is deteriorating. The government may say that they are spending money in this area, but they are patently not. The Auditor-General has made that clear.

The government has also talked about road safety. The issue of wire rope barriers has come up in recent times, both in this place and out in the community. The government talks about safety. I can tell you that my three years as shadow minister for roads and infrastructure certainly taught me that if you want to save the lives of people who travel on those roads, whether they be locals, tourists or visitors from the city, the best way to do so is to make sure that the roads are kept in good condition. Wire rope barriers are of course a help, and this side of the house has never said otherwise. We believe there are certainly many circumstances where wire rope barriers can assist in saving lives, but, as was pointed out in question time today, we will put the proposition forward that a blanket rollout is not the way to go.

But that aside, road maintenance is a very important part of ensuring people’s safety. Having been on some of those roads out in the Macarthur-Myamyn area, I can say that the roads are about the worst I have ever seen. I am sure that my colleague the member for Gippsland South will also agree that the roads out in the east also leave a lot to be desired. The Auditor-General needs to be listened to by this government and more funding for road maintenance should be on the table.

The next Auditor-General’s report that I want to have a look at is entitled *Operational Effectiveness of the Myki Ticketing System*. Again, the amount of spin that has been put out about Myki over the years, certainly going back at least two parliaments ago, by Labor governments certainly has little peer. The Myki ticketing system has become synonymous with government failure in terms of rolling out projects and in terms of time and budget blowouts. The Auditor-General again made it very clear in their assessment of the Myki project that Labor simply cannot manage major projects. The Auditor-General said about the Myki ticketing system:

It was expected that Myki would deliver around \$6.3 million to \$10.8 million per year in economic benefits to the state ...

He goes on to say:

However, there have been significant implementation issues with the system. Specifically, the time taken to design and deliver it more than quadrupled from the original expectation of just two years to in excess of nine years. This has led to significant unanticipated additional costs — resulting in a \$550 million, or 55 per cent, increase on the project’s original budget.

The operational performance of Myki has also attracted significant complaints and criticism from users. In particular, overcharging has been, by far, the single most common complaint from users about Myki since its rollout.

Not only did it represent a significant cost to the state or show for all to see that the Labor government was unable to roll it out — not only were the economic disadvantages an issue — but also commuters and travellers found it significantly difficult to use.

The Auditor-General said the Myki project had an:

... overly ambitious and vaguely specified initial project scope ...

These deficiencies meant the state was not in a position to assure that it was paying for a ticketing system that met clearly articulated and agreed performance standards ...

Certainly we had to deal with Myki issues in our term of government, and the Auditor-General acknowledged the progress that we made on it when he said:

The original Myki governance arrangements were previously examined by —

the Ombudsman, the Public Accounts and Estimates Committee and —

... related internal reviews undertaken by the Department of Treasury and Finance in 2011 and 2014.

These reviews consistently found that the roles and responsibilities of key agencies initially charged with Myki’s development were neither well-defined nor effectively implemented.

But it did say that in 2012, under the coalition government, Public Transport Victoria (PTV), which we established during our term and which was responsible for managing Myki and Victoria’s public transport system, had actually led to improvements in the governance and contractual arrangements in place for Myki. Certainly under the Bracks and Brumby governments Myki was a project that had significant problems, but under our government we certainly attempted to make up — and, as the Auditor-General said, succeeded in making up — for a lot of those deficiencies. The functionality of this particular system

seems to have gone backwards since then, and the Auditor-General again made it clear that it was a huge project that the government consistently mismanaged.

There have been other Auditor-General reports around the public transport system, in particular a report in 2016 entitled *Managing the Performance of Rail Franchisees*, which said that there were significant weaknesses in how this government through PTV oversaw the maintenance and renewal of assets leased to its franchisees under the current agreements, and a further Auditor-General's report from August 2017 entitled *V/Line Passenger Services*. Again, no doubt the member for Gippsland South and his country colleagues right across this state would attest to the fact that V/Line has been a real bugbear for country commuters. It has been a real problem in terms of its reliability, and you cannot blame the travelling community for feeling that they have been significantly let down by this government when it comes to V/Line.

While population growth has been a significant issue for Victoria — and certainly those on this side of the house have made a number of statements about decentralisation and population growth — this government, as the Auditor-General said, has done little to plan for that future growth of our population. In fact it says in this particular report:

V/Line did not —

I guess the government oversees V/Line —

foresee this growth or fully understand the causes of its poor performance because it lacked the necessary capability. It also lacked focus ... on managing its assets.

So there has been little oversight of V/Line, and of course, as is the case with this government, it is the general population that pays the price.

The Auditor-General said:

V/Line has failed to meet key service criteria for the operational performance of its passenger services, as specified in its services agreement and in state budget papers ...

...

During the current services agreement, V/Line has not been able to consistently meet punctuality targets for its train services.

Again, as I said, the community travelling out to the country understand that they are the ones who are left sitting on trains that do not go anywhere, having to deal with a constantly changing timetable or the reality of V/Line's performance that does not match the timetable in any way, shape or form.

I go forward to the other comments made by the Auditor-General in relation to V/Line:

Although V/Line internally tracks train loadings, it is not required to meet any specific standards.

The absence of a load standard in the current services agreement means we were unable to assess the extent of any load breaches or whether overcrowding is occurring.

There are some significant safety issues there that the government has not kept on top of, but it is indeed a positive thing that the Auditor-General is able to make the public aware of these deficiencies. One would hope that the government takes some advice from the Auditor-General's office and actually moves in the right direction, although I would be hard pressed to find too much evidence of the government actually admitting that these deficiencies that are clearly evident in these reports are actually happening. It is certainly a characteristic of this government to claim that every policy it has is perfect, every policy is beyond reproach and every policy is for the good of all Victorians, when it is plainly obvious to communities right across this state and through metropolitan Melbourne that they are being hard done by by the lack of oversight, commitment and ability of this government to deliver services correctly.

Going back to another issue that certainly was very prominent during my first term — some of the people in the chamber who were not here during this time may not be aware of the fairly robust conversations we had about the introduction of smart meters — former Minister Peter Batchelor was very excited about the benefits that smart meters would bring to the Victorian community. As the Auditor-General said in his 2015 report:

The 2005 business case anticipated a net incremental benefit of \$79 million relative to a 2004 cost-benefit analysis for the rollout of interval meters. Key expected benefits of smart meters were to:

improve consumers' ability to monitor and control their electricity use, potentially allowing for cheaper and more efficient energy use.

You would be hard-pressed to find a Victorian who is lauding the fact that their power bills are going down. Certainly smart meters have not helped in that regard. It goes on to say in its conclusions in this report:

By the end of 2015, Victoria's electricity consumers will have paid an estimated \$2.239 billion for metering services, including the rollout and connection of smart meters. The net position of the program has changed significantly since its inception, and there is now expected to be a substantially increased net cost to consumers over the life of the program.

If members had the inclination, they could certainly go back to *Hansard* for the 56th Parliament and have a

look at what the coalition then talked about in terms of how the smart meter rollout was going to be detrimental to consumers. In fact pretty much everything we said and issues that we raised during that period — which were shunned by the government, who were blinded by the fact that the smart meter program would actually be a benefit to consumers by their own reckoning — have come to pass. The Auditor-General shows that while a few benefits have accrued to consumers, the realisation of the benefits is behind schedule and most benefits are yet to be realised. Over 10 years later we still have not seen the benefits, a large proportion of which former Minister Peter Batchelor and indeed the Bracks-Brumby governments said to Victorians were the reason for rolling out smart meters.

The Auditor-General also said:

There is a risk that the ...

advanced metering infrastructure —

program's most recent 2011 estimate of a net cost ... to consumers may worsen as costs are projected to increase and benefits remain decidedly uncertain.

I think those comments are a hallmark of the way this government operates, whether it is in this particular iteration that we are all living under now or in previous ones. They purport to be able to deliver great benefits to the state of Victoria and to Victorians, but time shows us that these benefits are rarely realised. When we look at Myki, the trains, the smart meters or the desalination plant, it is always the Victorian taxpayer who pays for the mistakes of a Labor government. It is always the Victorian taxpayer who pays for budget overruns.

We are seeing even now, and I am sure future Auditor-General reports will show us — as they recently did with the level crossing removal report that came out just at the end of last year — that because of poor planning and overstating what the government can achieve, we see cost blowouts that are now measuring in the billions. That might not mean much to those opposite, but it is in fact, I have to say, one of the reasons why I put my hand up to come into this place, because I cannot abide the waste of other people's money when I see multibillion-dollar wastage going to these projects. The government spruiks how great all these projects are, and in and of themselves they may be, but the management of them and the enormous cost they are imposing on the Victorian people — when they talk about projects costing a figure, you can just about double it because that is what the Victorian community ends up wearing.

I did mention the level crossing removal program, and I will turn to the Auditor-General's report. There is a quite a bit in this particular report, none of which the government has really responded to. But let me just quote from this report:

Contrary to publicly stated objectives, not all of the 50 level crossings selected for removal are the most dangerous and congested.

It is a good sound bite, isn't it — most dangerous and congested level crossings. But the fact of the matter is that it is just not true. The Auditor-General goes on to say that there are:

... risks to achieving value for money.

Well, that is no surprise. This is a Labor government after all. And:

These risks are compounded by an inadequate and delayed business case, and poor indicators to measure program benefits.

We have heard ministers and backbenchers alike get up here and spruik the advantages and great outcomes that removing level crossings will bring. I am not here to argue the case that removing level crossings is a bad thing. We support it — we support the concept of it, and indeed we began removing level crossings in our previous term. The ones that the government announced in its first few months of government are certainly ones that had already been budgeted for and started by the opposition, even though we have heard in this place that apparently not one — not one — was ever removed by the former government. That is a patent mistruth. But it has to make you worry as a Victorian taxpayer when you see that the Auditor-General, whom we hold up as an independent officer and whose role it is to objectively look at the performance of government, said that there is a risk that these level crossing removals will not achieve value for money and that:

These risks are compounded by an inadequate and delayed business case, and poor indicators to measure program benefits.

How can Victorians have any confidence in any major project that this government does when one of its signature pieces is billions of dollars over budget — we are talking several billion dollars over budget — and the Auditor-General says that the benefits of this project are not able to be realised, and in fact cannot even be measured. That is why we support this bill and why we support the office of the Auditor-General.

The government likes to talk about business cases and how important they are. They often talk about them at

length. What does the Auditor-General say about the business case for the level crossing removal program? The business case was finalised in April 2017, almost two years after the program had commenced. How can you tell the Victorian people that this is a program that represents great value for money when you had not even written the business case when you started the project?

Again I say I am not opposed to the idea of removing level crossings, although this government has been shifty with the Victorian people, particularly through the Oakleigh electorate. Certainly the member for Frankston and the member for Carrum will also, I think, feel the backlash from their communities; they feel duded by this government because they were promised one thing and were given another.

Maybe you can get away with giving the public an inferior product that is not what you said it was going to be, but I dare you to go out and actually tell your constituents — why don't you take this report out to your constituents and show them? — that it also does not represent value for money, that there is an inadequate and delayed business case, that there are no indicators to measure program benefits and that you started the program without actually having a business case. Why don't you go on to say that the departments and agencies that are involved did not assess the merits of the 50 level crossings identified for removal and that the business case does not include any analysis or rationale of why the 50 level crossings were selected.

We know why that is. Even though this Premier says often, 'We want to take the politics out of infrastructure', the selection of the particular level crossings was based purely on politics. If you want to have an argument about that, let us point to the Werribee level crossing, where four freight trains a day go through — the 'most congested level crossing'. The Auditor-General actually shines a light on that particular claim to show its complete untruth.

As I said, the Auditor-General plays a very important role, and again just flipping through this particular report, he said:

The cumulative cost of the program has increased by more than 38 per cent —

38 per cent! —

based on an initial estimate of \$5–6 billion in 2015 — to \$8.3 billion at July 2017.

That is a \$3 billion cost blowout. I mean these guys just cannot manage money, and it is very important to have the Auditor-General, as I said, an independent officer who can look at these matters and put paid to the

untruths, the claims, the spin, the shiny, glossy brochures that they put out and, apparently, the free food and Bollywood dancers that they have out there at openings. Let me tell you, nothing is free from the government. If you want to give people a free breakfast, someone is paying for it at the end of the line, and that is the Victorian taxpayers. It is like the old Roman adage about bread and circuses — you have to make sure that you keep the community distracted from the lie by putting some dancers out there and putting some supposedly free food on. But at the end of the day, for all the bells and whistles and for all the exhortations to the community that they look the other way — 'Do not look at what we're actually doing' — it is the taxpayers who will pay for the spin and the gloss and the shine, and they will also pay for the cost blowouts which, as I said, in this case amounts to 38 per cent, and that represents over \$3 billion.

I have certainly just scratched the surface of the Auditor-General's reports into this government. They cover various issues, including the performance of hospitals and the lack of plans to help our farmers in regional areas — the list goes on and on. Certainly if you want to highlight the deficiencies of this government, if that is the role of the Auditor-General, then I would say the Auditor-General has a very busy job.

**Mr Angus** — It's a full-time job!

**Mr R. SMITH** — It certainly is a full-time job, as the member for Forest Hill points out. That is why we are not opposing this bill, because we enthusiastically support the work of the Auditor-General; we enthusiastically support his ability to shine a light on the spin and the gloss that the government tries to put on many of its projects, and shine a light on the operation of the departments and agencies that the government has oversight of. We will continue to support the Auditor-General. We will continue to look with interest at the reports that the Auditor-General puts out because, like the general population, we want to see what this government is actually doing, not what it purports to do.

**Mr PEARSON** (Essendon) (14:35) — I am delighted to make a contribution on the Audit Amendment Bill 2017. I have listened with great interest to the contribution of the member for Warrandyte, and I think that according to that member, the Auditor-General in Victoria has never had a better friend than the Liberal Party. That would be the main contention from the member for Warrandyte.

I know the member for Warrandyte was elected in 2006. I cannot attribute to the member a particular

position that predates that time, but I do recall being here as a staff member in the 1990s and I do recall the reaction and response of the then Kennett government to what it perceived was unfair criticism from Ches Baragwanath. The policy response from the Liberal Party at that time when faced with that level of scrutiny and criticism was to seek to strip the Auditor-General of any power to properly investigate. The ability to do performance audits under the proposed audit act of 1997 was about having those performance audits done not by the Victorian Auditor-General's Office but instead by external providers. The ability, the decision-making and the independence of the Auditor-General was taken away from the Auditor-General by those opposite. It was only the Labor government in 1999 that enshrined the right of the Auditor-General to be able to sign off on the books and that restored those powers — those powers of freedom and independence that had been stripped away by those opposite when they had the opportunity.

I note the member for Warrandyte also talked about the fact that the proposed changes are nothing new, and indeed the member is correct: there was a report done by the Public Accounts and Estimates Committee in the 56th Parliament that looked at modernising the Audit Act 1994. That report was done in, I think, about the middle of 2010, an election year, and nothing was done. I raise this for one reason. The member for Warrandyte indicated that, 'This is nothing new. We were gonna do it'. I am a new member of this place, unlike yourself, Acting Speaker Graley — you have had an illustrious career — but if only I had a dollar for every time I have heard those opposite get up and say 'we were gonna'. They are the gonna party all right — they 'were gonna' do everything. They never got around to doing anything.

I listened to the interjections from the member for Forest Hill, saying that Labor cannot manage money.

**Mr Angus** — That's right.

**Mr PEARSON** — And he says, 'That's right'. Who was the last Treasurer of the state of Victoria that presided over a budget deficit?

**Mr Angus** — The Treasurer two years ago.

**Mr PEARSON** — Incorrect. Wrong. It was the member for Malvern in 2012–13.

**Mr Angus** interjected.

**Mr PEARSON** — It was in 2012–13. Look at the budget papers. The record shows that the last budget

deficit was recorded by the member for Malvern in 2012–13.

*Honourable members interjecting.*

**Mr PEARSON** — There we go. And who was the one before him? Alan Stockdale. John Brumby never presided over a budget deficit, not once. Steve Bracks when he was Treasurer in his first budget did not preside over a budget deficit. John Lenders never presided over a budget deficit. The Treasurer has never presided over a budget deficit. The reality is that we represent prudent financial management, and we have done so year after year while those opposite have just languished in opposition, where they deserve to be, sitting on the sidelines and sledging whenever they can but not capable of actually being trusted to do anything.

Honestly, you fellas, you drove the economy into a ditch. You starved the economy of the ability to run in a strong economic environment. Economic growth languished in this state when you were in power. You stripped away the capacity for the budget to respond and for the economy to respond. Instead we have —

**Mr M. O'Brien** — On a point of order, Acting Speaker, I take offence at the wrongful slur made by the member for Essendon that is misleading the house. In fact there was no budget deficit recorded by me or any other Treasurer in the last coalition government, and the budget papers and the Auditor-General's financial report demonstrates this. I ask you to have him withdraw.

**The ACTING SPEAKER (Ms Graley)** — Thank you, member for Malvern. It is nice to know that you are listening in your office. This has been a very hearty debate. It really is a point of debate that the member for Essendon is making, so I rule your point of order out of order.

**Mr PEARSON** — Coming back to the bill at hand, this is a really important piece of legislation for the house —

**Mr M. O'Brien** — Don't make me walk up there again!

**Mr PEARSON** — That does invite an invitation. Don't go too far!

This is a really important piece of legislation. In actual fact the establishment of the Auditor-General predates responsible government in the state of Victoria. What I am really attracted to with this bill is the fact that we are now looking at assurance reviews becoming established as a normal operational practice for the office of the Auditor-General. Basically rather than a really large

performance audit, an assurance review is more of a short, targeted, flexible, speedy, economical review on a particular matter, and there is a requirement for it to report back to the Public Accounts and Estimates Committee on a quarterly basis. I think that is quite an efficient way in which the office can discharge its duties and look at trying to improve the quality of public administration in this state.

The other point to make is that there are two separate forms of auditing. There are the performance audits, which we are familiar with and which the member for Warrandyte quoted from at length. There are also, obviously, financial audits to make sure that from a financial perspective all the columns add up. I am quite attracted to the fact that this bill really brings the audit office into the 21st century and opens up a plethora of opportunities in relation to issues around the utilisation of big data in order to improve performance, looking at trying to make sure that we have a modern operating environment for auditing and finding ways in which we can improve the quality of public administration in this state.

The bill before the house also provides checks and balances to, for example, make sure that, yes, there is the follow-the-dollar power that has been provided to the Auditor-General, but there are also provisions in the bill about not publishing financial information that could unfairly damage the commercial interests of a commercial provider. I think that is a fair and reasonable check and balance, because you want the Auditor-General to be able to inquire into these matters —

**Mr Katos** — Speaker, I draw your attention to the state of the house.

#### **Quorum formed.**

**Mr PEARSON** — I will finish as I began: you can only trust a Labor government to run strong, disciplined budgets to make sure that we have a strong, prudent fiscal management approach. We are empowering the Auditor-General to work with us in this noble crusade to provide good, stable administration to the state of Victoria.

**Mr D. O'BRIEN** (Gippsland South) (14:45) — I am pleased to rise to speak on the Audit Amendment Bill 2017. It is always a pleasure to follow the member for Essendon on these matters. I am a little bemused because just in that short period of the quorum we were accused of running a protection racket for the member for Malvern. It was indeed those exact words last week in the Public Accounts and Estimates Committee

hearings that a member from the other place took offence to and asked that the member for Kew withdraw. We on this side are not quite so precious about that sort of comment, but it is interesting that the chair of the committee himself uses the same terminology and yet Ms Shing in the other place seemed to think that it was so offensive that it needed to be withdrawn.

I am also disappointed because, as the member for Eltham just pointed out, the member for Essendon generally goes into a good bit of history on most of these bills, but he did not do so on this occasion. That gives me the opportunity to make a few comments about the history of the Auditor-General, which is probably the oldest public service institution in this state, dating back to 1851, with the appointment of Charles Hotson Ebdon as the first Auditor-General.

I was interested to have a little scan through the history of the Auditor-General. In 2002 a book was produced called *In the Public Interest: 150 Years of the Victorian Auditor-General's Office*. It was written by Peter Yule, with a number of other contributors, I understand. It was interesting to read that in those first couple of years the Auditor-General's role was to check on the finances and make sure they were a fair and accurate representation of the state's finances. Of course over the years that role widened to be much greater. The book I refer to, *In the Public Interest*, starts with a reference to the Eureka Stockade. It says that the reader:

... may well be wondering what the story of Eureka Stockade has to do with the history of the office of the Auditor-General in the state of Victoria.

I have to confess I did wonder what it had to do with the Auditor-General. The book goes on to say, and I quote:

One of the main reasons for the crisis in public finance in 1853–54 was the failure of the Audit Office to maintain any control of government expenditure. In particular, a new system for making government payments, introduced by the second Auditor-General, Hugh Childers, was a disastrous failure, leading to a period in which neither Treasury nor Audit Office had any real idea of the true state of the public accounts.

I would not be quite so churlish as to suggest that nothing has changed 150-odd years later, but having been through the Public Accounts and Estimates Committee hearings for a number of years now it is quite often the case that certain departments do not know what is going on with their own finances, particularly ministers in this government. So it is important that we reflect on that history and ensure that we have a strong Auditor-General for many years to come.

I also challenge the member for Essendon and his comments about financial management. As is typically the case with the Labor Party, he only told half of the story. The half of the story that he left out and that I am sure the member for Malvern would like to see corrected is that the alleged deficit that he referred to was actually a result of the retrospective application of new Australian accounting standards. He also forgot to mention that — if we are going to talk about technicalities and actual deficits — the Victorian Auditor-General's Office did put a qualification on the 2014–15 budget figures under this government due to its failure to account for the \$1.5 billion from the east–west link that it had failed to return to the federal government. So that was actually a deficit under the Treasurer, but the member for Essendon did not want to mention that. That was another one that was astounding.

During the Public Accounts and Estimates Committee process we asked the Secretary of the Department of Treasury and Finance why that money was not returned. There was \$1.5 billion that was provided to the state government for the construction of the east–west link, but as we now know, and as every Victorian now knows, this government and the Premier threw away that \$1.5 billion and then threw away a further \$1.3 billion in actual wastage by not going ahead with that project. We queried Treasury and Finance on how that could not possibly be accounted for.

Let us break it down: 'Dear federal government, we would like \$1.5 billion to build a freeway'. The response: 'Here you go: here is \$1.5 billion'. The Victorian Labor government's attitude to this was, 'We are not building the freeway anymore, but we still get to keep the \$1.5 billion and we do not need to account for it because we have just decided that we are not going to build it'. That was effectively the response we got from Treasury and Finance on that matter. This is simply absurd politics and simply absurd accounting, and the waste was quite rightly highlighted by the Auditor-General. This is why it is so important that we have an Auditor-General.

The Auditor-General does such an important job of not only keeping the state's finances on track but also ensuring that the executive and in particular our departmental staff are doing the right thing with our money and accounting for it appropriately as well — this has been a more recent innovation — undertaking performance audits that actually put some rigour around the work that our departments do. I highly recommend the audit reports. I confess I do not use them enough myself, but I recommend to other members of the Parliament that we should take more notice of them

because they are generally very good reports and very valuable. I know that the Auditor-General does so much to ensure that the executive, the government of the day and the bureaucracy are kept honest.

As an adjunct to that, it is important that the Auditor-General continues the program of follow-up audits. What we often see are performance audits that might make 10 recommendations and the department or the government of the day says we agree with all 10 or we agree with nine and one in principle or we do not agree with one or the other. It is important that the Auditor-General then follows up to make sure the departments are kept honest and that they implement the recommendations that the Auditor-General makes in order to ensure that we are getting good value for money.

I will touch very briefly on a couple of the audits that have come out recently. This bill gives the Auditor-General increased or clarified powers to ensure that it can continue to be able to do this work. The member for Warrandyte has already referred to the audit entitled *Maintaining State-Controlled Roadways*. The conclusion is pretty simple:

Reduced funding in real terms, and deficiencies in developing the maintenance program, have led to maintenance practices that are not adequate to sustain the functional condition of VicRoads' road network at an acceptable standard.

As the member for Warrandyte pointed out, that is something that, in much blunter terms, all motorists in country Victoria know to be a fact. We have got a very poor road network, and it just beggars belief really, as I mentioned earlier, that this government wasted \$1.3 billion not to build a road yet at the same time scrapped the \$160 million country roads and bridges program, which was actually delivering and improving our local roads in regional areas. We continue to see the trouble that has got us into.

Finally, in the little bit of time I have got left, I want to briefly turn to an audit report from December 2013 with respect to forestry. There is concern in my electorate at the moment about proposed logging in the Mirboo North area coming up later this year. I am a strong supporter of the forestry industry, and it would be churlish of me to now say that it should not happen because it is in my electorate. As part of the debate that goes on with that, there is plenty of criticism levelled at VicForests by environmental groups, and most of it is wrong or misguided. In particular, green groups regularly try to say that VicForests, the state-owned forestry company, is subsidised by the government. I go to the Victorian Auditor-General's Office report of December 2013, *Managing Victoria's Native Forest Timber Resources*, where it says, 'VicForests does not

receive any government subsidies'. This is an example of the work the Auditor-General does and why it is important that we continue to have the independent Auditor-General looking after our state's finances and keeping our bureaucracy honest.

**Mr DIMOPOULOS** (Oakleigh) (14:55) — It gives me great pleasure to speak on this very, very important bill. I do so not only as a member of this Parliament but also as a member of the Public Accounts and Estimates Committee, and I am delighted to speak after the chair of the committee, the member for Essendon.

Fundamentally, for me, this bill strengthens our democracy. This bill strengthens a key institution that is important in a democracy and for our integrity and accountability. That is what this bill is seeking to do. For laypeople, the role of the Auditor-General, as the member for Gippsland South said a moment ago, was formed in the same year that the colony of Victoria was established. According to the Victorian Auditor-General's Office (VAGO) website:

The Auditor-General gives assurance to the Parliament of Victoria on the performance of the Victorian public sector by conducting financial and performance audits to assess whether government agencies are carrying out their activities effectively, efficiently, economically and in line with Parliament's intentions.

It does this in two ways — primarily through financial audits and through performance audits. Financial audits, as the name implies, check whether the financial statements of public sector agencies are presented fairly and in accordance with standards and are reliable and relevant. These audits also provide observations about internal controls, any accounting issues and compliance with laws and standards.

Performance audits go deeper than just the numbers. Performance audits assess the performance of an agency or government program. Performance audits extend beyond financial matters to encompass wider management issues of significance to the community. VAGO develops an audit specification for each performance audit, which outlines the audit objectives and issues. Audit objectives can relate to efficiency, economy, effectiveness and compliance — so the stated objectives of a particular program.

The Auditor-General's appointment is made under the Constitution Act 1975, and the Audit Act 1994 governs the powers and functions of the Auditor-General. That is pretty important when you consider that we have 550 public sector agencies. It is a role that everybody in this chamber values.

In relation to the historical context, and just to pick up from where the member for Essendon started, the last significant drafting of the legislation was in 1994. As the member for Essendon rightly said the Public Accounts and Estimates Committee in 2010 recommended a major rewrite. What happened in 2010? The then Liberal-Nationals coalition won that year's election and of course did not progress the recommendations of the Public Accounts and Estimates Committee. So here we are, as the member for Essendon said, dealing with the significant unfinished business of the previous administration and doing the rewrite through this bill. It is a very important rewrite that was 24 years in the making, from 1994 when the bill was last updated.

Further to that historical context I want to quote from an article written by the then current Auditor-General and three previous Auditors-General in the *Age* of 16 November 2014, a few weeks before the election. It is titled 'Victoria's outdated audit act needs urgent attention' and was written by John Doyle, Des Pearson, Wayne Cameron and Ches Baragwanath. They said:

Victorians have been able to draw on independent assessments of whether their dollars are being spent appropriately.

That is, through the Auditor-General's office. It continues:

A key, but by no means only reason why Victoria's audit legislation must change is the proliferating multibillion-dollar projects jointly delivered by the public and private sectors.

...

The state's 2013–14 annual financial report sets out total expenditure commitments to external parties, including PPP liabilities —

public-private partnership liabilities —

of about \$55 billion, of which about \$8.8 billion will occur during 2014–15.

So they were pointing effectively to what this Labor government eventually delivered last year, which was the follow-the-dollar powers. They make three recommendations in that important article, and this government is implementing through this bill all of them, including the follow-the-dollar powers, including the ability to go into premises and investigate documents; sharing information with other integrity bodies; and the freedom the Auditor-General needs to really acquit their responsibilities to the Victorian Parliament and effectively to the Victorian people. That is what this bill seeks to do in a very comprehensive way.

As the minister said in the second-reading speech, it restructures and modernises the Audit Act; it clarifies the Auditor-General's jurisdiction; and it allows the Auditor-General to conduct assurance reviews, which is a new function. Assurance reviews allow the Auditor-General to undertake more targeted, smaller scale, time-sensitive or lower risk reviews than financial performance audits. The benefit of assurance reviews is that they are cost-effective and enable the Auditor-General to respond quickly and effectively to discrete issues brought to the Auditor-General's attention by other parties. So it gives them that power. It strengthens and modernises the Auditor-General's information-gathering and disclosure powers and clarifies that the Auditor-General may override confidentiality obligations under contracts when requiring information or documents to be produced. Again, these are the issues that four previous Auditors-General raised with the Victorian Parliament. The bill facilitates more effective information sharing, as I said, and it clarifies the reporting requirements. This is a really profound bill.

In the last few minutes of my contribution can I just turn to the context of this government's integrity in doing what it says it will do — that is, the Andrews Labor government. We are delivering the biggest infrastructure agenda Victoria has seen through level crossing removals, construction of new roads, the Melbourne Metro tunnel, five new stations, the biggest school rebuilding program in Victoria's history with an average \$840 million a year and of course there are new hospitals, including one in my electorate, the Victorian Heart Hospital. Not only are we doing that, we have also ushered in probably the biggest social reforms that Victoria has seen in such a short space of time, including voluntary assisted dying, adoption equality, the safe injecting room at Richmond, an enormous commitment to the prevention of family violence, having gender equality and 50 per cent women on boards and in courts — a whole range of those things — as well as in health and a whole range of other areas.

We are also strengthening our democracy. You would imagine that a government that does so much probably does not want scrutiny, but this government does not back away from scrutiny. Despite the enormous infrastructure agenda and every other thing I have mentioned we are strengthening our democracy through strengthening the Auditor-General's office and his powers, through implementing the Parliamentary Budget Office and through independent organisations like Infrastructure Victoria to advise government and the public on infrastructure needs. This is exactly what this government does.

Then you have on the other side the contribution from the wannabe Special Minister of State, the member for Warrandyte. All he did in his 30-minute contribution was go through four or five different VAGO reports, picking out any attacks he could possibly find against the government, which are almost completely unrelated to the bill. The bill does not say, 'Please, members, when you speak on this go trawling through' — we all know VAGO puts out reports about every government, but the best that the member could do was to go through a list of VAGO reports. All that shows me is that we have an enormous agenda, and we have implemented a large part of that agenda, and hence he has something to talk about. I could not bring up a handful of VAGO reports from their time in government, because they did virtually nothing. That was why VAGO could barely lay a finger on them, although in fact they did. Do not get me started on the legacy of the Liberal-Nationals coalition under Premier Kennett and the absolute disregard for the Auditor-General's office, so much so that the relevant minister, Roger Pescott, resigned because he could not accept the Kennett government's ditching of the Auditor-General's functions, effectively by privatising them. Subsequently they lost the Mitcham by-election, and it serves them right.

This government has a very different agenda. Not only do we deliver in every single way we said, but we have also strengthened the accountability and integrity system around us, because we are not afraid of good government and we are not afraid of completing our agenda. I commend the bill to the house.

**Mr HIBBINS (Prahran) (15:05)** — I rise to speak on the Audit Amendment Bill 2017. I will just speak briefly on this bill. I will raise one issue in the bill that we think is very good and one area we think could be improved. This is a full rewrite of the act, which is what the Auditor-General called for in its annual report in 2013–14, stating that a full rewrite of the act was absolutely necessary to make the most of the role of the Auditor-General. It sought a commitment from the government and the opposition to make that a priority in this Parliament. It is good to see that that is happening. We are of the view that it should be happening, and certainly it is a much better approach than going through a series of amendments at various stages, which has previously occurred.

The one area that we really are supportive of is increasing the powers of the Auditor-General in regard to giving them power to access premises, which is absolutely critical to the effectiveness of the follow-the-dollar powers, which has also been introduced in this Parliament. Certainly the Greens strongly support that

particular aspect because, without having those access powers, essentially the follow-the-dollar powers are undermined because the Auditor-General is unable to verify the information of non-government entities without their cooperation.

In my understanding, that cooperation has been refused in some instances. Whilst the Auditor-General has the power to compel individuals to provide documents, to cause a search to be made and to request and receive documents, they do not have the explicit legal right to enter and remain on the premises of any authority. This power is actually included in the commonwealth legislation, and also in that of the ACT, Queensland, Tasmania, South Australia and Western Australia. So certainly we are supportive of that aspect.

Where we would like to see it improved is with the inclusion of environmental effects. So we would like to see the objectives of the Auditor-General, of this act, be amended to include the consideration of the environment. Again, this occurs increasingly in other jurisdictions, where they are adding the consideration of the environment alongside efficiency, effectiveness and economy. In fact the ACT audit act states:

In the conduct of a performance audit, the Auditor-General shall, where appropriate, take into account environmental issues relative to the operations being reviewed or examined, having regard to the principles of ecologically sustainable development.

So certainly we think this would be an important addition to the considerations of the Auditor-General, given that there are a number of private-public partnerships, private contractors and other organisations that are acting on behalf of governments and are involved in activities that have significant environmental effects. So that is the one area where we would like to see it improved.

I was resistant, even though it did cross my mind, to take the approach of the member for Warrandyte and go through the Auditor-General's greatest hits as part of this contribution. I will not do that, but the one thing that I did want to point out from the Auditor-General — it is a good opportunity to bring this to light in the chamber — is in last year's financial audit of TAFEs. The report stated that:

The improvement in revenue in 2015 and 2016 has been driven by additional government grant funding, rather than growth in revenue. Student numbers continued to fall, and all other sources of revenue such as student fees and contestable funding declined in 2015 and 2016.

So whilst I will be interested to see what audits come up in the next financial year under the Skills First reforms, what that tells us is that TAFEs are not out of

the woods — they are certainly not out of the woods. Their recurrent funding is still declining, and essentially their books are being balanced by one-off government grants or grants that are lasting for a period of four years over the forward budget estimates. What I would say there is that the financial situation of TAFEs is still perilous. Obviously it is not financially sustainable in the long term to be simply relying on government grants. We need to make sure that where there is recurrent funding going to the vocational education and training sector, the vast majority is going to our public TAFE system to support it.

Anyway, that is just one element of an Auditor-General report that I thought I would point out to the chamber. They obviously do great work on behalf of Victorians to ensure that our taxpayer dollars are being spent effectively, so the Greens will be supporting this bill.

**Mr ANGUS** (Forest Hill) (15:11) — I am pleased to rise this afternoon to make a contribution in relation to the Audit Amendment Bill 2017. We can see, as other members have said, that this is a complete rewrite of the Audit Act 1994, and clause 1 outlines the purposes of this particular bill:

- (a) to further facilitate the transparency of the expenditure of public funds and performance of public functions and the accountability of government to Parliament; and
- (b) to strengthen and clarify the duties, powers and functions of the Auditor-General and the Victorian Auditor-General's Office; and
- (c) to clarify the rights and obligations of entities audited by the Auditor-General; and
- (d) to improve the operational efficiency and effectiveness of the Auditor-General and the Victorian Auditor-General's Office; and
- (e) to make consequential amendments to other Acts.

We can see within the bill that the main provisions cover a whole range of things, including amending the principal act to provide for the appointment of the auditor and audit staff; the circumstances under which the auditor prepares the specifications for an audit; who the auditor may audit and how that audit is conducted, including the manner in which to deal with matters of confidentiality; powers of entry, which were previously used but not legislated — so that is a good clarification there; elevated penalties for various obstructions of an audit; legislated ability to share information with other Australian jurisdictions; and the manner and form in which an audit is made.

If we turn to clause 4 of the bill, we can see there outlined in new subsections (a), (b) and (c) the three

different sorts of audits that the Auditor-General's office here in Victoria undertakes, and that is financial audits, under (a); performance audits, under (b); assurance reviews, under (c); and under (d) and (e) other responsibilities as well.

So without any doubt the role of the Auditor-General is an absolutely vital one in terms of important governance within the community and within the state of Victoria. It is essential for all of us to really appreciate the work that the Auditor-General's office does, because it is a very valuable and vital role. I suppose, given my previous occupation of being a registered company auditor for 18 years, I have got a reasonable understanding of some of the challenges that can be out there for auditors in the field, and certainly I am sure that to a certain extent they are also faced by the Auditor-General and his staff from time to time.

One of the important roles the Auditor-General also fulfils, in relation to members within this place, is to host the regular lunchtime events in Parliament to provide briefings in relation to the reports that they have tabled. Those briefing events, which I attend on a regular basis, along with a number of my colleagues, are very, very valuable times where we can not only hear from the Auditor-General's office and his staff in relation to those documents but also raise questions and get answers to those questions or indeed have questions taken on notice. So I want to commend the Auditor-General's office on the work that they do and particularly on that aspect, from the perspective of the members of this place.

It is interesting to note that reports of the Auditor-General are issued without fear or favour. Just like other members, I prepared for this contribution by going back through various reports that the Auditor-General has issued. Because I had packed up my office in anticipation of a move to the new building out the back, I only had a couple of reports at hand. One of them was issued in December 2017: *Managing the Level Crossing Removal Program*. I think that is a relevant report for this particular bill and also identifies the way that the Auditor-General approaches his work. I just want to cite a couple of examples from that particular report. On page 7, in relation to the 'Conclusion', the Auditor-General states, and I quote:

Contrary to publicly stated objectives, not all of the 50 level crossings selected for removal are the most dangerous and congested. In this sense, the LXRP is not fully effective when compared to the stated objective.

He goes on:

The delivery of the program is ahead of schedule, and LXRA expects to surpass its target of removing 20 crossings by

2018. However, this pace presents risks to achieving value for money. These risks are compounded by an inadequate and delayed business case, and poor indicators to measure program benefits.

There we can see the spotlight put firmly on this particular project. One of the reasons that this report is so important is because this is indeed an ongoing program by the current government and it is important that the messages that are being clearly identified by the Auditor-General in this report are heeded by the government. The Auditor-General goes on to say:

... the rigour applied to and transparency of site selection and prioritisation, site packaging and procurement, benefits management, and integration of various rail projects —

are opportunities that remain to improve those particular aspects. Under 'Findings', on page 8, he says:

The LXRP business case was finalised in April 2017, almost two years after the program had commenced.

Weaknesses in the business case undermine its purpose and its value as a basis for the government's decision to commit to the investment. This situation needs to be remedied in future advice to government about investment decisions for crossing removals, if these decisions are to be based on a sound understanding of the costs, benefits and options of the investment.

He continues:

The LXRP business case is not consistent with the stated objective of the LXRP — to remove 50 of the most dangerous and congested level crossings — in that it omits the word 'most'.

This important difference arises in part because DEDJTR did not assess the merits of the 50 level crossing sites identified for removal, which were part of an election commitment in 2014.

As a result, the April 2017 approved business case does not include any analysis or rationale for why the 50 level crossings were selected as higher priority — or demonstrate that they were more dangerous and congested — than other level crossings across Melbourne. The 50 selected level crossing sites include a number of sites that have not been identified as dangerous and congested.

There we have from the Auditor-General a spotlight put on this particular program, and it is one that he is well able to do because he has looked at all the background information. Often when questions are asked, particularly in this place, we get all sorts of answers or non-answers from the elected representatives, whereas here we have got the Auditor-General going in there to look at the facts and the figures and the documents relating to a particular project. And that to me reflects one of the key roles of the Auditor-General — to be able to go in there and cut through the spin and the nonsense and often the misleading speeches in relation

to some of the programs that are undertaken by the government of the day. This report is reflective of that.

In this particular report, on page 9, in relation to the 'Program cost', he goes on to say:

The cumulative cost of the program has increased by more than 38 per cent — based on the initial estimate of \$5–6 billion in 2015 — to \$8.3 billion at July 2017.

There we can see the \$3.3 billion blowout on this particular project within that short space of time — within the first couple of years of this project — and that augurs very badly for Victorian taxpayers in relation to this. That particular report goes on and talks about a range of other matters, which time will prevent me from looking at.

But I do want to, as I conclude, look at one of the very important other aspects that the Auditor-General highlighted for the benefit of this Parliament and for the benefit of all Victorians a couple of years ago. That was when we had the government in the 2014–15 financial statements lauding the fact that they had made a substantial surplus — over a billion dollars was shown in the financial statements — whereas in reality that included a \$1.5 billion contribution from the federal government for a project which at the time was not going ahead and should not have been accounted for that way. Rather than this resulting in a surplus for that particular financial year, there was indeed a \$280 million deficit. We had the member for Essendon saying earlier, 'When was the last deficit?'. As I called out in my interjection when he was speaking, it was just a few years ago, under the Treasurer and his first budget.

The role of the Auditor-General is very important — to be able to stand up to the bureaucracy, to be able to stand up to the government of the day and to be able to act without fear or favour in terms of going in, investigating and coming to the facts of a particular matter, rather than being embroiled in any political spin. And that is why it is very important that all members in this place are supportive of the role of the Auditor-General — a very important officer of the Parliament. The Auditor-General performs an extremely valuable role in the broader community, and certainly from an elected representative's point of view, an absolutely vital role. I am pleased to support the bill.

**Debate adjourned on motion of Mr DONNELLAN (Minister for Roads and Road Safety).**

**Debate adjourned until later this day.**

## MARINE AND COASTAL BILL 2017

### *Second reading*

**Debate resumed from 13 December 2017; motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).**

**Mr WAKELING** (Ferntree Gully) (15:23) — It gives me pleasure to rise to contribute to the debate on the Marine and Coastal Bill 2017. As the lead speaker for the opposition, I am stating from the outset that the opposition will not be opposing the bill that is currently before the house. This bill seeks to build on the work that was done by the former Kennett government with respect to coastal management. I was drawn to the second-reading speech from the original bill, the Coastal Management Bill 1994, which was read to this house on 8 December 1994. The opening statement in that second-reading speech says:

There can be no doubt of the great importance and value Victorians attach to our coastline. The coast contains many important features of ecological, geological and scientific interest, together with landscapes of scenic, archaeological and cultural significance. The 2000-kilometre coastline of Victoria is one of the state's most significant assets. The vast majority of Victorians live close to the coast. It is one of our leading tourism destinations, and it supports key port infrastructure.

The then minister who was responsible for this bill stated that:

Our coasts are coming under increasing pressure for a variety of uses, which can result in land use conflicts and the degradation of coastal habitat. The challenge is to ensure that its many attributes are managed in a sustainable fashion and that decisions about competing uses are balanced in the interests of all Victorians.

The bill sought to make a number of key changes for the protection of our coastline and had five specific objectives, which were:

to plan for and manage the use of Victoria's coastal resources on a sustainable basis for recreation, conservation, tourism, commerce and similar uses in appropriate areas;

to protect and maintain areas of environmental significance on the coast including the ecological, geomorphological, geological, cultural and landscape features;

to facilitate the development of a range of facilities for improved recreation and tourism;

to maintain and improve coastal water quality; and

to improve public awareness and understanding of the Victorian coast and to involve the public in coastal planning and management.

I sought to put that on the record because that is the framework on which this area of protection, which has been bipartisan, is based. I pay tribute to the work of Mark Birrell and others in the former government and obviously successive environment ministers of all political persuasions since that bill became law back in 1995.

The bill currently before the house seeks to expand on the operation of the Coastal Management Act 1995 by expanding its reach from purely coastal to incorporating marine. This builds on a commitment that was made by the then Andrews opposition in 2014, which sought as part of its *Our Environment, Our Future* policy to establish a new marine and coastal act to better manage and protect the marine and coastal environment. As I said, this area of legislation has had bipartisan support over many years, and it is imperative that work is done to ensure that the legislation that covers and protects one of our greatest assets — that is, our coastline — is constantly reviewed and updated.

The minister in her second-reading speech, which was made during the last sitting week of Parliament in 2017, stated:

... over the last 20 years advances in our understanding of the marine and coastal environment have highlighted gaps and complexities in the current system that need to be addressed if we are to meet contemporary challenges, particularly those arising in the face of climate change, increasing population pressures and ageing coastal infrastructure.

That is the context within which, we are advised, the government has sought to introduce this piece of legislation — obviously to broaden its scope from purely just operating on the coast. As part of the development of the bill the government created an advisory panel back in 2015 which was chaired by Associate Professor Geoff Wescott, with a stakeholder reference group being convened to inform the deliberations of an expert panel. In 2016 a public consultation paper was established and released which enabled further community debate on this important issue.

The government has indicated that this bill seeks to meet eight objectives. These are:

- to protect and enhance the marine and coastal environment;
- to promote the resilience of marine and coastal ecosystems, communities and assets to climate change;
- to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change;
- to acknowledge traditional owners' knowledge, rights and aspirations for land and sea country;

to promote a diversity of experiences in the marine and coastal environment;

to promote the ecologically sustainable use and development of the marine and coastal environment and its resources in appropriate areas;

to improve community, user group and industry stewardship and understanding of the marine and coastal environment; and

to engage with specified Aboriginal parties, the community, user groups and industry in marine and coastal planning, management and protection.

Under the changes being proposed by this bill the most significant will see the replacement of the current Victorian Coastal Council with a new Marine and Coastal Council. This new body will be broadened in terms of the skill base of those individuals, who will have a greater understanding of marine issues, which was not a focus of the former board. However, under this arrangement the three regional coastal boards that have been in operation will be discontinued. Their functions will effectively be subsumed by, firstly, the new council and also the catchment management authorities (CMAs) in regional Victoria. Melbourne Water, by representing the Port Phillip and Western Port catchments, will have responsibility for issues linking coastal flooding with coastal erosion. That is going to be the new structure in place for the purposes of advice in this area as a consequence of the changes that are being implemented by this new legislation. This will also see the inclusion of a marine spatial planning framework. The government says that this will be a first step in establishing a holistic plan for Victoria's marine environment. I will seek to make some more comments about that a little bit later.

The bill also seeks to introduce new regional and strategic partnerships — or RASPs, as they will be known — which will effectively operate like select committees. In this context a committee or a partnership can be convened by a request from the community with the support of the minister or at the minister's initiative. It will be able to deal with a specific issue or issues related to coastal or marine environments that either apply to a specific region or apply across the state when dealing with a specific issue, such as a particular type of animal — for example, in terms of dealing with the management of a particular fish. That is going to be a new provision which will be applied under the legislation.

In addition to that, the various coastal management organisations will be able to, whilst it not being compulsory, prepare a coastal and marine management plan where it overlaps with various organisations. The bill, according to the government, seeks to reduce the

overlap between plans and other strategic planning documents that cover marine and coastal environments, including management plans which have been prepared under the National Parks Act 1975. The bill aims to reduce the total number of local plans by enabling them to cover multiple land managers.

In a broad sense that is a brief overview of what the bill before the house seeks to do. As I said, this bill seeks to build on the work that was previously developed under the Kennett government and the work of people such as Mark Birrell. I want to pay tribute, as I said, not only to the then government but more importantly to those people who work in this sector, to those who have served on the coastal councils, to those who serve on committees of management and to those who work in a voluntary capacity to help protect our coastal and marine environment, because it is such a wonderful asset.

Many Victorians have drawn great pleasure by standing on a jetty with their child fishing, and many industries have been established, particularly in fishing, that support local industries and local employment and are obviously important for our exports. It is, however, important that the government, through this process, ensures that it works in concert with stakeholders. I understand the government has undertaken engagement with stakeholders, but it is imperative that those that are particularly going to be potentially impacted by this have their concerns allayed.

For example, we had feedback from representatives of the seafood industry. They highlighted some concerns with the practical application of the bill. They said that whilst legislation seeks to plan for and manage the use of Victoria's coastal resources on a sustainable basis for recreation, conservation, tourism, commerce and similar uses in appropriate areas, they are concerned that this bill could potentially be used as a mechanism to lock out the professional seafood industry and prevent its operation. I am not presupposing that that is in fact the government's intention; however, there are genuine concerns among those in the seafood industry about having access to our marine environment for the purposes of their undertaking a lawful activity — that is, commercial fishing. It is imperative that the government work with the industry to allay its concerns.

The question has been raised as to whether or not this bill is inconsistent with the operation of the Fisheries Act 1995. To date the industry has not been convinced that its concerns have been allayed. Again I call upon the minister in her summing up to provide clarity and confirmation we will not see as a consequence of this bill any change to the operations of the seafood industry.

Other issues were identified by the Victorian National Parks Association. In their general commentary they raised a number of questions about the potential operation and the practicalities of the implementation of the bill before the house. The first question they raised was about how this piece of legislation will improve current coastal planning compared to what has previously operated. That is the first and obvious question that anyone would want to ask. If we are undertaking this new legislative reform, is the reform that this bill is seeking to make purely of an administrative nature? Is it purely changing boards? Is it purely setting up processes for consultation? That in and of itself does not automatically lead to improved planning for and protection of our coasts. It is important that the government can clarify this. Yes, through this process they are putting new structures and boards in place and they are providing the opportunity for the development of new plans, but that in and of itself does not improve the quality and the health of our marine and coastal environment. That is an obvious question that the government should at least be able to answer — how Victorians will be able to see tangibly improved protection of and planning for our coastal environment.

A question was raised, for example, about how the department will now have responsibility for the production of the new marine and coastal strategy. The question is, from a departmental perspective, how many staff with specific marine and coastal training does the department have allocated currently? It is one thing to say, 'We're going to introduce legislation that is going to do all of these wonderful things and we're going to have an improved strategy which is going to lead to better outcomes', but as we all know, you cannot achieve that by legislation. You actually need to have staff on the ground, suitably trained and skilled, who can actually undertake the work to deliver the outcomes. You can have as many strategies as you like in a document and requirements under legislation, but if you do not have people on the ground who can do the work, you actually will not achieve the outcome that you are seeking.

The bill seeks to remove the coastal boards and reduce the powers of the coastal council — for example, the new marine and coastal council will no longer produce a coastal strategy and it will only be able to advise on clause 16(a) and (b) within the act, not endorse or recommend. The question is: how is community and expert representation going to be maintained or enhanced under this new piece of legislation? Clearly there are issues and concerns that are being raised about the practical outcome of this new structure. Having a new structure in place in and of itself may well be a good thing from an administrative or governance

perspective, but again it is about what tangible benefits will we see.

There are questions about how coastal catchment management authorities, for example, will now have to have regard to addressing marine and coastal strategies and policies. Again the question has been asked: what expertise and resources will the CMAs have? It is one thing to oblige CMAs to deal with issues such as coastal flooding and erosion, but if the relevant authorities, the CMAs, do not have the necessary staff expertise within their organisations to draw on to provide strategic advice, how can one be confident that a CMA will suitably deal with these issues?

Issues were raised about the marine spatial plans, for example, which I referred to earlier. The question is: why aren't the plans, as opposed to just the framework, part of this legislation? That is a question that has legitimately been put, and it will be interesting to see what the government's response to that is. A question was also asked about whether the council will publicly report on the advice that it provides to the minister. It is one thing for it to provide advice to a minister, but we need to ensure that that information is in fact publicly available. That is a question that has been raised, and again I would be interested to hear the response on that specific issue.

There are a range of issues — I have just pointed out a few — and people in this space, people who have a genuine interest in the protection and management of our environment, accept and recognise that legislation that was enacted in 1995 clearly needs to be reviewed and updated, but we need to ensure that as a consequence of that we are not unnecessarily left with a situation where we do not have the necessary tools in place for protection.

I would like to also make reference to concerns that have been raised around the management of some of our coastal areas. One of our most significant coastal areas, not just for Victorians or Australians but also internationally, is the Great Ocean Road. As we know, the Great Ocean Road has various organisations that have responsibility for the management of sections of that important piece of coastline. We have the Great Ocean Road Coast Committee, which is the committee of management that operates for part of the land. We then have the various councils — Surf Coast, Corangamite and Colac Otway — that have responsibility for some of it. Parks Victoria has responsibility for some of it.

The problem is that strategically there is nobody overseeing the whole thing to ensure that we have the

best use, best protection and best management system in place for that section of coastline. That is a coastline that attracts tens of thousands of tourists. We have significant numbers of tourists that are travelling by bus to the Twelve Apostles. When you talk to locals, simple issues such as facilities for toilets et cetera are not being met. Nobody takes responsibility because so many different organisations are responsible for smatterings of different sections, and there is often this common problem of buck-passing as to who actually will take responsibility.

Recently, with the member for Polwarth, I toured the Great Ocean Road. We met with representatives from his region at the Twelve Apostles, clearly a significant part of Victoria's coastline but also a significant tourist destination. We saw the hundreds of Chinese tourists that had travelled there as part of their journey. There was no adequate parking. In fact Parks Victoria have resorted to putting up temporary fences on the sides of the road to stop people parking there because it is causing a traffic problem. That we do not have adequate parking facilities at one of our most significant tourist destinations in the state of Victoria highlights the problems we can have when we do not have a long-term strategy in place in terms of dealing with the management of such an important asset as the Great Ocean Road. I understand that to date the government is yet to provide a solution for that community as to what they are wanting to do. Again, that is something that is of concern.

I want to place on record my thanks and congratulations to those people who give up their time to volunteer on local committees of management and who work so hard to look after their beach, whether it is cleaning their beach or helping to deal with issues of revegetation or just the issues of management. Whilst many great outcomes have been achieved through coastal management, we also have areas of concern. It is imperative that this government works in the best interests of all Victorians to ensure that we have the best possible outcome in terms of the protection of our coastal environment.

As I stated at the outset, the opposition will not be opposing the bill before the house. I look forward to the minister in her summing up providing some answers to those issues that I have just placed on record, including concerns that have been raised by people within the environment industry.

**Mr CARBINES** (Ivanhoe) (15:47) — I am very pleased to make a contribution on the Marine and Coastal Bill 2017. In particular I would like to pick up

on some of the comments of the member for Ferntree Gully.

I am pleased to hear that those opposite will not be opposing the Marine and Coastal Bill 2017. It has been a significant piece of work by the government, by stakeholders in our coastal and marine environment who have made, I suppose, decades of contributions as volunteers and by those who have devoted their professional lives to our environment, particularly the marine and coastal environment. That is not to be underestimated, and we thank all of those stakeholders for their work. We have got the *Marine and Coastal Act: Consultation Paper* of August 2016, *Marine and Coastal Act: Consultation Summary* of March 2017 and *Strengthening Victoria's Marine and Coastal Management: A Proposed Transition Plan* of December 2017. There was very significant input from all stakeholders in relation to that work. We have seen a very thorough piece of work and consultation with the community and with very experienced stakeholders in our marine and coastal environment, volunteers and professionals, who have been dedicated to developing the legislation that has come before the house today.

I will pick up firstly a couple of points that the minister raised in her second-reading speech, because I think it is important to re-emphasise those today. I quote from her second-reading speech:

Victoria's marine and coastal environment is a special and unique place, with more than 2000 kilometres of coastline and more than 10 000 square kilometres of marine waters.

Of course it is very fortunate that since the 1870s most of the state's coast has been reserved for public use, with 96 per cent of our coastline currently in public ownership. That is a very significant percentage, and it goes a long way towards giving us an understanding of why there is such a very strong volunteer base engaged in activism and advancement and also in protecting the interests of our marine and coastal environment.

The bill establishes a new coordinating framework that harnesses and builds on the strengths of the 1995 act that the member for Ferntree Gully touched on, and it provides for improved oversight, planning and management of Victoria's marine and coastal environment.

There are some specific aspects that I want to pick up on in relation to the member for Ferntree Gully's contribution. Firstly, harking back some 20-plus years to the Kennett government, I thought it might be apt to point out that in recent years it has been the Andrews government that has increased funding for the marine and coastal portfolio and responsibilities by tripling that

funding since 2014 — very significant funding increases. That has been important because we have identified through a lot of our consultation work the great demand. When you are talking about the responsibility of the Parliament and the community for some 96 per cent of our marine and coastal waterways, it is a very significant investment that is required to resource not only professional bodies but also those who volunteer in this work.

We have also been able to revive Coastcare Victoria through our funding increases and the work that those volunteers do, whether it is their plantings, their advocacy or their engagement with and protection of our marine and coastal waterways. I certainly place on record our support, our acknowledgement and our thanks to those Coastcare organisations. I have met many of those volunteers over the years. Whether they are people who live locally or people who are visitors to the coast, their contribution is very significant. They are no different to those who work in Landcare in a lot of ways. Many of these people make commitments over the course of their lifetimes, saying, 'That's the contribution I am going to make for the public good of the community'. Where would we be without them? We can resource these organisations and their policy parameters and priorities, but we still need people on the ground who add a dollar value that cannot be quantified. I certainly want to acknowledge their contributions.

Those opposite touched on the Great Ocean Road being a significant piece of coastline in Victoria. As someone who formerly lived and worked in Geelong, can I say that very significant work has been done in relation to maintaining and advancing a balance between tourism and jobs for the communities that live along the Great Ocean Road.

We also need to understand that some of the city deal work that is being done with the commonwealth and the advocacy of the Victorian government is to prioritise and pursue a city deal for the Geelong community and those stakeholders in our largest regional city. But I think there is more to be outlined and announced in relation to further advocacy, the advancement of the issues on the Great Ocean Road and how we deal with the fact that there are those competing priorities with this great natural feature, which also has great historical connections with the Depression and the work that was done through programs at that time.

It is an area that brings people from across Australia and internationally, but there are also other competing priorities. We hear a bit about car parking and other issues from those opposite, but what we also know is

that if you take, for example, places such as Phillip Island — as successful as it is — the first thing you drive into there before you get to some of the facilities and the natural environment is a car park. So I think it is pretty important when you are talking about the marine and coastal environment to understand that moving people by car in some of these environments is very challenging. There is a lot of work that needs to be done to maintain and protect the environment that people come to see in relation to how you then manage the demand for people to want to be in that environment.

Parks Victoria's website says 'Healthy Parks Healthy People', and part of that is if we want to have advocacy for the natural environment that we support, we need people to understand it. For people to understand it, they need to be able to get there, they need to be able to experience it and then they need to go out there and advocate for it. That is what we learn over our lifetimes. Our families take us to these places because they are affordable and they are accessible and because they provide a good experience. These are some of the critical public policy areas that the government is also seeking to address in this bill, because the long-term future for our environment is healthy parks, healthy people. That is about people having access and people advocating for them and understanding that you cannot lock these places up and keep people out. If people do not understand them, if they do not have an experience and if they do not have a lifelong connection, then they are not going to be the next generation of people who are going to advocate for and advance the interests of our environment.

Can I say also that Libby Coker — who I worked with at the *Geelong Advertiser* a long time ago, a very long time ago now — a former Surf Coast shire mayor and a very strong advocate and Labor candidate in the federal seat of Corangamite, is working very hard with stakeholders. She lives in that community on the coast there at Aireys Inlet and is someone I have known for very many years. I know that she is also a very strong advocate within the Labor opposition but also to the federal government and here in Victoria about how we can advance, pursue these interests and manage the balance between the demand in a tourism sense and a job sense, which is critical, but also how to protect our natural environment. I know that Libby Coker understands fundamentally, as a resident of many years standing, that those issues are important and how to advance and advocate for them in the Parliament in the future.

I also want to touch on a critical aspect of all the work that our government does, and that is in relation to traditional owners. I did want to touch on a couple of

the aspects of work that we have been doing in relation to this act. In particular, there has been some discussion about why the bill does not give traditional owners traditional ownership over the sea country. The Traditional Owner Settlement Act 2010 and the commonwealth Native Title Act 1993 are the avenues by which traditional owners' rights and native title rights are recognised. But what has been fundamental in all the work that we do in our department and in our government has been to engage and involve traditional owners in opportunities to both understand and advocate for their story of the land and their understanding and ownership of the land but also to find what opportunities there are for them to be fundamentally engaged in telling that story to the visitors, to the tourists and to the communities that they are a part of, making sure that they have ownership, understanding and engagement in the economic opportunities that come to these regions.

Can I also say that the government has committed some \$326 000 to support greater involvement of traditional owners in marine and coastal management. Our department has partnered with traditional owners to identify meaningful projects and enable greater involvement. We have seen that with Budj Bim and a range of other projects along the coast that I think stand true to some of the work that has been done in these areas.

Lastly, we are continuing to be committed to improving management and oversight in relation to the marine and coastal environment in Victoria. I am absolutely confident that our vision for a healthy marine and coastal environment will be appreciated both now and in the future, and I commend the bill to the house.

**Mr D. O'BRIEN** (Gippsland South) (15:57) — I am happy to rise to speak on the Marine and Coastal Bill 2017. This piece of legislation relates to a critical part of my electorate, indeed a critical part of all of Victoria. The Gippsland South electorate has a massive coastal frontage, so to speak, running through some of the most beautiful parts of our state — from Venus Bay through Waratah Bay, down around Wilsons Promontory, Corner Inlet, Nooramunga coastal reserve and of course the magnificent Ninety Mile Beach and the Gippsland Lakes themselves. The coastal areas and lakes of my electorate are important both economically and environmentally because they have such a role to play for the tourism sector. There is obviously an important environmental aspect to the Gippsland Lakes and to many of the coastal areas, particularly around Corner Inlet, a Ramsar-listed wetland, and as I mentioned, Nooramunga and of course Wilsons Promontory, which attracts hundreds of thousands of

tourists, many of them coming to fish — people getting on boats and getting out on the water.

The Corner Inlet fishery is one of the few significant inland fisheries remaining in the state. There are I think 19 licences still operating in Corner Inlet, and that particular fishery has been active for about 150 years. Naturally over time the numbers of fishermen have declined dramatically, but the catch is still good. That is a fishery that is sustainable and is one that has recently achieved export accreditation as well, which again highlights its sustainability.

There are some issues facing Corner Inlet in particular with respect to lots of seagrass habitat. When you talk to the fishermen there, many of whom are fifth and sixth generation fishermen and some of whom have been in the game for decades, they will say that these issues do come up periodically and the seagrass meadows return. However, there is a concern at the moment. It is not entirely certain what has caused the seagrass loss but of course it does have a flow-on effect in terms of the fishery and the amount of fish available.

Some good work is being done by a whole range of community groups and industries in the Gippsland South electorate in conjunction with the West Gippsland Catchment Management Authority, Seafood Industry Victoria (SIV) and Dairy Australia. They are looking at issues of run-off and the like, because some of the concern about seagrass meadows has been due to the silt running off from the rivers and streams of the Strzeleckis in particular and into Corner Inlet. However, there is some good work being done, and that work needs to be continually funded.

There is of course huge recreational fishing activity in my electorate, including in Corner Inlet, and particularly via Port Welshpool and Port Albert. If you go to Port Welshpool on any given day there will be boats lined up and trailers parked at the port, but if you go there on a weekend, and particularly on a long weekend, you will see literally dozens and dozens of them. Recently I went out into Corner Inlet and into Bass Strait with the Port Welshpool coastguard flotilla, which do a fantastic amount of work for our boaties and are regularly rescuing people from the area that I have talked about. A comment was made to me at the time that many people get up early and come down from Melbourne because they realise that even though it is probably a 2-hour drive, depending on where you are coming from, people can actually get a boat in at Port Welshpool more quickly than they if they went to Patterson River at Carrum Downs.

We have literally thousands of recreational fishermen coming down, whether it is into Corner Inlet, into the bays or into the Gippsland Lakes, and of course there is magnificent beach fishing at places like Venus Bay, Waratah Bay and Ninety Mile Beach. Obviously there can be — and there often is — conflict between the two, the commercial and the recreational, but I think it can be managed. For my own part, I strongly support the commercial sector because we need to provide fish. There is a very large proportion of people in Victoria who enjoy eating seafood, myself included, but who do not actually fish. So it is very important that sustainable commercial catches continue.

With respect to boating there are numerous issues to be addressed, and I hope this legislation will not make it more complicated because we do have some problems. In different summers I have many issues brought to my attention with respect to access channels, with respect to jetties and with respect to boat launching facilities. They include places like Marlay Point, the Loch Sport foreshore, the boat ramps and the jetties on Lake Victoria at Shallow Inlet, at McLoughlins Beach, and indeed right throughout the coastal areas of my electorate.

In dealing with who is responsible and who can help fix a particular problem — often it is about dredging a channel or improving or rebuilding a boat ramp — it is frustrating because often it involves Gippsland Ports and the Department of Environment, Land, Water and Planning, in various places it also involves Parks Victoria, and of course sometimes the local shire. It can be an absolute dog's breakfast.

I must say coming up soon we have the Marlay Point overnight yacht race, which is a famous race that has been running for many decades. I understand the number of entries this year are very good, but we still have an issue there with access for boats. Just to highlight the difficulty that we have with boundaries and demarcation lines, the Marlay Point jetty would be, strictly speaking, in the electorate of Gippsland East, and the boat ramp immediately beside it would be in the electorate of Gippsland South. It is very difficult to work out whose responsibility it is to represent the area in this chamber, let alone whose responsibility it is from an actual government public service perspective.

I hope this legislation does not make any of these issues more complicated than they already are. We do have many problems. I am nervous about the potential centralisation of decision-making with respect to taking the three coastal boards and making them one. I am also nervous about another matter. I have had contact previously with some of the coastal foreshore reserve

managers or committees of management, organisations that I do not believe are dealt with in this piece of legislation. There is some concern about the centralisation of those organisations, and the making of those smaller committees into much larger ones. People in Port Franklin have expressed concern that their voice and their ability to manage their local issues will be lost if they are subsumed into a much larger organisation.

I also note that Seafood Industry Victoria has raised some concerns about this bill, and in particular that it does not ensure that a commercial review will be planned for and managed as well as the previous legislation did. I take that on face value. I hope that SIV is wrong in that respect, but I know it has been a very good organisation in advocating on behalf of the commercial seafood sector. As I say, I hope this legislation will not have any long-term or even short-term impacts on the commercial sector because we do need to make sure that that industry is supported.

I mentioned earlier the conflict that does arise between commercial and recreational fishermen. I note some figures provided recently to a constituent by my colleague the member for Gippsland East with respect to commercial fishing in Gippsland Lakes. He noted that the commercial catch of bream there over the last few years has averaged between 30 and 40 tonnes. The most recent studies show that the greater cormorant alone, so one species of cormorant alone, can take between 260 and 530 tonnes of bream. So when people say ‘You have got to get rid of those commercial netters because they take all the fish’, it is not always as simple as that.

As I said, I hope this bill does not impose further constraints with respect to access to our coast. I endorse the comments of the member for Ivanhoe earlier with respect to making sure that people have access to our coasts and that they will continue to enjoy it and look after it in the future.

**Mr PEARSON** (Essendon) (16:07) — I am delighted to join the debate on the Marine and Coastal Bill 2017. I am delighted to be afforded an opportunity to speak on the bill because it speaks to the values of Labor in power. I recall being a very young adviser in the opposition rooms back in the 1990s, and Kim McGrath, who was John Brumby’s and later Steve Bracks’s environment adviser, in conjunction with Sherryl Garbutt, who was the shadow minister for the environment, came up with the radical idea of marine parks. It was met with scorn and derision from those opposite. It was regarded as a nonsense, as a folly. ‘Why would you protect something you can’t see?’,

was I think one of the arguments. It was seen as an exercise in indulgence by those opposite at the time.

But the idea spoke to the values of a Labor government, and it helped to form some of the great environmental achievements of the former Bracks-Brumby governments, such as creating the Otway National Park, for example. It was about trying to make sure that we do the right things to make the necessary investment in the changes to protect what we have got.

I note in the minister’s second-reading speech there is a comment about the fact that since the 1870s most of the state’s coast has been reserved for public use, and that is indeed appropriate and desired, and it should be something that we strenuously support. Acting Speaker, I know this debate is about the Marine and Coastal Bill 2017, but if you will indulge me briefly, when I look at the Maribyrnong River and the lower reaches of that river before you get to the Victoria Racing Club, the landowners along Fisher Parade in Ascot Vale have unfettered access to the riverbank.

There is no capacity to open up the water’s edge for public use. At some point in the past it was sold off. I frequently drive across the Maribyrnong and I look to the north and think, ‘What a wasted opportunity. How wonderful it would be if you had the capacity to traverse the eastern bank of the Maribyrnong from Ascot Vale, Moonee Ponds or Essendon down towards Docklands, but you cannot’. I think that is indeed lamentable.

One of the reasons I think this bill is so important, and I take up the comments made by the member for Gippsland East and his anxieties and concerns about centralisation, is that when you reach the conclusion that climate change is real, you cannot have a half-hearted or uncoordinated response to that reality. So when you are faced with that reality — and it is coming for us — you can look at saying, ‘We’ll just let regional councils or small bodies which are not properly resourced attend to this matter as they see fit’. That will lead, I would argue, to suboptimal public policy outcomes. So when you are looking at a situation where we have to confront climate change, we have to appreciate and respect the fact that it will have a significant impact on our coastline and it is appropriate that we try to have a more coordinated statewide response.

I think it is also really important, as we are in 2018, to look at the obligation and the requirement to prepare a report on the baseline condition of the marine and coastal environment. I think this is just so vitally important. We need to be able to understand what the environment looks like — what the state and condition

of our coastlines and our marine environment is now — so that if climate change starts to have a significant deleterious impact on our local environment, then we can try and mark that. We might be able to say, ‘It’s having this deleterious impact in this way in these areas for these reasons so therefore this will be our policy response to that’. But if you do not have the baseline data, it is hard. How would you know? If you do not quite know the state and the condition of the marine and coastal environment, how can you be sure what the impact of climate change will be? How do you measure it? So I think that is a really important initiative in relation to at least making sure we have the ability to understand what we know and to be really clear about that.

In this day and age, when you look at preparing a significant and overarching piece of legislation like the Marine and Coastal Bill 2017, it is important that it is informed by expert advice. We are all indebted to the work of the expert advisory panel, which was established in late 2015 and chaired by Associate Professor Geoff Wescott, and provided that level of input, guidance and advice so that we could really have an appreciation for what is an appropriate policy response to tackle these issues. I note too that the bill will look at replacing the current Victorian Coastal Council with a marine and coastal council. The second-reading speech states that:

The membership, representation and skills base of the new council will be strengthened compared to the old council and will provide for a greater focus on addressing marine issues.

I have worked as a chair for a not-for-profit board and I have been a member of not-for-profit boards in the past. When you look at having these organisational structures in place it is really important that we make sure that we have people who have the right skill set and ability to provide a level of insight to serve on them. Of course you need to supplement that with specific technical skills. If you are setting up a body like this, you need someone who can act effectively as a treasurer and you need someone who might have a legal background and a focus on what is good governance. These are things that are really important, but again we need to have a whole-of-government response to our coastal and marine environments. We need expert advice to help guide us in our deliberations and make sure that future governments, if they are called upon to act, are called upon to act because it is on the basis of good quality work that has been commissioned by these councils and by the membership of these groups to help inform a really good, robust response.

In addition to those points, one of the areas of focus of this bill will be to try to address coastal erosion. We

have to try to tackle coastal erosion in order to ensure that we protect our beaches and our environment. We have to make sure that we have a place where people can holiday and earn a living if they are gainfully employed in those sorts of areas. We also need to look at trying to find ways in which we can improve the integrity of the environment. Again, if we do that baseline work, there is also an opportunity to think about how we can improve it if this is what it is like in 2018. Yes, we are fearful and nervous — and we have every right to be — about the impact that climate change will have on our community, but are there things that we can look at doing in a very targeted and focused way to improve the public policy environment and therefore identify issues that can improve the environment itself? What are they? What are those things?

By corralling the resources and having a coordinated and centralised approach, which I know The Nationals tend to be quite resistant to, and if we make sure that we have a really sensitive, systematised way in which we go about protecting our marine and coastal environment, then I think that is a really important initiative. I think that will lead to a better public policy outcome. It makes sure that we are doing our bit to protect the environment. I commend the bill to the house.

**Ms SANDELL** (Melbourne) (16:17) — We all know that Victoria’s coastline and marine environment is so very precious. Shaped by the powerful yet cool waters of the Southern Ocean as well as the calmer and somewhat warmer waters of the south-western Pacific, our coasts and our oceans are home to so many diverse ecosystems, including many threatened and protected species. From the weedy sea dragon hiding throughout Port Phillip Bay to the tiny hooded plover hopping along the sands of the Belfast Coastal Reserve, these creatures and these places are unlike anywhere else in the world.

Our rocky headlands, our golden and white beaches, our subtidal reefs and our sprawling seagrass meadows all make beautiful and unique homes not just for us but also for our treasured flora and fauna. In fact around 80 per cent of Victoria’s marine species are found nowhere else on earth. And of course Victorians love our beaches, our dunes, our oceans and our estuaries. I myself love scuba-diving and snorkelling in the bay, looking for cuttlefish or trying to find that elusive weedy sea dragon, and I have been really lucky to find both. I am also learning to surf, although I am not very good at it yet. I love long, hot days spent reading a book on the beach and blustery winter mornings walking along cliff tops, watching the waves powerfully crashing below.

Our coastlines are also some of the most important tourism attractions in Victoria, from the Great Ocean Road, the Twelve Apostles and Wilsons Promontory to many, many other places. Many people enjoy getting local seafood from our marine waters. But these areas are precious, they are vulnerable and they can be ruined if they are not looked after carefully. In order to make sure we are not damaging these areas we actually need to have proper planning and management of our marine waters up to 3 kilometres off the coast of Victoria and proper protection and management of our coastlines, estuaries and the environments that feed into these areas, but currently in Victoria, unfortunately, we are not getting this right.

Our coasts and marine waters are managed by different agencies: councils, Parks Victoria, fisheries and many other institutions, groups and agencies. They are managed for different purposes, and no-one really takes responsibility for looking after our coasts and marine waters as a whole. We are certainly not planning properly for how to deal with this big threat that is coming down the line, which is the threat of climate change.

For more than 40 years there has been talk about reforming marine and coastal planning and management in Victoria, but most of the so-called solutions that successive governments have put into place to date have been fragmented and without bigger picture objectives or goals for management across the whole coastal and marine area. Without looking at the bigger picture, without treating our coastline and marine waters as a whole, we cannot effectively manage problems and risks, and sometimes we cannot even begin to figure out what is causing these problems in the first place.

Currently we have more than 16 statutes and many, many policies, strategies and plans to manage our coasts and marine waters. This has created a very complex and fragmented marine and coastal planning framework. It means there is no vision for managing and protecting our coasts overall. It means there is a lot of duplication across agencies and departments. It means that goals and outcomes are often at cross-purposes or in conflict with one another. It also means that the narrow agendas of individual agencies, industries or sectors actually take precedence over the bigger picture. Ultimately it is the environment and our ecosystems that suffer, and that actually means that all Victorians who use our coastlines suffer as the environment becomes degraded and resources are overused or badly managed.

Just prior to the 2014 state election the now Andrews Labor government made a commitment to establish a new marine and coastal act. This was supposed to bring together all management, protections and planning under one system. It was rightly praised by environment groups, who have long recognised that we have a problem with managing our coastline in Victoria. Environment groups were hopeful that we would see some real change, but once the Labor government actually came into government we started hearing some warning bells.

Firstly, they excluded commercial fishing and ports from the agenda. Cutting out key areas like these really undermines the whole idea of having a plan to manage our marine and coastal areas as a whole. Then in 2016 the government dismissed the option of introducing a marine and coastal authority, which I will talk about in a minute. And of course, as we know, during the election campaign the now Labor government completely ruled out committing to any new marine parks, which are a key tool for protecting our marine ecosystems. It seems pretty ridiculous to me to rule out a potential solution to a problem before you have even started looking at the problem as a whole. But there you go; that is what this government did.

After all of these setbacks and disappointments it does not really come as a huge surprise that this bill is also a huge missed opportunity for this government and actually does not go anywhere near what is needed or what we had hoped for. We had really high hopes that the government would take this problem of marine and coastal planning and management seriously, but all that seems to be happening is the government paying lip-service to the problem and doing the absolute bare minimum to fulfil an election commitment without actually changing very much at all.

There are two sets of issues that the Greens have with this bill. First, as I mentioned briefly already, there are major gaps, such as not creating a statutory authority, as well as a lack of detail or a clear mechanism around marine spatial planning. There are also a whole raft of smaller improvements, which could make the proposed legislation so much more effective, that have not been included, and I will talk about these shortly.

As I mentioned at the beginning of my contribution, there have been almost four decades of talk leading up to finally reforming the structures that govern how we manage and plan our marine and coastal areas. The biggest reforms we saw in this portfolio area were in the Coastal Management Act 1995, which was brought in by a previous coalition government. This established the Victorian Coastal Council and regional coastal

boards, as well as processes for the preparation and implementation of coastal strategies, action plans and management plans. But this act did have its problems. Its scope was too narrow, with its management scope only focused on coastal Crown land, and it failed to include goals around ecologically sustainable development, ecosystem-based management, the precautionary principle or looking at cumulative impacts on our marine and coastal areas — which are some of the most significant impacts we are seeing.

When it comes to our marine waters, those up to 3 kilometres off the Victorian coast, there has been no real attempt to develop plans for how to use these waters as a whole. The various industry sectors are managed under separate laws, and legislation is mostly focused on how we can get money from using our marine waters through fishing, ports, shipping, petroleum or other means, rather than how to protect the environment or how to figure out how we can actually use our resources as a whole so that we are not overusing some to the detriment of others or to the detriment of the environment.

Because we have had these separate acts we have taken a really fragmented approach to marine and coastal planning and management here in Victoria. There has been no coherent, overarching vision for our marine or coastal environments. There has also been a lot of duplication across agencies and departments, leading to conflicting goals and outcomes. In addition to these problems the current arrangements for marine and coastal planning and management have traditionally been under-resourced and starved. That is why this bill could have been such a significant opportunity to actually rectify some of these problems, which many people have been pointing out for almost four decades.

This bill does a couple of good things. It broadens the scope of the act to include marine waters — not just coastal land — which is important. It also provides a number of new tools, such as regional and strategic partnerships, coastal policy and state-of-the-environment reporting for the whole coast and marine environment, which will likely be useful tools. Finally, at least we will have some way of looking at these ecosystems as a whole and hopefully monitoring how they are going. Largely, however, this bill simply readjusts the existing institutional arrangements, like abolishing coastal boards and changing the functions of the coastal council. I am not sure how we can expect to get a significant improvement with just tweaks around the edges or more of the same.

In particular the Greens are quite concerned that these changes will reduce opportunities for community

participation in coastal and marine planning. Groups involved in managing and protecting our coastlines have also long called for an independent statutory authority to enhance the existing Victorian Coastal Council. They have also called for a stronger role for ecosystem-based spatial marine planning so we actually know what is going on in these ecosystems and can then figure out what to do about problems as they arise. Disappointingly these pivotal and much-needed ideas have largely been rejected by this Labor government, and while there is a mention of spatial marine planning frameworks as part of marine policy, it is pretty weak and lacks clarity.

This bill claims to streamline administration, but it is clear that this will come at the cost of community input. To be honest, it is not even clear how the bill will improve coastal planning. The department will have responsibility for producing the new marine and coastal strategy, but how many staff with specific marine or coastal training does the department have allocated currently? The Greens are concerned that the department actually does not have the capacity to deliver on this outcome.

The bill also removes the coastal boards and reduces the power of the Victorian Coastal Council. The new Marine and Coastal Council — a fairly similar name — will no longer produce a coastal strategy, and can only advise, not endorse or recommend. Under this structure the Greens are concerned about how community and expert representation and input is going to be maintained — ideally we would like it enhanced — in the development of the new coastal and marine strategy. Why not consider marine and coastal representation on the coastal catchment management authority (CMA) boards, or why not ensure CMAs have a minimum number of members with marine and coastal expertise? That could be one way to help with this problem. Why not consider community reference groups for each regional and strategic partnership?

The bill also says that the coastal catchment management authorities will now need to have regard to how to address the marine and coastal strategy. We are concerned that there would need to be resources and expertise allocated to ensure this is delivered. Will these resources actually be delivered? The minister may require advice from a CMA or Melbourne Water, for example, on coastal erosion, but we are also concerned about what expertise CMAs have currently in coastal erosion. I remain hopeful that CMAs have, or will bring in, this expertise, but I am worried that this will not happen.

So, as you can see, some of the Greens' concerns relate to fundamental problems with the bill, such as not creating a new statutory authority and replicating many of the failed structures which have led to mistakes in the management of our coast. But some of our concerns relate to the capacity for departments and other institutions to implement what is required without any extra resources or legislative tools.

Before this bill goes to the upper house I would love to see the government go back and make some changes to it that will have a real and positive impact on our coastline and our marine waters. I stand ready to work with the government to make this happen, and in order to be helpful, here is a shortlist of some of the smaller improvements that could be made. The Greens would like to see marine spatial plans, as opposed to just a framework, as part of the bill. We would like to see the new Marine and Coastal Council publicly report on its advice to the minister. We would like to see a science panel working with the Marine and Coastal Council to ensure scientific rigour and expertise is being kept at the centre of decision-making. We would like to see an independent audit of the Department of Environment, Land, Water and Planning's performance, possibly including the Marine and Coastal Council advising on this outcome directly to the minister. We would like to see public processes for use and development under the bill.

Ultimately, this bill reveals the real fundamental and underlying issue when it comes to marine and coastal management, which is that the Andrews Labor government does not place environmental sustainability and protecting our environment at its heart. It does not place these as a high priority. This became very clear in Labor's promise not to create any new marine parks, despite the Victorian Environmental Assessment Council's public land inquiry last year identifying gaps in our marine parks and reserves system that absolutely need addressing. This lack of commitment to the environment is even clearer now that this bill has come before us and we can see that it is such a missed opportunity. On the marine parks issue it makes no sense to rule out creating new marine national parks when this can be an incredibly effective and crucial part of our response to climate change and to the threats that our marine environments are facing.

We used to have the world's first and largest network of marine national parks, but now we are lagging so far behind. This Labor government has simply bowed to pressure from the recreational fishing lobby and completely disregards scientific advice. Instead it just does what it thinks will win votes in marginal seats. This makes me really sad, but it also gives me more energy to

keep fighting and being a voice for our environment and for our ecosystems, because they so clearly need one right now, when we have a government that will not be that voice, and especially when we are going into a future that is so uncertain, with the impacts of climate change. The Greens will be that voice, and we will look at bringing in amendments to the bill in the upper house to try to salvage something from this poor attempt at reform, because if we want Victorians to keep enjoying our coastline, our beaches, our dunes and our beautiful ocean for generations to come, then so much more needs to be done.

**Mr J. BULL** (Sunbury) (16:34) — It gives me great pleasure to rise to speak on the Marine and Coastal Bill 2017. Who would have thought that the Greens political party would once again be attacking this government on the environment? No matter what we do, it is the wrong approach, it is too slow, it is not needed or it does not go far enough. The Greens spend all their time attacking Labor policies and attacking Labor MPs, but they never realise that this is the real world, where you make real decisions that affect real people, and in government, I say to the member for Melbourne, not everything is a mythical fairyland.

I am incredibly pleased to have the opportunity to speak on this bill. It must be noted that we are fortunate to have some incredible marine coastal areas in the state. These are dynamic areas, they are fragile environments, and they need to be cared for and protected. Right across this state, and indeed right across Australia, we are privileged to have coastal and marine environments that are the envy of many. I am extremely fortunate to have seen a great deal of these environments while growing up, and I know that a number of members have spoken this afternoon about doing the same. I have spent many summers by the coast, with time in a boat, and later on time underwater, looking at some of these incredibly beautiful areas.

We know that Victorian waters are cold, and certainly where you are from, Acting Speaker Couzens, down towards Geelong, there is some great snorkelling and scuba diving. Because the waters are cold it is tougher snorkelling and scuba diving than in the waters up north, but nonetheless they are incredibly beautiful areas.

Environmental management and environmental responsibility is not just about this generation but about generations to come. We need to think as a government and as a society about what sort of legacy we want to leave. What are the impacts of our rapidly growing population on these marine and coastal environments, and what is that legacy going to mean for future generations?

The Andrews Labor government will always stand up to protect these environments for those generations to come. I know there are a number of residents in my community, although not close to the beach, who certainly enjoy visiting these coastal areas. Residents of Oaklands Junction, Sunbury, Diggers Rest, Buller, Gowanbrae and Tullamarine have spoken to me about the importance of protecting our coastal environments and the importance of making sure that they are there for years to come.

There is no doubt that the protection of what is a unique and dynamic environment is something that many Victorians stand for. Other members this afternoon have mentioned those who volunteer to support these environments — the staff and thousands of volunteers who give up their time through the week and at weekends to look after what is an incredibly important part of our environment. It should be noted — and I would like to certainly place on record — that without much of this work we know that these areas would not be protected the way they are. Maintaining, sustaining and improving Victoria's marine and coastal environment is at the heart of this bill.

The Marine and Coastal Bill 2017 is a vital bill which builds on the foundations of the Coastal Management Act 1995 by developing and expanding protections and management systems. We know and we have heard of the pressures that are currently facing these environments — pressures around climate change, pressures around population growth — and we know that there are gaps in the current system. We have over 2000 kilometres of coastline, and we know that three out of four Victorian regions are connected to this coastline. It is important that we prioritise our marine and coastal environment and its significant social, cultural and economic mechanisms for our state.

This bill of course builds upon an election commitment. It has been informed by a whole range of work that has been done through a consultation process dating back to 2015 and into 2016 with an expert panel and an eight-week investigation which took place and received 115 submissions from right across the state. These consultations included a series of face-to-face forums and practitioner sessions at areas within Barwon, Port Phillip and Gippsland. What was found through this process was that a new bill should reflect a new approach. There were a number of key findings, and those key findings have been mentioned this afternoon.

We know that forming a Marine and Coastal Council as an advisory body — an implementation and planner behind the strategy and policy — is critical. The consultation also found that ensuring the existence of a

strong regional catchment strategy which creates skilled and capable coastal management with the role of promoting, maintaining and strengthening these coastal areas is incredibly important. The idea is around integrated planning and the need to get the planning right with all those factors that we currently face in a fast-moving world where there are great strains and great stressors on the environment. It is critical to have an integrated approach where the interface between humans and the environment can work and does work very well.

In many of these examples what this bill effectively does is strengthen and enhance a number of the safeguards and protections in the Marine and Coastal Bill 2017 as a function of the bill. We know that the package deal includes, through the transition plan, protecting and prioritisation of the beaches and dune systems, which are incredibly dynamic and incredibly diverse; delivering targeted biodiversity actions in the marine environment; restoring shellfish reefs; boosting the successful Coastcare program, which is of course incredibly important; improving the monitoring of erosion and coastal flooding; identifying threats to Port Phillip Bay through a coastal hazard assessment; and strengthening how building planning systems can manage climate change as we go forward — and there are a whole range of functions and mechanisms around those.

In the time I have remaining I would just like to talk about the benefits combined within this bill, and I know that a number of members have spoken about the benefits that are provided. In these very dynamic, very unique marine and coastal environments, we know that small changes, small fluctuations — whether they be in sea temperature or whether they be in usage and management — and the impacts of the pressures that are put on through a whole range of human-induced factors play a significant part in environmental degradation. These are important things to note, and we certainly know these have been identified through the consultation process.

The bill will maintain, sustain and protect a diverse part of this state by updating and revising the previous legislation that we mentioned earlier so that our coastline can remain a social, cultural and economic hotspot. It goes on to establish the new coordinating framework that will harness and build on the strengths of the 1995 act but of course provide improved oversight, planning and management of Victoria's marine and coastal environment, and in doing so it will strengthen Victoria's coastal planning and management framework to help the integrated planning and management.

There is the introduction of refinements and new aspects that have been informed through extensive community consultation and reflect the knowledge, understanding and experience gained since 1995. This piece of legislation certainly should not be one of a partisan nature. All members of Parliament, no matter which area you represent, no matter where you come from, should have the environment and the protection of the environment as a constant through the drafting process and through the values which we bring to the chamber and bring to representing our communities right across the state, knowing that once these environments are damaged they take years to recover. Once these environments fall away, they take years to heal. It is in pieces of legislation like this that this government takes that integrated management approach by using science, getting experts into the room, conducting extensive consultation and listening to those who work in these fields — those who live and breathe the coastal environment. They are the experts who are needed to guide and shape the policy and legislation that this government brings to the house.

The bill represents a major evolution in legislation governing our marine and coastal environment, and the Andrews Labor government once again has delivered on our election commitment from our 2014 *Our Environment, Our Future* policy. The bill repositions Victoria once again as a leading force in coastal management. I am certainly proud of our record and therefore confidently commend the bill to the house.

**Ms BRITNELL** (South-West Coast) (16:44) — I rise to speak on the Marine and Coastal Bill 2017, which will have clear implications for my electorate given that my southern border is entirely coastline. This bill will provide for integrated and coordinated planning and management of the marine and coastal environment of Victoria; abolish regional coastal boards; replace the Victorian Coastal Council with the Marine and Coastal Council; and, among other things, provide for the formation of regional and strategic partnerships to address regional and issues-based marine and coastal planning.

This bill is very important to my electorate, which, as I mentioned earlier, is bordered on the south by the Southern Ocean. The coast is a key part of life in my electorate, with people enjoying fishing, surfing, swimming and walking on the kilometres of often wild coastline. The coast is also a key component for industry and tourism in my electorate. Obviously the port of Portland is a key economic driver not only for the South-West Coast electorate but for the entire state, being the largest exporter of woodchips anywhere in the world and injecting millions of dollars into the

state's economy. Portland also has a thriving seafood industry and is a haven for recreational fishermen who are chasing southern bluefin tuna.

**Mr Katos** interjected.

**Ms BRITNELL** — That is correct; the fisherman in front of me knows this. Then there is the beautiful Cape Bridgewater, which I think has the best beach in Victoria, if not Australia, with its wide sandy shores and vibrant blue water. Port Fairy is also focused around the coast. It is a key tourist destination, and I know that many members in this and the other place enjoy visiting the beautiful beaches and surrounds of that beautiful little village. There is also a strong commercial fishing industry in Port Fairy and it too is popular with recreational fishermen. Warrnambool relies heavily on its coastal position for tourism and other industries as well. A major drawcard in Warrnambool and right along the south-west coast is the annual migration of southern right whales to calve during the winter months, which brings tourists from around the globe to our town.

The movie *Oddball* was also inspired by an innovative program that uses maramba sheepdogs to protect penguins on the rocky islands just a few hundred metres offshore. It is a successful conservation program which is run mostly by volunteers and is now being used to promote the region to a huge audience. I was thrilled to have the shadow Minister for Tourism and Major Events, the member for Bayswater, in my electorate earlier this year, where she got the chance to see firsthand how this program works and how it is attracting visitors to the town. And of course South-West Coast and Polwarth are closely aligned, with the Great Ocean Road linking our two regions and providing an enormous opportunity for a strong economic boost with the booming Asian tourism market. Its tourists come here to see the wild, rugged and untouched coastline.

There is also a rich Indigenous heritage element to the coastline, with one area in Warrnambool, where the Hopkins River meets the ocean, being of particular significance. The area is known as Moyjil, and archaeological work over recent decades has revealed a lengthy history of Aboriginal activity. It dates from at least 40 000 years ago, and new dating techniques are suggesting the use of this site could extend well beyond this time. The evidence within Moyjil could actually rewrite our understanding of how humans colonised the globe. So it is clear the coast is vitally important to my electorate and to the state, and there needs to be a coordinated approach to ensure it is managed sensitively and productively.

The changes proposed in this bill aim to streamline the coordination and planning of the marine and coastal environment — something which should be favourable given the confusion that has been caused in this space. I note that during the coalition's consultation the executive director of Seafood Industry Victoria, Johnathon Davey, raised concerns that the legislation removes the ability to plan for fishing and that there is no objective in the bill that allows specifically for the continuation, development and promotion of fishing opportunities in Victoria, which is a significant concern. Mr Davey raised concerns that this new legislation removes the ability to plan and manage for commercial use, literally locking things up. This is not acceptable and appears to be contrary to the Fisheries Act 1995. I would ask the minister to address these concerns, particularly given the importance of the commercial fishing industry to my electorate — and I expect a comment from the member in front of me.

I also have concerns about locking up public land in the broader sense. There is a debate in my electorate around the use of the Belfast Coastal Reserve and the plan to introduce a conservation zone to the east, between Killarney and Warrnambool. In this zone dog walking and recreational horseriding would be banned, but passive recreation, like walking, fishing and surfing, would be allowed to continue with rationalised access points. I am not sure if this is a path we need to go down. I do not see an issue with dogs being walked on leashes and recreational horseriders being on designated pathways. We should manage situations, not lock things away. There is the ability to get the balance right between human interaction, recreational activity and positive environmental outcomes. My feeling is that this part of the Belfast Coastal Reserve master plan does not attempt to find that. Sometimes locking things up can actually leave the environment more unmanaged, and there are certainly unintended consequences that come from that. As agriculturalists we have learnt over the years to get the balance right between the land and productivity, and that is by managing inputs and outputs, and monitoring, evaluating and constantly prioritising to ensure that balance. We can do the same for the environment and the coast and get that balance right.

This legislation before us proposes regional and strategic partnerships, or RASPs, that would support government departments and agencies, community organisations and industry to jointly address significant regional or industry-based planning that crosses jurisdictional boundaries. This would allow the community to have some say in the future planning of the land they regularly use in my electorate. An issue the RASP would have dealt with would have been

around the Belfast Coastal Reserve and the issues that have presented in relation to the training of racehorses on local beaches. This could have saved a lot of headaches for the various people involved — having one central place to go to raise their issues and ideas, and work collectively as a team to find that balance I talk so passionately about.

Overall, the proposed legislation improves coordination among stakeholders and government on the health and management of the marine coastal environment. I do note there have been some concerns raised, and I would ask the minister to address them as a matter of priority.

**Ms HALFPENNY** (Thomastown) (16:51) — I was getting very, very involved in the reading of this very important bill. I also rise to speak in favour of the Marine and Coastal Bill 2017. Of course this is, as other speakers have said, a very important bill that sets out protocols, systems and arrangements for better management of our 2512 kilometres of coastline and thousands of kilometres of marine waters that we are so fortunate to have in Victoria.

This is a very important bill. It aims to build on the current coastal management framework and bring aspects of it together to form one comprehensive and coordinated framework of management. As in many areas of government and public policy space, often there is a lot of difficulty when grappling with various different jurisdictions having different responsibilities for similar things. This legislation tries to bring all those different jurisdictional responsibilities together in the form of an advisory council so that rather than dealing with each piece of legislation that may cover a particular marine area or the coast, they are dealt with in a coordinated way that helps with the management of our coastlines.

Of course the marine and coastal waters and coastal areas are very important to everybody — not just Victorians, not just Australians, but people throughout the world, no matter where they are. Of course they are much loved, and the residents of Thomastown are no different. They love to fish. They are often away fishing and camping, and many in fact have holiday homes by the coast. I do not think in this day and age people who work in the manufacturing industry would ever be able to dream now of having a holiday home. But in the past if you worked in a good manufacturing job, you actually were able to work very hard — do lots of overtime — and you were able to buy properties around Rosebud and Rye. These properties are then passed on to their families. So there are a number of people in Thomastown that actually have places by the coast, and

they love to go there in the holidays and enjoy time with their families amongst nature.

This bill delivers on an Andrews Labor government election commitment under the program of *Our Environment, Our Future*. It is an excellent example of the Labor government delivering on its promises, delivering on its commitments for the future of Victoria and looking at protecting these very important assets to ensure that not only we can enjoy them but we allow them to be protected in such a way that future generations will be able to also enjoy these beautiful areas. This legislation is about strengthening the management of our coastline and marine environment, and also providing additional investment into the area to make sure that while managing it we can also spend the money that is needed to ensure that it is managed well and that we protect and preserve the coast and marine areas.

I think the previous speaker was talking about locking up public land, but really when you look at the past there were so many problems and dilemmas where previous governments — often because of ignorance — allowed all sorts of uses and private activities on public land in particular, or perhaps it is just because those governments have been driven by the profits that can be gained rather than the fact that everybody within Victoria should be able to enjoy public land. If you look at things like cattle grazing in the high country or woodchipping or whatever, we have, looking back, areas of public land that maybe would not have been opened up for these sorts of activities but now they are there.

In terms of logging of course we have to look at the fact that there are a lot of jobs in those areas but, had we known what we know now, perhaps if we had locked up public land in the past we would not have so many of the problems we have in terms of protecting species of flora and fauna that have been so damaged and endangered because of human activities on public land. So I think it is good that we do lock up public land, and when I say 'lock it up' it is actually preserving and protecting it so that everybody can use it, rather than individuals who may be using it in such ways that may denigrate that land and then ensure that it does not continue on for future generations.

This act will also strengthen the Coastal Management Act 1995, as I said. It will fill in gaps in ways that we did not really take into account 20 years ago. A good example of course is climate change. Twenty years ago climate change was really not on the agenda. It was not really being discussed. Therefore when we look at the management of public land and national

parks and things like that, there was no account of what we now know to be a very serious threat — that is, climate change.

This legislation will now build in the issue of climate change and look at ways of managing our coasts and marine waters with a view to how we try to allow those areas to either adapt to climate change that we know is happening or become more resilient to things that are happening in our environment to ensure again that we try to preserve and protect these areas for our future generations. This legislation also tries to look at making legislation simpler, and a more integrated and coordinated system of planning and managing the marine coastal environment. It combines a range of reforms that have been developed in consultation with the community and sets out strong objectives and principles to improve the way that Victoria's marine and coastal environments are managed.

The bill also ensures that all partners work together through the new Marine and Coastal Council as detailed in part 3 of the bill. This was established to provide independent advice to the minister on matters relating to our coasts, marine coasts and waterways. It will also reduce, as I said earlier, the overlapping jurisdictions that currently exist and provide that the minister can make decisions in respect of our coastal areas and marine waterways. The new council will replace what is called the Victorian Coastal Council, and it adds other bodies or other organisations and groups that have an interest in our coasts and marine waters such as the traditional owners, Indigenous people who will have a very important spot on this body in order to be consulted with and to advise the minister and the department about how these areas are managed.

The Labor government knows how important our environment is. We know that climate change is a threat, and we know that we have to make sure that we protect and do everything we can to ensure that these beautiful areas survive into the future, whether it is for our economy, whether it is for biodiversity or whether it is for the enjoyment that it brings both to ourselves now and to those in the future. Again this is another piece of legislation that has been well considered and well thought through, on which those involved have been fully consulted to ensure we have legislation that is going to work and protect us and the environment well into the future.

**Mr KATOS** (South Barwon) (17:00) — It is my pleasure to rise to make a contribution on the Marine and Coastal Bill 2017. As the shadow minister, the member for Ferntree Gully, stated earlier, the opposition will not be opposing this bill. This bill

essentially endeavours to fulfil an election commitment made by the Labor Party to establish a new marine and coastal act.

As far as my own local electorate of South Barwon goes, as with the member for South-West Coast, the southern boundary of the electorate is entirely on coastline, and it runs from Breamlea right through to Point Addis. There is a marine park out the front of Point Addis and to the east of Point Addis is Bells Beach, so it is a very well-known part of the world. It is a beautiful coastline and particularly from Jan Juc back to Torquay you have a very rugged coast and some beautiful beaches, which unfortunately at times are quite dangerous beaches that need to be looked after. Then you go around Torquay through to Breamlea and you have the Surf Coast walk that goes along the top of those cliffs and the Great Ocean Road that starts in Torquay. Everyone thinks it is nowhere near my electorate but the gazetted start is actually on the bridge over Spring Creek, which is where the RACV Club is, at 1 Great Ocean Road.

The Great Ocean Road is another integral part of that coastline and needs to be managed. When you look at the coastline it generates a lot of economic activity in the South Barwon electorate and throughout the entire state of Victoria. There is a lot of fishing, both recreational and commercial, particularly crayfish, shark and squid fishing on the commercial side. A lot of recreational fishing also targets shark, snapper et cetera. It is obviously well renowned for surfing. There are beautiful swimming beaches, and obviously a lot of tourism comes to this area. Tourism generates an enormous amount of economic activity along the coastline.

I might touch on my family history and my history in the commercial fishing sector. Seafood Industry Victoria (SIV) certainly has some concerns with the bill, which it has wanted to put on the record. Johnathon Davey from Seafood Industry Victoria was consulted by the opposition and raised some concerns which he would like answered or about which Seafood Industry Victoria, particularly the commercial sector, would like to be put at ease, whether a member in the chamber here can do it or whether it can be done in the committee stage in the upper house. One of the objectives of the Coastal Management Act 1995 is:

... to plan for and manage the use of Victoria's coastal resources on a sustainable basis for recreation, conservation, tourism, commerce and similar uses in appropriate areas ...

But the new legislation removes the ability to plan and manage for commercial use, so it literally locks up the coastline for commercial use. That is a concern SIV is not pleased with and believes could be contrary to the

Fisheries Act 1995. There is no objective in the bill that allows specifically for the continuation, development and promotion of fishing opportunities in Victoria, which they are also concerned about, and they believe objective (f) must be amended to read 'to promote and develop'. They are certainly seeking assurances that the commercial sector is not locked out.

As we have seen, this government will vote chase when it comes to the fishing sector. They are now concerned, obviously, seeing the demise of netting in Port Phillip. Obviously you could understand the commercial sector outside the 20-mile zone in Victorian waters getting a little bit jittery. They would like assurances as to their future. There is also nothing in the bill or any accompanying documentation that gives Victoria's commercial fishers and the broader seafood industry certainty, particularly for future development. They are worried. There are some emerging seafood sectors, and they want to see the ability to promote and also enhance those sectors, particularly some in aquaculture. They do not want to see it locked up essentially. They would just like an assurance that this will not be the case.

As I said earlier, SIV believes that this bill is not consistent with the Fisheries Act — that they oppose each other. They believe that all fisheries are sustainable and are being managed in a proper way. This particularly goes to marine parks and any further expansion of them. SIV feels that, with fisheries being managed in a sustainable way — with quotas — there is no need for additional marine parks. One of the concerns that certainly has been raised with me about marine parks is that when they were established there was no survey of the marine parks at the beginning so that you could then look in 10 years time and say, 'Right. That's what was there 10 years ago' — for example, because they were established in the early 2000s — 'and here we are today to see what the impact is of the marine park'. If you had actually taken the time to do a survey back then, you could now look at the marine parks and say yes or no, they have worked or they have not worked. But there is no reference point to do that with.

With regard to some of the local coastal management in South Barwon and in fact leading into the Polwarth electorate, some of these coastal committees of management have been very problematic. In South Barwon and Polwarth there is the area covered by the Great Ocean Road Coast Committee (GORCC), which runs from Breamlea to Lorne. Why this committee exists in the first place baffles me. It is entirely within one municipality, the Surf Coast Shire. One could understand the place of these committees of management, for example, on Port Phillip Bay, where

several council areas intersect on the beach and you want consistency in management and approach to looking after that foreshore. But the Great Ocean Road Coast Committee is entirely within one shire and really is not necessary. I have heard numerous examples of the way they have disrespected local community members and organisations. In Torquay Mick and Bindy Sheehan of Southern Exposure surf school have had all sorts of problems trying to get their licences through for their surf school. In the end, after a lot of to-ing and fro-ing, they had a satisfactory outcome, but it did not have to go to there.

Then of course there is the debacle of the Anglesea caravan park. I know it was a complete debacle that saw the Morris family ejected from there. GORCC ran a tender process, then stated that none of the tenders were good enough and awarded the contract to run the park to themselves. I think it was completely disgraceful how they behaved in that; their behaviour was absolutely appalling. Then we have a similar situation at Point Grey in Lorne where the Lorne Pier Seafood Restaurant owners, Sam and Angelo Gazis, who have been there since, from memory, about 1992 — so almost 25 years — cannot get a long-term lease. They want to invest, they want to spend money at the pier — they want to spend several million dollars to build a new restaurant or upgrade it — but they cannot get a lease from GORCC. They are only being offered 12 months at a time. Who is going to borrow money and invest a couple of million dollars with a 12-month lease and no surety? GORCC needs to get its act together there.

Lorne is another good example of why GORCC is just madness. At Mountjoy Parade the ocean side is managed by GORCC and the land side is managed by the Surf Coast Shire — everything is duplicated. It is actually quite absurd. Those issues need to be addressed, particularly those around the Great Ocean Road Coast Committee. I have seen a lot of problems and have had a lot of complaints come through my office about their behaviour and what they have done.

With that, as I said earlier, the opposition is not opposing the bill. I look forward to government members in this chamber or in the committee stage in the Legislative Council putting at ease the commercial fishing sector with regard to their concerns about this bill.

**Ms SPENCE** (Yuroke) (17:10) — I am very pleased to rise today to speak on the Marine and Coastal Bill 2017. This bill will provide a simpler, more integrated and coordinated whole-of-government approach to planning and managing the marine and

coastal environment, and it will enable the protection of the coastline and the ability to address the long-term challenges of climate change, population growth and ageing coastal structures.

Like most Victorians, I appreciate that our state's marine and coastal environment is a special and unique place. As one of the four out of five Victorians that visits the coast at least once a year, I appreciate the significant social and cultural value that this environment, with more than 2000 kilometres of coastline and more than 10 000 square kilometres of marine waters, has to Victorians. I also appreciate the significant benefit that this provides to the Victorian community and economy through industries such as tourism and the commercial and recreational fishing sectors, which provide jobs to thousands of Victorians, particularly in regional locations. And I appreciate that traditional owners and the broader Aboriginal community have powerful and unique spiritual and ancestral bonds to Victoria's marine and coastal environment. That is why I support this bill, which will position Victoria once again as a leader in integrated coastal zone management.

Victoria has been very fortunate that since the 1870s most of the state's coast has been reserved for public use. The commitment to retain one of Victoria's greatest natural assets in public ownership has been maintained to this day, with 96 per cent of our coastline currently in public ownership. But despite this very early recognition of the importance of our coastline, the first legislation dedicated to statewide coastal management did not come about until 1995 with the Coastal Management Act 1995. Since then, that act has guided the protection, conservation and sustainable use and development of the coast and has provided a strong basis for coordinated strategic planning for and management of the Victorian coast. However, if we are to meet the contemporary challenges, particularly those associated with climate change, increasing population pressures and ageing coastal infrastructure, we need to revisit the legislative framework and address these concerns.

Labor is very proud of its record in protecting and enhancing Victoria's marine and coastal environment. This bill will further this legacy by implementing this government's 2014 election commitment in *Our Environment, Our Future* to establish a new act to better manage and protect the marine and coastal environment. The bill, combined with a range of complementary non-legislative reforms, will implement this commitment and ensure that our diverse and unique marine and coastal environment remains a special place and continues to provide a wide range of benefits now and into the future.

Firstly, the bill establishes a stronger framework for marine and coastal planning and management. Eight specific, clear objectives for the planning and management of the marine and coastal environment are introduced by the bill. These are to protect and enhance the marine and coastal environment; to promote the resilience of marine and coastal ecosystems, communities and assets to climate change; to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change; to acknowledge traditional owners' knowledge, rights and aspirations for land and sea country; to promote a diversity of experiences in the marine and coastal environment; to promote the ecologically sustainable use and development of the marine and coastal environment and its resources in appropriate areas; to improve community, user group and industry stewardship and understanding of the marine and coastal environment; and to engage with specified Aboriginal parties, the community, user groups and industry in marine and coastal planning, management and protection.

It is important to note that the introduction of objectives focused on climate change and acknowledging traditional owners' connections to the marine and coastal environment are significant reforms that address two major gaps in the 1995 act.

The bill also improves current governance and institutional arrangements. It will do this by establishing a new statewide advisory body with an increased marine focus, by addressing the gap in advice on matters relating to coastal erosion and by simplifying regional advisory arrangements. The bill also provides for statewide, regional and local marine and coastal planning, and it provides for improvements to the protection of public values and streamlining use and development.

Another really important aspect of the bill are the provisions that go to improving our understanding of the marine and coastal environment. One of the significant gaps in the current system is the absence of data on the condition of that environment. To overcome this gap, the bill establishes an obligation to prepare a report on the baseline condition of the marine and coastal environment, and following that initial report, a state of the marine and coastal environment report will then be periodically produced to assess changes in the condition of the marine and coastal environment. That report will of course improve our knowledge of that environment, enabling its health and condition to be tracked over time, and will inform statewide, regional and local policy, planning and management.

When I was reflecting on this bill, one of the issues that was of particular relevance to me was the effect of population growth on our coastlines. The electorate of Yuroke, which I represent, is probably about as far from the beach as you could imagine. We are nowhere near the beaches, but it is an area of rapid population growth, and I am able to appreciate the effect that this has on the environment, on the existing infrastructure and indeed on the future infrastructure needs of a growing community.

Growing up, my family had a property at Surf Beach on Phillip Island. Even 20 years ago the effect of an increased population over the preceding decades was clear. When we talk about population growth in our coastal areas, this is of course twofold. There is the increase in local residents and property owners, and then there are the seasonal increases. Where we were on Phillip Island, both of these were occurring. Not only were more houses being built but older homes were being replaced by much larger homes, and with them came more people, more often.

In fact when I was reflecting on this bill I got a bit nostalgic. I hopped on the internet and did a satellite image search of our former property. I was somewhat disappointed but not entirely surprised to see that our once modest little home was no longer there. I have no doubt that it has been replaced by a much grander home. Certainly the area where it was is quite spectacular, so there is probably a much grander home that no doubt captures the views along the coast, out to the sea and across to Pyramid Rock. However, I do digress on that issue.

The increased population, both permanent and transient, means that more protection of the coastline is needed. Due to the nature of a coastal environment, that can also mean a faster turnover of infrastructure. Certainly things do not have as long a life when they are by the coast as they do in other areas.

You can see these changes in simple things. A simple example that I thought of was that when we first started going down to the island we would walk across the road and get to the beach down a fairly steep face. It became very well worn down at that beach face. Over time, with both the natural erosion and the man-made erosion from everyone tracking down there, it became very apparent that the habitat at that particular spot was getting damaged. As a result, a permanent structure was put in place, which protected the environment and provided us with terrific safe access.

I support the bill because it recognises the importance of our marine and coastal environment and it provides

the means for protecting it now and into the future. I have terrific memories of growing up and being able to visit the beach. I have got great memories of spending time with my son there when he was little. We would wait until the tide went out and have a look-see what the sea had left us in the rock pools and explore those surprises. I want future generations to also make these memories. They are lifelong memories. What this act does is provide a framework where we can be sure that what we enjoy currently in our marine environment can be protected into the future. It is a major step forward in the legislation to protect our very precious coastal and marine environment. It provides for an integrated whole-of-government approach to marine and coastal planning and management at the statewide, regional and local levels. I commend the bill to the house.

**Mr T. BULL** (Gippsland East) (17:20) — I would like to take this opportunity to make a contribution on the bill. The Marine and Coastal Bill 2017 is one of great importance to my electorate. Coming from a coastal electorate, I am well aware of our state's marine areas. Particularly along the East Gippsland coastline we have got a number of very, very popular locations — Gabo Island, Point Hicks and Cape Conran. Ninety Mile Beach is rather iconic, and it is well-known to people all around the world, not just those who live in Victoria.

But our marine environment also underpins some very important industries. Obviously there is a huge benefit to our tourism sector but also to our commercial and recreational fisheries. We have a lot of offshore gas and oil harvesting, and we have our entrance at Lakes Entrance, which provides access for these many industries to be able to undertake the important work they do that is so important to the economy of East Gippsland.

This bill establishes a new marine and coastal act. The opposition has flagged that it is not opposing this legislation, but like any new legislation, obviously we want to see how this rolls out on the ground. There have been some concerns raised by some industry groups, and they are some of the issues that I would like to touch on in this contribution.

There is provision for the requirement of environmental management plans and coastal marine management plans. A significant new aspect of the policy will be the inclusion of marine spatial planning and a marine spatial framework to develop what the minister described in her second-reading speech as a holistic plan for Victoria's marine environment.

There are some issues here that I would like to see this plan address. Some of the industries that I touched on a little earlier have the ability to impact on each other. When we have seismic testing that is going on relating to some of our industries or we have the opening up of oil and gas fields, that obviously has a potential impact on our commercial fishing sector.

There is also concern from Seafood Industry Victoria, the overarching body of our commercial sector, that this may be legislation that creates an entity that results in the increase of our marine park footprint within this state. Victoria already imports around 70 per cent of its seafood annually, and we cannot afford to have measures that impact on the fishing grounds of our commercial fishing fleet. I want to put this concern on the record that Seafood Industry Victoria has flagged: if we are using this new entity in this new framework to establish more marine national parks, it will have a detrimental impact on that sector, it will result in more imports and it will also potentially impact on what are sustainable fisheries, because when you take away grounds from sustainable fisheries you reach a breaking point when they therefore become unsustainable. I want to put those concerns on the record.

With such a long coastline and a relatively small population, people generally ask: with the length and breadth of our country, why are we a net importer of seafood? It just does not really make sense. Seventy per cent of what we consume, as I mentioned earlier, comes from overseas. The majority of that comes from Asian countries. It is a balance that we would like to see tilted the other way rather than having any measures put in place that drive seafood imports up.

I would hope that the overarching framework this bill puts in place does not result in a whole lot more bureaucracy. We obviously need a streamlined process. The panel that did a lot of work in putting this legislation together, I believe, had this in mind. We would like to see how that plays out on the ground. Obviously when we are talking about our marine and coastal environments, yes, we have to have a great level of oversight but we also want a streamlined process that gives industries some clear direction on where they stand, gives industries some certainty and does not give them bureaucratic uncertainty.

The bill will replace the current Victorian Coastal Council with the Marine and Coastal Council. I am not opposed to this. I think this is a good move. But on this new council we clearly need strong representation from all the coastal areas of the state. If we are getting rid of the three coastal councils that had strong representation from each geographic region, the new council will need

strong representation from each region as well as the appropriate levels of expertise. In her second-reading speech the minister said:

The council will advise the minister and will guide, rather than draft, statewide policy and strategy.

Again I will be interested to see how this arrangement works.

As was pointed out, one of the longstanding key gaps in the current system is the absence of responsibility for providing advice on matters that relate to coastal erosion as well as expertise in recognising the links between coastal flooding and coastal erosion. They are issues that are extremely pertinent to locations within my electorate. Lakes Entrance immediately springs to mind. Anyone who has visited Lakes Entrance and also the Gippsland Lakes would be well aware that we have that outer sand barrier that separates the lake system from the ocean. At locations along Lakes Entrance we have almost had the barrier breaking through. At the 16th hole of the Lakes Entrance golf course I think there is about 1 metre stopping the ocean from coming in and flooding the entire Lakes Entrance golf course when we have a large swell. There are some pretty graphic photos around of how close that has actually been.

Those issues around coastal erosion and coastal flooding are very important. Some of the long-term mapping and studies that I have seen that have been done of our region indicate that in time that outer barrier will go. Originally it was not there, and the mouths of the rivers — the Tambo, the Nicholson and the Mitchell — flowed straight into Bass Strait. The outer barrier has formed, but all of the modelling indicates that in some time it will go. So it will be interesting to see how that spatial planning goes when this new entity is having a look at that.

Under this bill the authorities responsible for providing advice on coastal flooding will also now be able to advise on matters relating to coastal erosion in Victoria, particularly in country areas. This will be the catchment management authorities. I can only speak on behalf of the East Gippsland Catchment Management Authority, which I am familiar with. They have a very strong level of expertise in that area. Regional coastal boards will be abolished, as this entity replaces their roles. I repeat my statement that it will be critically important for those coastal boards to have strong representation — and it will be a travesty of justice if we have a statewide coastal board that does not have this — from not only East Gippsland but also South Gippsland and the adjacent locations in the south-west of the state. They need to be very, very well represented because a lot of these issues that this board and entity will be reviewing,

planning for and tackling will impact directly on those regions and their local economies.

The framework will formalise an agreed process to guide future planning and dispute resolution in Victoria's marine estates. I certainly hope that it will strongly consider the issues that I have raised. Before we even look at any more marine national parks we need to have a thorough assessment of the effectiveness of the ones that we have got. I do not believe that has happened to any great level to date. We should be reviewing their success, or alternatively their non-success, before we are looking at any more.

Finally, importantly this bill maintains the Crown land's minister's right to have a final say regarding the use and development of marine and coastal Crown land. I think this is the right move. The buck needs to stop with the minister to be able to make these appropriate decisions whilst obviously receiving advice from this new entity.

**Mr DIMOPOULOS** (Oakleigh) (17:30) — What a pleasure it is to speak on such an important bill, the Marine and Coastal Bill 2017, another proud achievement of this Andrews Labor government. We made an election commitment and we are following through, as we do with everything else we have promised to the Victorian community in the last three years.

I think the minister in her second-reading speech outlined the context of Victorian coastal management in a very articulate way, so I want to quote part of it. She said:

Victoria's marine and coastal environment is a special and unique place, with more than 2000 kilometres of coastline and more than 10 000 square kilometres of marine waters. It encompasses diverse ecosystems and provides significant benefits to the Victorian community and economy. It underpins industries such as tourism and the commercial and recreational fishing sectors, which provide jobs to thousands of Victorians, particularly in regional locations.

She went on to say:

Victoria is very fortunate that since the 1870s most of the state's coast has been reserved for public use. The commitment to retain one of Victoria's greatest natural assets in public ownership has been maintained to this day, with 96 per cent of our coastline currently in public ownership.

I think that would be the envy of many jurisdictions around the world. She continued:

Since 1995 the Coastal Management Act 1995 ...

that was under the Kennett government, so one of the few good things that that government did —

**Ms Green** interjected.

**Mr DIMOPOULOS** —

... Victoria's first legislation dedicated to statewide coastal management —

The member for Yan Yean said 'no', but I thought I would be objective on this front. The Coastal Management Act was the first of its kind in Victoria and it:

has guided the protection, conservation and sustainable use and development of the coast and has provided a strong basis for coordinated strategic planning for, and management of, the Victorian coast.

But importantly, the minister went on to say — and this is the last bit I will quote:

However, over the last 20 years —

and I think this is what provides the justification for this bill —

advances in our understanding of the marine and coastal environment have highlighted gaps and complexities in the current system that need to be addressed if we are to meet contemporary challenges, particularly those arising —

as the member for Yuroke said —

in the face of climate change, increasing population pressures and ageing coastal infrastructure.

The bill does absolutely seek to close those gaps and to make for a far more comprehensive and more coordinated coastal management scheme.

The bill specifically does various things. They include establishing the Marine and Coastal Council, which will be an advisory body to the minister; and requiring the preparation of a range of different public policy objectives, including a statewide marine and coastal policy, the state wind marine and coastal strategy, and the state of the marine and coastal environment report. The bill also sets out the information that must be annually reported by the department and enables the secretary to prepare guidelines for the implementation of the act.

The bill will also provide for regional marine and coastal planning through various provisions. It will also, importantly — and I have heard some of the speakers talk about the importance of this — maintain the minister's right to veto use, development of or work on marine and coastal Crown land, which is vitally important, as we have seen in certain examples under the previous administration.

The government went through a significant consultation process to get to where we are today in terms of the bill. There were four stages, and I am referring here to the *Marine and Coastal Act: Consultation Paper*.

Obviously, as I said at the outset, the Andrews Labor government made an election commitment to protect our enormously important natural heritage. In 2015 we started scoping the key areas of focus. In 2016 there was development of a consultation paper that was released for public comment. In late 2016 there was further targeted consultation on the proposed arrangements, many of which we see in the bill today. Of course last year the legislation was put together and drafted, and here we are debating it in early 2018.

A fair bit of consultation is still required in the development of all the plans that the bill makes provision for, including, for example, the preparation of environmental management plans under clause 51 and the making of the marine and coastal strategy. Also in relation to that strategy the bill puts an onus on the minister to have further consultation under clause 33. Clauses 52 and 53, for example, put further requirements on the government and the minister for consultation on the development of environmental management plans, which I think is all very important, because there is a dedicated team of paid and volunteer Victorians as well as residents, visitors and others alike who have an altruistic but also vested interest in the maintenance of such an important natural heritage, and they will be engaged in the development of really key and important plans under this bill.

The bill builds on the strengths of the current Coastal Management Act 1995 and addresses gaps and problem areas, as the minister identified. It provides a simpler and more integrated and coordinated approach to planning and managing the marine and coastal environment. As I said, importantly it delivers on the Andrews Labor government's commitment to do this before the election. It expands Victoria's legislation to incorporate planning for the marine environment and strengthens the focus on the key issues which I talked about — population growth, climate change and ageing infrastructure.

The reason I am particularly proud of this bill is that it is not just a one-hit wonder. It comes within the context of a party and a government that have done more for the environment than any other political party in this country, and I mean not just the Andrews Labor government but the Australian Labor Party. Just to give you an example of our absolute commitment and passion in the area of the environment, any Victorian interested in the environment need look no

further than the Australian Labor Party and the Andrews Labor government.

Let me give you some examples of what we have done just in the three years that we have been in power in Victoria — just over three years. Firstly, on 23 August 2017 we announced the awarding of contracts for two large-scale solar plants to power Melbourne's tram network. Secondly, Victoria's first large-scale solar farms will deliver \$150 million in new capital investment and 300 new jobs in regional Victoria during construction. Thirdly, Melbourne's tram network will be powered by large-scale solar plants. Fourthly, in April 2017 construction began for the 132-megawatt Mount Gellibrand wind farm — and this is after the previous government basically siphoned off a large part of this state from the ability to have wind energy through that ridiculous provision of a 2-kilometre no-go zone.

Fifthly, through the Victorian energy efficiency target scheme, in 2016–17 this government assisted 18 000 businesses and 95 000 households to undertake energy efficiency upgrades, saving \$84 million on their energy bills per annum and saving the environment. Sixthly, the Victorian budget provided \$17 million over four years to support households on low incomes and concession card holders to reduce their energy costs. Seventhly, the first Victorian renewable energy auction scheme of up to 650 megawatts is Australia's largest ever renewable energy auction and will open for bids in mid-October; it will create 1250 construction jobs and 90 ongoing jobs, and will deliver up to \$1.3 billion of additional renewable energy investment, mostly in regional Victoria. Eighthly, the Climate Change Act 2017, the first ever in Victoria, was passed by the Parliament in 2017 and enshrines that our energy emission targets are to get to net zero by 2050. Ninthly, we increased the powers and the funding for the Environment Protection Authority; and of course, tenthly, we have banned fracking.

Time does not permit me to go further. They are just 10 major achievements in three and a bit years. There are far more than that. That is why I am proud of this bill, because it is one of many that this proud government has put forward to protect the environment for future generations, for investment, for tourism and for a whole range of ecosystem reasons. This is a party of the environment. No other party in Victoria does the same. I commend the bill to the house.

**Mr THOMPSON** (Sandringham) (17:40) — I had a more general speech in mind, but for the moment I would just like to add a couple of items to the list of the member for Oakleigh. When scallop dredging was

abolished in Port Phillip Bay, the Labor Party opposed that legislation in this place. It is important to further note that as a consequence of the abolition of scallop dredging in Port Phillip Bay it led to an expansion of the seagrass beds, it led to an improvement in the marine environment and in the minds of many recreational anglers it improved recreational fishing opportunities in Port Phillip Bay. That is point 1.

Point 2: after the Environment Conservation Council made a number of recommendations for marine parks and sanctuaries in Port Phillip Bay there were 13 recommended by the particular study. When the legislation came before the house two parks/sanctuaries were left out. The first one was the proposed marine sanctuary at Ricketts Point, which would not have been placed on the agenda but for the important work of Bob Whiteway, a teacher at Beaumaris High School, and the important understanding of birds that was a keen area of study of Michael Morris and myself as the local member, who had Ricketts Point brought into this particular study. When the legislation came before the house Ricketts Point had been left out, I believe, through a lack of political fortitude on the part of the Labor Party. As a result of some keen dialogue that was then conducted the boundaries of Ricketts Point Marine Sanctuary were redefined and it was placed on the register of marine parks and sanctuaries in Victoria. One of the ironies of that particular achievement was that the then minister launched the marine parks and sanctuaries not from western Victoria, not from eastern Victoria but from Port Phillip Bay in the Sandringham electorate at Ricketts Point and from the area which the government initially failed to include.

The third point that I would make to the member for Oakleigh is that there was another part of the state that was left out of the study. That was Cape Howe, a spectacular part of eastern Victoria. The government was dependent at the time on the support of the then member for Gippsland East, Craig Ingram, who had a background as a very knowledgeable diver and fisherman and someone who had an abalone licence. It was remarkable to see that when the legislation came before the house, Cape Howe had been left off the plan of marine parks and sanctuaries in Victoria. The parks and sanctuaries had been recommended by an independent study group and there had been a tradition on the part of government to implement those recommendations.

The cry in the house from around that area at the time when we ascertained that Cape Howe had been left out was, 'Cape why? Why was it left out?'. Again, through the fullness of time and with good work being

undertaken, a part of Cape Howe was brought back into the system of marine parks and sanctuaries in Victoria.

Continuing with those three examples, I note it was the coalition who in the early 1990s ceased the diversion of treated sewage into the Mordialloc Creek system and then into Port Phillip Bay. That had an impact on improving water quality. It was the coalition, the Liberal Party, that introduced the Environment Protection Act 1970 into Victoria, which has had a landmark impact upon environment outcomes in the state. In 1978 it was the federal government that ceased whaling and called for a ban on international whaling in Antarctic waters. Those five or six examples may be helpful to the member for Oakleigh in adding to a wider appreciation of environmental achievements in the state of Victoria.

I would now like to turn more immediately to my planned comments on the Marine and Coastal Bill 2017. When the Coastal Management Bill was first introduced into Parliament in 1995 the outstanding then Minister for Conservation and Environment was Mark Birrell. He noted that the initial bill was:

... an historic and important bill that will bring coastal management into the 21st century and ensure public input and leadership on protecting and utilising our coasts for the long term.

There are two important words there — ‘protecting’ and ‘utilising’ our coasts for the long term. He noted later on that:

No-one suggests that the coastal debate of the future will be much easier than it has been in the past — it is a very difficult place to manage, given the competing interests and the entrenched vested interests.

He also noted:

At the last count more than 160 separate agencies managed the coastline, all of them trying to do the right thing, many of them overlapping and some of them colliding.

Historically we have had for some 20 years or more the Victorian Coastal Council and three coastal boards — the western, central and eastern coastal boards. They would have had a number of appointees with breadth of expertise, insight and understanding, covering boating industry matters, recreational angling matters, expertise in science and different elements of sustainability and matters affecting our coastline.

It is a pretty important and salutary matter to take into account in terms of the importance of there being good management of the coastline. A number of years ago I chaired an inquiry on the abalone industry in Victoria. The report was called *Abalone: Taking Stock*. The

entendre in the title *Taking Stock* covered both taking stock of the value of the abalone industry to the Victorian economy, its importance as a sustainable industry, and the fact that a lot of people were illegally taking the abalone stock and selling it to illegal markets.

In terms of abalone fisheries there are instructive examples. In Mexico in 1977 6000 tonnes of abalone were produced yet some 20 years later the volume had decreased to some 400 tonnes. In 1972 the American fishery produced 1400 tonnes of abalone. The fishery sadly closed in 1996 due to the collapse of the stocks. In 1981 Chile had a production of 20 000 tonnes of abalone per annum. This fishery collapsed in 1986.

In 2002 I noted in a speech to the Victorian Parliament on the Wildlife Amendment Bill that the reason that Chile, Mexico and American abalone stocks collapsed is that they were subject to relatively uncontrolled fishing effort. I am not sure how well they have recovered, but there was important regulatory and legislative work to ensure the ongoing sustainability of the abalone industry.

In the remaining minutes I will raise a serious concern that I have with the bill in the sense that while it is conflating three coastal boards and a coastal council into one coastal oversight body there will potentially be a loss of expertise and a loss of local understanding. It is the case that many people may have had 40 or 50 years of expertise in a particular field relevant to the protection of the bay.

In the Sandringham electorate erosion represents an ongoing issue. There are a number of keen stakeholders — environmental groups, boating clubs, foreshore associations — which all have a keen interest in the bay and its sustainability. The key issue that I believe should guide the debate is both due process for there to be wise leadership and the importance of both protecting our coast and also enabling its ongoing utilisation by many different people — anglers, recreational boat users, swimmers, sailors — in addition to appreciating the extraordinary spectacle of the bay, where one can see the hovering kestrel waiting to take its prey as it hovers in the air through to the cormorant streaking across Port Phillip Bay in the early light of the morning. We have much to protect, but we need to do it wisely, balancing the competing interests.

**Ms GRALEY** (Narre Warren South) (17:50) — It is a pleasure to rise this afternoon and speak on the Marine and Coastal Bill 2017. This bill will deliver on the Andrews Labor government’s election commitment to establish a new marine and coastal act, and to

improve management and oversight arrangements for the marine and coastal environment.

I think other speakers have referred to the fact that Victoria has 2112 kilometres of coastline and approximately 10 000 square kilometres of marine waters. It is an amazing length of coastline, and it is an extremely diverse environment.

I am a lover of the beach; I put that on the record. I love visiting the Gippsland Lakes — the waterways down there are something really exceptional — I love the wild west coast and I have been a very fond and regular visitor to Wilsons Promontory. But I do love most of all the Mornington Peninsula; it is where I live, and I had the very great privilege of being mayor of the Mornington Peninsula shire. There is Flinders back beach and the Sorrento rock pools, and there is even a nudist beach at Mount Eliza. There is Mount Martha south beach, my favourite beach in the whole world, which is a really beautiful, stunning environment that so many people get to appreciate — not only those of us that live there, but people who work there and people that come to play there.

I have to say that reform of coastal management cannot come soon enough. The member for Bentleigh said to me the other day, ‘What have you been doing?’, and I said, ‘I’ve been at the beach’. He said, ‘You’re such a beach bum’. I actually think I am not just somebody that turns up at the beach; I am actually a bit of a guardian of the beach as well. Not only am I very concerned with maintaining their cleanliness, but I am also concerned with maintaining their biodiversity. I am concerned with making sure that all the surrounds are protected on the one hand, and that the beaches remain accessible for people on the other. That is a really difficult balancing act. Over the years there has been a cumulative effort to make sure that that works as well as it can, and in the process there have been all sorts of management organisations, all sorts of authorities — from councils to conservation groups to peak bodies — that have all tried to manage the coast, and it is not before time that we have a bill of this quality before the house.

It has taken quite a bit of time for this bill to get here. I remember in 1999 sitting at a luncheon with the then local government minister, Leonie Burke, and her telling me that she had just finished local government reform and that the next thing on her agenda was to reform coastal management. So it has taken a long time to get here.

In that time successive Labor governments have done some amazing work in this space, including the establishment, I recall especially, of marine coastal

parks. I remember all the kerfuffle at the time that the fish might be confused about which side of the park they should be in, that fishermen would not know where to go and fish and that people would not know where to swim. Well, the parks have been a resounding success, and in fact they are regarded around the world as an astounding success not only for environmental management, but also for how to manage tourism, recreation and livelihoods — work as well. So this bill cannot come before the house soon enough.

I would like to commend the work of Associate Professor Wescott. He has been around for some time. I had the joy of meeting him many years ago. I know that this has not been an easy consultation, because there are lots of diverse interests around this area. I know that he has a real passion for the coastal environment, but he has a very wise, practical head as well. I think the discussion papers and the ultimate paper are a reflection of his good guidance.

I would like to just finish off my contribution by saying that the minister has put out a number of press releases over recent months highlighting a number of very important issues, other than just the Marine and Coastal Bill 2017. A number of reforms have been happening in this environmental patch, and I commend her for taking on two particularly difficult issues, one of which is protecting Mount Martha north beach.

The member for Mornington was actually in this house earlier today talking about Mount Martha north beach. It is not my preferred beach; my preferred beach is south beach. One of the reasons why it is not my preferred beach is that it has been disappearing. So I am very pleased to see that as a result of the terrific lobbying, I must say, of the member for Mornington, and the discussions he has had with the minister’s office and staff from the department, together with a few little helpers along the way, the \$880 000 Mount Martha north beach protection package has been allocated to reconstruct that beach. The wall that will be constructed there was a high-priority recommendation from the 2017 *Mount Martha North Coastal Processes Investigation and Future Management Recommendations Report*.

There are also some very nervous people who have got beach boxes on that beach, but there are also the many beachgoers — it is on a cliff that is very, very delicate. I am very pleased to see that the minister came forth with this very large sum of money, and that in fact the cliff face will be supported. I know the beach box owners are still a little bit nervous. The member for Mornington raised their issues here this morning, but the fact is that this beautiful environment that is used by so many

people — especially the cliff top, where hundreds of people walk every day — will now have the best chance of surviving.

The second announcement that I would like to refer to is that in January the minister made an announcement about the future of Point Nepean and released the master plan. This is another ongoing issue. It has been going on for a very long period of time as well, so I was very pleased to see that when the Andrews Labor government came in we noted the commitment from those opposite, which was virtually for a private hotel and resort to be established on a long lease. Locals were not happy with that, and I was very pleased that this government allowed the option to lapse and went back to the community. It did some really valuable consultation and came up with a new Point Nepean master plan which will see the establishment of a new advisory group reporting to the Parks Victoria board.

There will be new camping experiences at the quarantine station. This is a stunning environment. If you have not been down there, take the time to take your children and your family there and look at the rich Indigenous history there, our naval history and our war history as well as the story of immigration and quarantine that can be seen in the environment and in the structures that are there. This really does need to be preserved for future generations, and I think with the master plan we have an excellent start. I know many people — and I suspect this would be the case for the member for Nepean; I certainly think it is the case even for the federal member for Flinders — really want to see the Point Nepean master plan supported financially to get things done.

Without further ado, I commend the minister for bringing this bill to the house. As I said, it cannot happen soon enough. I would like to finish by reading from the consultation paper on the bill where it talks about the coast. It starts:

Our coast is special and important to all Victorians and is a treasured place for us to live, visit and work. Healthy coastal and marine environments support biodiversity, wellbeing, business and recreation.

There is no reason not to get behind this bill. It is an excellent bill and, as I said, I commend the minister for bringing it to the house. I implore those opposite, many of whom represent coastal environments, to get behind the minister's activities and legislation in this space.

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

**Debate adjourned until later this day.**

## PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017

*Second reading*

**Debate resumed from 14 December 2017; motion of Mr WYNNE (Minister for Planning).**

**Mr BATTIN** (Gembrook) (18:01) — I am the lead speaker for the coalition on the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 on behalf of David Davis in the other place. I will be speaking to our views in relation to the bill before the house. We note the importance of the environmental changes and the importance of protections across Victoria when we are talking about land. We note the importance of protecting communities for various reasons, whether that is for tourism, for growth or for changes throughout the state.

The bill amends the Planning and Environment Act 1987 to provide for the protection and conservation of distinctive areas and landscapes. It also makes consequential amendments to other acts and for other purposes. The bill provides for the declaration of distinctive areas and landscapes and the preparation and implementation of a statement of planning policy in relation to each declared area to ensure coordinated decision-making by public entities.

As an overview it will create a framework for the future particularly around the development of land in declared areas, including settlement boundaries, to ensure the protection and conservation of distinctive attributes of declared areas. Such declarations will support the local and statewide significance of certain areas, regions and landscapes environmentally, economically, culturally and on Indigenous matters. I note that while this is specifically about an area of Macedon, this could be used across other parts of the state as well.

I live in my electorate of Gembrook, which has some highly significant areas through the Dandenong Ranges. Obviously something that is very close to my heart is talking about protection for various reasons in my electorate. That can be protection in relation to tourism. I will say that we have the greatest tourism place in the state with Puffing Billy and the numbers we have up there, but this bill is about ensuring that areas like that have protection and are able to plan for distinctive areas and landscapes. Those who have been on Puffing Billy in the past will know that weeds have over time, quite interestingly, gone through that area. It is important to protect those areas to make sure they are there for the future. I think everybody in the house

would most likely have been on Puffing Billy at some stage. During the 1990s and 2000s there was a big weed issue along the Puffing Billy railway line, and local groups up there have worked very, very hard to eradicate a lot of those weeds. It was interesting to hear the feedback from some people on the train who had been twice, who said, 'I can't believe you have taken all those wonderful green leaves from around the trees'. Those were the weeds that were killing off our trees in the Dandenong Ranges!

I think it is important that all governments make sure that we are providing protection. When we are talking about environmental impacts and obviously planning for these areas, we need to make sure that we support tourism throughout the state. We need to make sure that we support the livability of the entire state, and we need to make sure that all of these things take into consideration the environment for which those decisions are made.

However, we do note that the population is growing remarkably in Victoria. Down in my electorate of Gembrook six families a day move in — and down in Bass. I have next to me the shadow minister, who has been involved with the population task force, which is very, very important. Talking about the population task force, while we want to ensure that Victoria is not a single-city state — we want to make sure it is a city of states — we want to make sure that people moving into this state have a choice of where they would like to go. We want to encourage growth in some regional areas to ensure that people move out of the city. That is a positive for the environment by not having everyone coming to one central location, thereby increasing transport and time on the roads. We want to make sure that our regional towns have the opportunity to grow.

An example of an area that has grown is the south-west coast, and I know that the member for South-West Coast is very proud of the growth that has been happening in Warrnambool over a period of time. I was down there fairly recently with her having a look at some of the building and some of the designs and at some of the growth that has been happening in Warrnambool, particularly on the outskirts where there is a lot of residential growth as we speak.

I have given an overview of the bill. We want to raise some concerns and issues in relation to it. In the second-reading speech it was made clear that the bill would be applied mostly to the Macedon Ranges, with other locations potentially to follow. Some of those areas could be the Bellarine and Mornington peninsulas, which have previously had not dissimilar protections in the form of localised planning

statements. The Macedon Ranges had one in the past, going back as far as local planning policy 8 dating back to the 1970s.

**Mr Wynne** — 1975.

**Mr BATTIN** — 1975, a fantastic year. It was introduced in the year I was born. Obviously Robert Hamer was there —

**Mr Wynne** — Rupert.

**Mr BATTIN** — Rupert Hamer. We must make sure that is correct for the record. The minister at the time, I understand, was Alan Hunt.

Labor's neighbourhood residential zone (NRZ) is one of the concerns we have raised. The neighbourhood residential zone and the general residential zone (GRZ) allowing increased density, and planning scheme amendment VC110 applies to both of these localities. That is a concern that the opposition would like to raise. We believe with some amendments we can actually ensure that going forward the bill would be improved. Under standing orders I wish to advise the house of the amendments to the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017, and I ask that they be distributed.

**Opposition amendments circulated by Mr BATTIN (Gembrook) under standing orders.**

**Mr BATTIN** — I will go through the amendments which have just been distributed, which are:

1. Clause 3, page 3, lines 7 to 8, omit all words and expressions on these lines and insert—

“*declared area* means the following—

- (a) an area to which an order under section 46AO applies;
- (b) an area of land taken to be a declared area under section 46AZO;’.

2. Clause 4, page 22, after line 32 insert—

**“Division 6— Localised Planning Statement policy areas and other matters**

**46AZM Definitions**

In this Division—

*localised planning statement* means a statement that is described as a localised planning statement and prepared by the Department in partnership with one or more municipal councils and adopted by the Minister, in relation to land sufficiently identified in the statement—

- (a) that has distinctive areas or landscapes; and
- (b) that is located within one or more relevant municipal districts;
- (b) to be under threat of significant or irreversible land use change as described in section 46AP(2).

*relevant municipal district* means the municipal district of any of the following municipal councils—

- (a) the Borough of Queenscliffe Council;
- (b) the Greater Geelong City Council;
- (c) the Macedon Ranges Shire Council;
- (d) the Mornington Peninsula Shire Council;
- (e) the Yarra Ranges Shire Council;

*VPP Amendment VC110* means the amendment to the Victoria Planning Provisions and planning schemes in respect of which a notice of approval of amendment was published in the Government Gazette on 27 March 2017 under section 4D.

**46AZN VPP Amendment VC110 not to apply in relation to declared areas**

Despite anything to the contrary in this Act or in a declared area planning scheme, the amendments made to that declared area planning scheme by VPP Amendment VC110 do not apply in relation to a declared area.

**46AZO Certain localised planning statement policy areas are declared areas**

- (1) Subject to subsection (2), an area of land that is identified as the subject of a localised planning statement is taken to be a declared area.
- (2) If, at the commencement of this section, there is no localised planning statement for any areas of land located in a relevant municipal district—
  - (a) the Minister must cause a localised planning statement for land in the municipal district to be prepared and adopted within 2 years after that commencement; and
  - (b) on the adoption of the localised planning statement, an area of land that is identified as the subject of the statement is taken to be a declared area.
- (3) An area of land to which subsection (1) or (2) applies is taken—
  - (a) to have a majority of the attributes set out in section 46AP(1); and

- 3. Clause 4, page 23, line 1, omit “6” and insert “7”.
- 4. Clause 4, page 23, line 2, omit “46AZM” and insert “46AZP”.

The coalition believes these are reasonable amendments to the distinctive areas and landscapes bill that should be considered by the government in relation to these areas. The reason we say that is that they will make sure that the changes around the neighbourhood residential zones and general residential zones do not apply within those areas. We want to make sure that we can protect the areas within the boundaries to make sure that they are covered. The specific municipalities are: the Borough of Queenscliffe, the City of Greater Geelong, the Macedon Ranges shire, the Mornington Peninsula shire and the Yarra Ranges shire, which all have distinct environmental values — obviously different to each other — important to the whole state.

Whilst I do not live in any of those municipalities, the Yarra Ranges shire is one I used to represent when the Gembrook boundaries used to go up through Warburton and the Yarra Valley. It was obviously a fantastic area. They face some difficulties going forward. They have got green wedge zones, but they face some difficulties in relation to what is happening with tourism and the growth that is still happening in those areas, particularly around Warburton and the other areas at the top end of the electorate. I know that there has always been a history up there of discussing with local councils the biggest weed issue they have through those areas. The Yarra Ranges is a beautiful area. It is a beautiful part of Victoria, and if you going to protect any part of Victoria this is something that needs to be taken into consideration.

We have seen some of the changes go through the area. We have got a lot of crops up there. A lot of farming goes on through the Yarra Ranges, and some of those areas over time have had developments. Most of the development up there has been quite reasonable over the years, and there have been times when, working with council, they have actually had some positive outcomes for the environment as well as positive outcomes for growth through the Yarra Ranges. There were also times up in the ranges when it was the opposite, and there was no change and no structure. Former councillors would not allow any development or any changes. I think it is important when you are putting in place any legislation that you take into consideration growth, employment, transport options throughout the area and the changes to the area itself.

We have seen a lot of areas up there go across to farming and orchards. But, as I said, the opposition and the coalition believe that these amendments are very reasonable and I think they actually support the legislation in front of us today.

Should the government accept the amendments put forward by the opposition, we would actually have no hesitation in supporting the legislation before us. We think it is important that we can get these amendments put in here to make it more reasonable, to give more allowances through the bill and to ensure that some of these neighbourhood residential zones and general residential zones do not have the impact that they could potentially still have, even if you do create the distinctive areas and landscapes in the bill.

As I said, as far as my contribution goes today, I think the focus needs to be very much around the environmental outcomes through these areas. I know that for the Minister for Planning, who is at the table, one of the reasons these are being brought in is to actually look at those environmental outcomes and to look at what we can see through those areas. I am sure that speakers coming up after me, particularly the member for Mornington, will have a lot to say in relation to this specific area and some of the impacts there over time. I know he has been a big supporter of the green wedge zones through the Mornington Peninsula and ensuring the protection of those green wedge zones down there. But I also know that the member for Mornington is very keen, when you are looking at the changes that are happening in his electorate, that it is done with caution, it is done with proper consultation through his area and it is done with the right of the municipalities. As well as that, the minister puts in place protections and a framework that protects everything that is obviously down there and makes sure that the settlement boundaries that are put in these zones also take all of those things into consideration.

As I said, if these amendments are accepted by the government, then the opposition would have no hesitation in supporting the bill. But if they are not, we would have to then consider our position. We just want to make sure that particularly the NRZ and the GRZ are removed. We want to make sure the protections going forward are there for all Victorians. We want to make sure the areas that are covered are announced in the bill, rather than just as guidelines later.

**Ms THOMAS** (Macedon) (18:16) — Let me tell you about the Macedon Ranges. For at least 26 000 years the Dja Dja Wurrung, the Taungurung and the Wurundjeri people have lived in the Macedon

Ranges, and the shire is rich in their cultural and spiritual heritage from the stone axe quarry at Mount William — a site that has been returned to the Wurundjeri people — to Hanging Rock, which oral tradition suggests was the site of intergroup gatherings. While archaeological evidence of traditional owner occupation is to be found up and down the regions' waterways, including the Campaspe and Coliban rivers, from the time of European settlement the Macedon Ranges has been famed for its natural beauty, its views and its significant geological features, including the ranges themselves, Hanging Rock and Mount William.

We are fortunate that the rich biodiversity has been maintained within the region, and the area is home to several rare, threatened or endangered species, including 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, while the headwaters of many of our major waterways are contained within the shire and we are home also to 25 declared open potable water supply catchments.

Early European settlement has lent a distinctive botanical character to the area. The cooler climate of Macedon and Mount Macedon saw the establishment of many formal gardens and grand homes. With the iconic Memorial Cross atop Mount Macedon, this area remains a very popular destination for locals and tourists alike, while Malmsbury and Kyneton have beautiful botanical gardens that were established back in the 1850s.

The gold rush left an indelible mark across the region. My hometown of Kyneton in particular has many grand old homes and public buildings, and I am delighted to see so many of them continue to be in use to this day. The shire of course has a rich industrial legacy of forestry, railways and agriculture, and each of these industries continue to contribute to the region. With more than 540 sites, trees, buildings and gardens listed on the Victorian heritage database, we have a rich legacy to protect.

Given how close the Macedon Ranges is to the city, I suspect members may be surprised at just how important agriculture, horticulture and viticulture continue to be to the region. Sheep, cattle, llamas, chickens, ducks, free range and pastured eggs, cherries, olives, mushrooms, berries and up to 30 types of potatoes and root vegetables are grown in the Macedon Ranges. Our produce is renowned, and our farmers markets in Lancefield, Kyneton and

Woodend continue to grow in the diversity of their offerings and in their popularity.

Of course the Macedon Ranges also has one of Australia's premier wine districts. Granite Hills was amongst the first wineries established in the region by the Knight family in Baynton almost 50 years ago, while Bob and Barbara Dixon of Gisborne Peak Winery were pioneers of wine tourism in the early 1980s, and their vineyard continues to be a significant tourist drawcard in the region. Over the years we have seen viticulture and winemaking flourish, and the Macedon Ranges is now home to more than 40 wineries producing some of the world's best cool climate wines.

So there is a great deal that makes the Macedon Ranges a very special place, not only for those of us who live there but for all Victorians, particularly those from the north-western suburbs. We are only a quick trip up the Calder or an enjoyable ride away on V/Line. The Macedon Ranges provides a beautiful escape from the hustle and bustle of city life. It is for all these reasons and more that I am very proud to be speaking on this bill — a bill that lays the foundation for protection of the Macedon Ranges and everything that makes it an area of state significance.

In a Victorian first, the distinctive areas and natural landscapes amendment will deliver legislated planning protection to the Macedon Ranges, delivering a key plank in the Andrews government's election commitment to the people of my electorate. Put simply, without this bill the Macedon Ranges is under threat from inappropriate development. I thank the Minister for Planning, who is at the table, for his foresight in bringing this bill to the house. This bill is particularly significant as the region I represent is home to a thriving tourism sector. It is important that we protect the attributes that make us so attractive.

If you need an economic argument to support this bill, then let me give you one. Tourism creates more than \$456 million in regional output and is responsible for more than 2300 jobs in the region. The bill has been carefully constructed following community consultation and plenty of hard policy work. It follows on from the work of the Macedon Ranges Protection Advisory Committee and the 12 recommendations that that committee made in 2017. This Andrews Labor government has wholeheartedly accepted all of those recommendations. The bill enables Macedon and other areas under threat to be declared a distinctive area and landscape, and following the declaration a statement of planning policy is to be developed.

One of the features of the bill is that it introduces the ability to set settlement boundaries — boundaries that can only be amended by Parliament. The bill is consistent with this government's agenda to provide greater certainty about the long-term sustainability of areas with distinctive values, and the bill is strengthened by requirements to engage with and recognise the connection and stewardship of Victoria's traditional owner communities.

In my electorate right now consultation is underway on the draft localised planning statement (LPS). The draft has been prepared in partnership with the Macedon Ranges Shire Council, the Victorian Planning Authority and traditional owner groups. Not surprisingly, there has been significant interest in the draft LPS, and the minister has extended the period for consultation to 5 March to ensure community members can have their say. Once finalised and once this bill passes, that statement will be elevated to a statement of planning policy. Public entities bound by the policy include local government, catchment management authorities, water authorities, Parks Victoria, VicRoads and VicTrack.

For the Macedon Ranges the statement identifies nine areas of significant value and policy domains, including our landscape values; biodiversity and environmental values; water catchments and supply; Aboriginal cultural heritage; European cultural heritage; settlements; agricultural and rural land; tourism and recreation; and transport and infrastructure. Our current process is a Victorian first and will be used as a guide for similar work in areas identified in *Plan Melbourne* as being worthy of state protection, including in the Bellarine, the Yarra Ranges and the Mornington Peninsula.

And while I am aware of concern and some confusion amongst some members of my community about the proposed settlement boundaries, let me be clear that this government's intention is to manage growth within our townships in a sustainable way and in a way that does not detract from the values and attributes of the region that we hold so dear. As the minister noted in his second-reading speech:

... the level of growth anticipated in the region presents a unique set of challenges that warrant stronger state-led planning policy.

Victoria is growing. That fact is undeniable and unstoppable. I know there are people in my community who wish it was not so, but the work this government is leading is to ensure that, where growth occurs, it does so in a planned and considered way.

I am very proud of this legislation. I would like to pay tribute to a former member for Eastern Victoria Region in the other place, Brian Tee; to planning advisor Jo Bowers, who led so much of the early policy work; and of course to the Minister for Planning, who has visited my electorate on many, many occasions and made himself available at public meetings and other forums to work with my community on the development of this bill. Thanks also to his personal staff and to the officials who have worked so hard to bring this historic legislation to this place.

This protection and the certainty in this bill is in contrast to the failed attempts of the previous Liberal government to deliver on their commitment to the people of my electorate. They had four years and developed one hopelessly inadequate planning statement that was roundly rejected by my community. The draft localised planning statement developed by the Leader of the Opposition, the then planning minister, excluded large chunks of the Macedon Ranges Shire in the north-west and east, including the townships of Kyneton and Malmsbury and the communities of Carlsruhe, Clarkefield and Springfield. The plan was more interested in protecting the interests of certain councillors and officers in developing an equine centre than in representing the interests of the community at large, and it paid scant regard to Aboriginal cultural heritage, European cultural heritage, biodiversity and other environmental concerns.

This is a historic bill. It is one that I am very proud of. Work is continuing as we speak on the localised planning statement. I want to make it very clear that both the Minister for Planning and I are unequivocal in the commitment that we made to the people of my electorate, and I am very proud to stand here to see this bill being debated in this house. I urge the Liberal Party to get on board and to support this bill intact and as it is. This is an election commitment that we made to the people of the Macedon electorate. They have been let down in the past. The opportunity exists now for the Liberal Party to come to the table, to get behind this bill and to once and for all provide that certainty to the people of the Macedon Ranges Shire that the distinctive values and attributes that they hold so dear will be protected now and into the future. I commend the bill to the house.

**Mr McCURDY** (Ovens Valley) (18:26) — I rise to make a brief contribution on the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017. As we have heard, its purpose is to amend the Planning and Environment Act 1987, to provide for the protection and conservation of distinctive areas and landscapes and to make

amendments to other acts. The main provisions will amend the Planning and Environment Act for the declaration of distinctive areas and landscapes in the preparation and implementation of a statement of planning policy in relation to each declared area to ensure coordinated decision-making by public entities. Furthermore it will certainly make amendments to other acts.

The broad purview of this legislation, of this statement of planning policy for declared areas, is to create a framework for the future use and development of land in a declared area, including settlement boundaries, to ensure the protection and conservation of the distinctive attributes of the declared area. Some of the declarations support the local and statewide significance of certain areas — environmental, economic and cultural, in Indigenous matters.

This bill aims, clearly, as we have heard, directly at the Macedon Ranges, with others looking to follow on. These will include the Bellarine Peninsula and the Mornington Peninsula. They both previously have had not dissimilar protection in the form of localised planning statements, and as we know Macedon Ranges has a local planning policy — number 8, dating back to the 1970s. There has been some consultation with the Macedon Ranges Shire Council and certainly with the City of Greater Geelong, the Shire of Yarra Ranges and the Property Council of Australia, so there has been some consultation taking place.

Furthermore, the bill will seek to amend the act so that areas previously recognised under the planning scheme as having distinctive areas and landscapes by various means will also have the provisions of VC110 not apply, whether or not they include it later in declared areas. This would specifically relate to the City of Greater Geelong, the Borough of Queenscliffe, Mornington Peninsula shire and Macedon Ranges shire, which would need to be named in the draft proposed amendment. So it is likely that the Dandenong Ranges will also be included in future developments, and other areas, for example, coastal areas, could be added at a later date.

The member for Gembrook has outlined our amendments, which we would like to see considered by the government, and we will see whether it is interested in looking at other options or whether it will just continue down its path and steamroll the lower house and look to make the changes in the upper house. We will see where that goes. I will not go over those amendments, which the member for Gembrook has carefully outlined.

Planning is an aspect of all of our communities, and certainly of the Ovens Valley. The Alpine shire, the Rural City of Wangaratta and the Moira shire all have various planning needs, and I am certainly mindful of the flexibility required in planning. This will support that.

I was recently in the Macedon Ranges shire looking at sporting requirements throughout the Gisborne area, and they certainly have been disillusioned by the current government. So any support that they can get from this government they will be absolutely pleased to get. As I say, any support that they can get from this government, they will welcome, I am sure.

**Mr CARBINES** (Ivanhoe) (18:30) — Can I just say that, in relation to planning and environment matters generally and our wideranging contribution in relation to distinctive areas and landscapes, my thanks in particular go to the Minister for Planning on the work that we have done in relation to the Ivanhoe structure plan. The Ivanhoe structure plan had height limits that were not mandatory, despite a great deal of work that was done by Banyule City Council; by Save Ivanhoe, the residents group; and by many other residents groups in my community. When in opposition, we opposed the original Ivanhoe structure plan draft that was put out by the previous Banyule City Council. We said that it did not go far enough and that it did not protect the local amenity and the neighbourhood character of the Ivanhoe community. That draft Ivanhoe structure plan put out by the pro-development Banyule City Council of the time was then dumped by the then mayor, Peter McKenna, a former staff member to the Leader of the Opposition before he quit the Liberal Party, probably in disgust.

Then we went on to see the revised Ivanhoe draft structure plan, which can I say was also supported by Peter McKenna as the mayor, who did some good work there. We went out on that draft structure plan — people gave up their weekends, they gave up their weeknights, they did a hell of a lot of work, and the planning minister at the time in the other place, who now of course is the Leader of the Opposition, would not provide mandatory heights in that Ivanhoe structure plan and decided that the structure plan for Ivanhoe would not have mandatory heights. So what effect did all that work done by the community have on determining what their aspirations were, on ensuring they had guidelines that could be affirmed by the council, by the state government and by VCAT and other authorities, and on ensuring that neighbourhood character is protected in Ivanhoe? We could not secure mandatory heights as part of that structure plan from

those opposite — they would simply be guidelines, and we all know what happens with guidelines in this place.

Guidelines frustrate people. They do not have the effect in the local community that we would expect, so what we needed to rely on then was the election of the Andrews Labor government. We again went back to the community, and we said, ‘Mandatory heights — we’re sick and tired of public meetings, we’re sick and tired of community organisations wading through bucketloads of paperwork and red tape, spending all of their spare time on this; when they get home from work and after they’ve cooked dinner for their families, they have to get together with local community representatives and wade their way through reams of paper and red tape to try to secure neighbourhood character guidelines and neighbourhood character aspirations in a planning scheme and a structure plan that those opposite in government refused to give full effect of the law to’.

We had meetings with the member for Richmond, the Minister for Planning, and several organisations in my community at the historic Heidelberg town hall — that magnificent Art Deco town hall which has been the seat of Banyule City Council deliberations for many years. We met with many of those local organisations who have done a power of work for so many years, and of course in engaging local communities you need to give them confidence and respect, and give effect to the decisions that they make and affirm them when you are a legislator.

What we asked for very clearly and concisely — all we really wanted for all the work that we had done — was that the Ivanhoe structure plan ruled a very clear line right across Darebin Creek, right across the Yarra River and right across the Plenty River and made it very clear to developers: ‘If you step into the Banyule City Council area in Ivanhoe, there are very clear mandatory height rules that we expect you to obey and abide by when you come into this community to seek to make a profit. If you’re not prepared to do that, not only will we fight you, not only will we take you to task, but we’ll have the full force of the planning laws to support us’.

The planning minister took this on board, went away with his department, did some further work and was able to come back and announce last year that full effect would be given under the planning scheme to the Ivanhoe structure plan, with mandatory heights across the Ivanhoe activity area. This is very significant and just iconic in securing what makes Ivanhoe attractive to people who have lived here for decades and built the community — our Heidelberg Historical Society and those who have made contributions for many years —

but also those newer generations who seek and strive to live in the community in which they were raised and find that particularly challenging and difficult because Ivanhoe these days, whether we like it or not, is really an inner-suburban community. It is not inner city, but it is certainly inner suburban. While that brings attractions in terms of the value of that community when you put a dollar figure on it, it also brings with it congestion, planning pressures and the desire from others across Melbourne to live there and be part of it.

But if you do not protect what you have got, you will lose sight of what attracts people to be part of it in the first place. Giving effect to the interim planning mandatory heights for the Ivanhoe structure plan made that very clear and killed off some very significant and diabolical planning applications for significant high-rise density in the Ivanhoe community. That has given great confidence to the community to continue to work with the government and with Banyule City Council to ensure that in the planning scheme there are ongoing mandatory heights in the Ivanhoe structure plan. That work is currently underway.

We have seen from Banyule City Council, including in my meetings with them recently, that they are not looking to expand or change the area that is covered by that Ivanhoe structure plan but just seeking to secure all the work that people have done over several years so that will move from now interim mandatory heights to having that in the long term. I am confident that we will continue to do that work. We have indicated that we will see that work through. What we have been able to do is immediately and effectively stop high-rise developments that thumb their nose at what previously were interim height guidelines and are now interim height limits in relation to Ivanhoe. Those matters have now been affirmed by the government, which has held at bay several planning applications and seen some hit the fence. Developers have gone back to the drawing board to pay due respect to the community and due respect to the work that we have done to give effect to those mandatory heights in the Ivanhoe structure plan. We have told those developers to go back to the drawing board, to respect the community and to come back with heights that are acceptable right across the Ivanhoe activity centre.

What is also important of course is that we get good design — height is one thing — and the community will now need to work very hard, as we do, in relation to good design. Developers cannot get away with thinking they can obfuscate, carry on and duck and weave, trading off good design for some financial windfall in terms of height. I am confident that it has always been our government that has affirmed

neighbourhood character in Ivanhoe, that has secured interim mandatory heights for the Ivanhoe structure plan, that has pushed away poor development and that has sent a very clear signal that if you come into Ivanhoe, you have to respect our community, respect our neighbourhood character and deliver under the Ivanhoe structure plan designs and heights that meet our mandatory interim height requirements. We are going to work in the coming months to ensure that those mandatory heights are ongoing.

I am thankful to the Minister for Planning for his work and understanding in relation to these matters. As he is an inner-city representative and I am an inner-suburban representative, we share a lot of the same issues and aspirations in our communities. We know what the great attractions are for living in electorates or communities like Richmond and Ivanhoe, and we know that if you are going to protect it, you have got to back it in.

What we do know is that in government the Leader of the Opposition refused to provide mandatory heights in Ivanhoe. There was a nod and a wink and a guideline, 'Do what you like as a developer'. It has been a Labor government that has stood up to developers, stood with the community and backed in mandatory heights in Ivanhoe. We will continue to do that and secure the neighbourhood character for the future of Ivanhoe.

**Mr PEARSON** (Essendon) (18:40) — What a joy it is for me to rise tonight to speak on the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017. It is worth comparing and contrasting the performances tonight. Why are we here? We are here because we have got an outstanding local member, the member for Macedon, who has worked hand in glove assiduously with the Minister for Planning and who passionately believes in getting the balance right between supporting development and supporting the integrity of her community. She has worked for a legislative response. She has worked tirelessly for three years. Because of her labours and endeavours and because her work has been supported by the Minister for Planning, we have this bill before the house.

I compare and contrast this with those opposite. What did we see earlier today? We saw the member for Gembrook, the shadow minister, come in here and make an insipid performance of putting up some amendments. He talked through his amendments, but he did not talk to the amendments. He read them out for the benefit of Hansard. But did he believe in what he was saying? No, he did not passionately argue why he believed his amendments should be adopted by this place.

He was allocated 30 minutes as the lead speaker for the opposition. It is a wonderful privilege, I would have thought, being the lead speaker for the opposition, because you can traverse a whole range of issues. You can talk passionately about those matters that affect the policy area you cover. What did he do? He spoke for 15 minutes, and then he disappeared, gave up. The government responded, and there has been one more opposition speaker. He spoke for 6 minutes, then he disappeared. What we are left with here is the member for Kew. The member for Kew is the only one — ‘The last one out turn off the lights on your way out’.

**Mr T. Smith** interjected.

**Mr PEARSON** — Hello! I would remind the member for Kew that we are obliged to obey the forms of the house. You and I have been here for the same amount of time. I know the rules, and I would have thought you should too, but anyhow. You choose your own path and see how far that gets you.

What is also interesting is those great frauds, those great pretenders otherwise known as the Greens political party. Where are they? Are they going to speak on this bill? I checked the speaking list earlier and they are not here. They are absent. You are talking about an important piece of legislation to support the environment and the Greens political party is conspicuously absent, as always. You can be sure of one thing. If there was a motion before the house attacking the Labor government — criticising the Labor government, criticising our performance — they would be lining up. They would be lining up ready to go. They would be lining up and taking their orders from the member for Box Hill to lay into the Labor government. But when it comes to speaking up for the environment, supporting the environment, as they profess to do, and they have an opportunity to do so, not one of them is prepared to speak up for the environment — not one! They are the greatest frauds this place has ever seen.

The bill before the house is incredibly important because it reflects the changing nature of our economy and our city. I come from a long line of market gardeners and orchardists. I look back over my forebears and invariably what would happen would be that a market garden would be sold in Bennettswood and the next generation would go to East Burwood. By the 1950s or 1960s that would be sold and they would move out to Cranbourne and Pakenham. You saw wealth creation that cascaded down for generations. This was able to occur because of the fact that we had a relatively small population, we had a large area of land and we did not really have effective regulation in place,

so it was laissez-faire. The market dominated, and that was just what happened.

Compare and contrast that to 2018. We grew by 147 000 people last year alone. Every three years Melbourne is adding a city the size of Canberra to its boundaries. That is the reality. When you have got that level of population growth, when you are seeing a population on the horizon of around about 8 million, you can turn around and say, ‘We’re not going to intervene. We’ll just let the market run its course’, but then what you will see is important resources on our urban fringe being sterilised. By that I mean you will start to see quarries, for example, that could be potentially developed in the future being converted into housing estates and therefore we lose our competitive advantage to provide rock or aggregate to market without having to be like Sydney, where you have got quarries 100 kilometres away. Or you start to see the sterilisation of great tracts of agricultural land, which means the ability of our city — our metropolis, our state — to feed itself is significantly compromised.

These are difficult questions to tackle. On the one hand I do have sympathy for people who may not have superannuation and the only superannuation they might have is the property they own, so there is that incentive or that desire to have that land rezoned, to sell it off and that is their super. I do have some appreciation of this. I know how hard the member for Macedon and the Minister for Planning have worked in terms of balancing up these competing interests, but a lack of leadership is where you just let the market dominate — where you abandon the field, where you just turn around and you let the spivs do whatever they like and let everyone in. It will not only compromise these villages, these towns, these communities but actually significantly detract from the way in which we govern as a state and as a nation, because if you cannot feed yourselves, if you are a net importer of food, that is a huge problem. I would have thought that if we ever got to that state that those who come after us would lament our failure to act and lament our ability to respond to these challenges.

Again, these things are not easy. You have got to get the balance right. But if you are prepared to roll up your sleeves and consult with your community, as the member for Macedon has done, and understand the detailed policy work that is required to have effective planning in place and to work with your cabinet colleague and listen and balance up those competing interests, then this is where you land. You land with a substantial piece of legislation that is 43 pages long. This is not some sort of pro forma that you get out of the bottom drawer that was left from Evan Walker’s day.

This is good, serious policy. It is the result of serious conversations. It is about understanding the really complex matters that we are confronting as we are experiencing this rapid level of population growth, and it is about making sure that you get those balances right.

This is not some accident. This is not some fluke. I was absolutely delighted to be afforded the opportunity to speak on this bill tonight while the Minister for Planning is at the table and while my good friend the member for Macedon is in the chamber, because I want to congratulate them. I want to commend them. I know hard work. I know how hard you sometimes have to work in this place to effect change. A bill of this scope — of this nature, of this tenor, of this breadth — demonstrates that in spades.

Again, I just compare and contrast. You have got to be hungry in this game. You have got to really want it, and you have got to be prepared to show up and fight. Those opposite have come up with these lame amendments that they are not prepared to argue or fight for. They have disappeared and abandoned the speaking list because it suits them for whatever reason. Goodness knows where they are. Where would they be at 10 to 7.00 on a Tuesday night? They are not here working, they are not standing up for their constituents, they are not arguing the case. They are absent.

Maybe they are off having a cup of tea with members of the Greens political party. Maybe they are conspiring to find another opportunity to stick it to a decent, lawfully elected Labor government that is producing progressive policies like this. Maybe that is what they are doing; I do not know. But when it comes to the task at hand, when it comes to the job at hand about coming up with a really good, measured, serious, sustained response to our challenges, I know where I would want to be. I want to be on this side of the house with people like the member for Macedon and the Minister for Planning, because we get it. We are getting on with it and we are making sure that we provide good, stable administration and decent government to this place. I commend the bill to the house.

**Ms GREEN (Yan Yean) (18:50)** — It gives me great pleasure to follow that stirring contribution on the Planning and Environment (Distinctive Landscapes and Other Areas) Bill 2017. That was an impassioned presentation from the member for Essendon in support of this bill, in support of the great work that the minister at the table, the Minister for Planning, is doing. The member for Essendon was talking about other people that get it. Well, he gets it as well.

I represent a peri-urban area which is the subject of this bill. I am rapt to see that the member for Macedon is in the chamber for this debate and has been so for its duration. The bill is really the embodiment of the work and the passion that she has put in in terms of articulating the desires and wants of her community. Like my electorate, she has the fabulous Great Dividing Range going through her electorate. This bill will give great protection to that area and to so many other areas — iconic areas that throughout the colonial history of this place, let alone now, have been writ large and on the big screen in the imagination of colonial Australia.

The member for Macedon mentioned the Indigenous communities: the Dja Dja Wurrung, the Taungurong and the Wurundjeri people. When we are doing planning we actually respect the oldest continuous culture in the world. The Yarra River Protection (Wilipgin Birrarung murrn) Bill 2017, which the Minister for Planning, who is at the table, brought into this house, saw for the first time traditional Indigenous languages being spoken in this place and treating them with respect. As those three Indigenous peoples recognise, these landforms have been around much longer than they have, and they are part of their journey and part of the journey of this country.

I just think it is unbelievable that those opposite would propose amendments to this great bill. The Leader of the Opposition, who was the most recent Minister for Planning, would not even show his face in the house during debate on this bill. But he sent the junior woodchucks to sit at the table there — one from the inner city, fresh from mum and dad's place — to do the job of grown-ups, to talk about growth in regional Victoria, something that he knows little about and something that his side have abandoned ship on. They are not speaking on this bill.

I am proud to be on this side of the house because we actually pay a great deal of respect to the Hamer government and Dick Hamer, who was a fabulous Premier of this state. It was during his reign that the notion of green wedges came about, but it was on this side of the house that we actually enshrined that in legislation. I was pleased that it was in my first term of Parliament that green wedges in my electorate and all around the urban fringe of Melbourne were protected, unlike under those opposite, when they were chipped away and chipped away and precinct structure plans were just thrown in with little attention to the built form, let alone the natural form and how people would live there. As the member for Macedon, the member for Yuroke and other members in the west and the south-eastern suburbs know, we know about growth. The only time that we hear those opposite talking

about growth is when they are trying to talk down the lived experience of the communities of the south-east and the west for their own political purposes. They play dog-whistle politics, but they never propose any solutions.

When the Leader of the Opposition was the Minister for Planning and he represented the northern suburbs of Melbourne — all of the Yan Yean electorate was in his electorate, which was the Northern Metropolitan Region in the upper house, before he scuttled off to the leafy eastern suburbs — the only thing that he did in planning terms in the Yan Yean electorate was to move the urban growth boundary but to make no plans, not to fund anything and to protect very little. That is the contrast between this government's approach and the approach of those opposite.

The member for Gembrook, doing the bidding of Mr Davis in the other place, proposed amendments. I have not been in the house the whole time, but I am not even certain that they have had one follow-up speaker to actually support those amendments that are here before the house. We do not support those amendments. We support the bill before the house because it is founded in evidence and it is founded in the well-thought-out desires of the community within the Shire of Macedon Ranges, which the member for Macedon represents.

I know the minister at the table has visited the Macedon Ranges on many occasions, and he has also visited the Yan Yean electorate on numerous occasions. This is a minister that actually gets the full scope of his brief as planning minister. He gets that he needs to plan for growth in the inner city and for growth in the outer suburbs but to also protect what Victorians hold dear. They are things like the green wedges and also significant landscapes in the Shire of Macedon Ranges. I have no doubt that we will be able to continue to use this bill before the house to protect many of our significant landscapes and areas across the state.

As the Parliamentary Secretary for Tourism and Major Events, I cannot stress how important it is to protect these locations, because they are not only important to those who live near them, whether it is that magnificent Hanging Rock or whether it is Mount Macedon — I can hear the panpipes — or the other magnificent landforms. I have just been to a tourist industry function with the Tourism and Transport Forum, which is happening in another part of the Parliament. There were representatives there from the alpine industry, with the Great Alpine Road and other great features, the Great Ocean Road and Gariwerd, or the Grampians.

The demand for nature-based tourism has never been stronger worldwide, and Victoria is uniquely placed to take advantage of that. We are actually running second in visitation from overseas tourists. We have got the fastest rate of growth. We have overtaken Queensland. Who would have thought that little Victoria, the little mouse that roared, would overtake the Queensland tourism juggernaut? But we have in fact done that. It is our culture, it is the built form and it is the compact nature of our state. The compact nature of our state holds many, many treasures. In our great small state there are mountains, valleys and coastlines — no more than in the Shire of Macedon Ranges. They are iconic and they are historic, and this is a bill that will give voice to the community members in the electorate of Macedon.

The bill is consistent with *Plan Melbourne: 2017–2050*, which contains a commitment to prepare localised planning statements for distinctive areas and landscapes and also to strengthen the protection of the green wedges. We will not be diminishing the green wedges. I know that the Greens political party, who only seem concerned about what happens in the inner city —

**Business interrupted under sessional orders.**

## ADJOURNMENT

**The DEPUTY SPEAKER** — The question is:

That the house now adjourns.

### Malvern Valley Primary School

**Mr M. O'BRIEN** (Malvern) (19:00) — (14 002) I address my adjournment matter to the Minister for Education, and the action I seek is for the minister to provide funding in the forthcoming state budget for Malvern Valley Primary School to create a school master plan. Malvern Valley primary is a wonderful school in my electorate that started out as Chadstone Park primary in 1954 and became known by its current name in 2001. In 2004, as the school was readying to celebrate its 50th year, a fire destroyed the school. Thanks to the support of the state and federal governments, the school was rebuilt and opened again in 2006.

At that time Malvern Valley's enrolment numbers totalled 125. In the period since, enrolments have more than doubled to over 270. This strong growth is a tribute to the wonderful teachers at the school and the support for Malvern Valley from the local community. I would particularly like to pay tribute to the recently retired principal of Malvern Valley Primary School, Ms Gaylene Fehlberg, who stepped down as principal in

January, having led the school for more than 18 years. I thank Gaylene for her wonderful leadership. Now under acting principal Joshua Sheffield, the school is well-placed in terms of student numbers, dedicated teachers and supportive families. I also acknowledge the hard work of the school council president, Adam Scott.

However, despite the more than doubling of student numbers since 2006, the school's physical facilities simply have not kept pace. I draw to the attention of the minister and the house the following facts. Half of the school's classrooms are now relocatables. It is difficult for a school to create the best learning environment for its students when there is a dearth of permanent facilities. The school's administration area and staffroom were established to cater for a staffing cohort of less than half the current number. As a consequence the staffroom cannot accommodate even half of the current staff. Further, as a result of the squeeze the school has no meeting room and no spaces for individual classes such as music lessons or small-group literacy instruction.

My message to the Minister for Education is simple. Malvern Valley Primary School is a great school with a bright future. However, the school's growth means that its physical facilities are just no longer up to the job. In the past three years the Victorian School Building Authority has not provided any funding for Malvern Valley primary under its planned maintenance program or committed to funding any new buildings at the school. On behalf of the Malvern Valley Primary School community I request that you provide the school with funding to engage an architect to create a master plan to cater for the needs of the school now and into the future so that the school and most importantly its students can achieve their full potential.

### **Geelong electorate major events**

**Ms COUZENS** (Geelong) (19:02) — (14 003) My adjournment matter is for the Minister for Tourism and Major Events, and the action I seek is for the minister to continue to work with the local regional tourism organisations to ensure we have a pipeline of major events coming to Geelong and the region into the future. We have had a fantastic summer of events in Geelong, including the Cadel Evans Great Ocean Road Race, the SuperFoiler Grand Prix, another great Ironman event just last weekend, a Melbourne Victory A-League game and the Matildas at Kardinia Park, just to name a few. These events would not be possible without support from the Andrews Labor government and the hard work of the Geelong, Bellarine and Great Ocean Road tourism organisations.

### **Wire rope barriers**

**Mr T. BULL** (Gippsland East) (19:03) — (14 004) I wish to raise a matter for the attention of the Minister for Roads and Road Safety, and the action I seek is for the minister to implement an immediate statewide review of the wire rope barriers project, including in East Gippsland.

Media reports indicated today that the minister has ordered VicRoads to review the wire rope barriers installed along the Calder Freeway. This came after an incident in the last week relating to a fire south of Bendigo. It was last Sunday, I believe, that it occurred. There was feedback from the local Country Fire Authority (CFA) people who attended the fire not only that it restricted their ability to fight the fire but that the wire rope barriers had their trucks and therefore their members in the lane of traffic, and the comment that was made was that this created a very unsafe environment.

What I would like to point out is that in East Gippsland we have also had issues with fire access where we have had these barriers installed. We also had a very serious accident in recent times involving a truck. It was a centre-of-the-road Armco barrier. Having this in mind and also taking into account that the process has raised a lot of concerns with local CFA members and local paramedics, who say they were not consulted on this, I think there is very, very strong evidence that this review that has been afforded to the Calder Freeway works should also be extended to the works that are occurring in East Gippsland. The emergency services agencies and the local communities do want input and the opportunity to have a say.

I have been calling on the minister since nearly the middle of last year to just press pause on this work, consult with the community, hear their concerns and sort out the issues. Given that he has now agreed to do this on the Calder, I also ask him to extend this review, preferably statewide, but at least to East Gippsland, where we have also had some serious incidents. Press the pause button. It is the right thing to do, and the minister ought to do it.

### **East Bentleigh Primary School**

**Mr STAIKOS** (Bentleigh) (19:06) — (14 005) My adjournment matter is for the attention of the Premier, and it concerns young Isabella Petroulis, who is a student at East Bentleigh Primary School (EBPS), a fantastic school in my local community which does some great work. But there is something that could

make it even better, and Isabella sent me a letter, which goes as follows:

Every morning at EBPS I see a sea of violins, violas and cellos floating around the school. They are having trouble finding a home because they have no real home. ☹ Some days they have to live in the uniform shop. We have our lesson in the uniform shop, which is the size of a cupboard (literally).

This letter is to request that EBPS be granted funds for a performing arts centre.

So I ask that the Premier make time in his diary to meet with Isabella and to meet with me to discuss this very important issue.

### Albury train stabling

**Mr TILLEY** (Benambra) (19:07) — (14 006) I wish to raise a matter for the attention of the Minister for Public Transport, and the action I seek is for the minister to fund better security arrangements including CCTV for the V/Line trains stabled at Albury railway station overnight. The last V/Line service from Melbourne terminates in Albury at about 11 o'clock each evening and begins its trip to Melbourne in the early hours of the following morning. These 33-year-old relics sit at the platform overnight without a hint of security — no patrols, no cameras, no nothing.

Just last week some criminal clowns took to one carriage with their own version of street art — criminal damage and vandalism in its purest form. They took to an asset of the state and defaced a vital cog in an already much-maligned service. That effectively means that the train is taken out of service, and once again people buying train tickets on the north-east line are destined for coaches. We do not want buses; we want trains. The result was that an entire train set was taken out of service to strip the graffiti from the carriage. Nobody in Victoria wants to experience that any longer. People, voters, were forced onto buses.

At present the only security at Albury railway station is provided by New South Wales CountryLink, and understandably it only covers its platform and the main station. Their CCTV coverage caught two dots at a significant distance. Our CCTV footage was non-existent. This is not an isolated case. The train was also vandalised in the preceding week. We cannot expect CountryLink to pay for the security systems; we cannot expect New South Wales to pay to protect Victorian assets. It must come from this government, it must come immediately and it must come from the minister.

This is not simply about the not-so-rolling stock; this is also about those V/Line staff who disembark late at night and then in the early hours of the morning return to the platform with no protection. This government puts more emphasis on spin than substance when it comes to this train line. In recent years the public transport boffins have produced a raft of reports, including those with workshopped titles like *Trains*, *Trams*, *Jobs* and *Connecting Regional Victoria*. They talk of a 10-year plan for new trains, but there is no direct mention of the north-east of Victoria. One report tells us that the retirement of our locos and carriages will start in the next five to 10 years, which is 2021 at the earliest but perhaps not before 2027 either.

Last year the Auditor-General told us that the existing trains were already three years past their use-by date, and yet the glossy brochures say we could be waiting another decade. Just last year Labor said it would deliver trains when the rail line was fixed by the commonwealth. There has been an announcement of \$100 million. It may need some more, but let us separate the two issues — the track from the trains — and start delivering the trains today.

### Yuroke electorate health services

**Ms SPENCE** (Yuroke) (19:10) — (14 007) My adjournment matter is for the Minister for Health, and the action I seek is for the minister to join me in meeting with the Hume City Council mayor and officers to discuss health services planning in the Yuroke electorate. Yuroke residents have greatly benefited from Labor's investment in restoring our health system over the past three years. This government has not only ended the war with paramedics but has also invested in improved ambulance services in my electorate, including over a dozen additional first responders. We have also opened the new 24-hour supercare pharmacy in Craigieburn and made it easier for young people to access medical advice by providing GP services at both government secondary schools in the Yuroke electorate.

As Yuroke is a growth electorate, it is also vitally important to plan for the future so families can continue to receive quality care close to home. I look forward to hearing from the minister and working with her so we can continue delivering services to Yuroke residents.

### Shepparton rail services

**Ms SHEED** (Shepparton) (19:11) — (14 008) My adjournment matter is for the Treasurer, and the action I seek is that he join me on a train journey from Southern Cross station to Shepparton to experience firsthand the

substandard travel conditions that my constituents face on a daily basis. It is interesting that I am speaking after the member for Benambra because I have to say that the northern lines in Victoria are two of the most ancient and underdone in the whole state.

The Shepparton district needs a commitment from the government in the next Victorian state budget to provide the massive investment required to bring our line into the 21st century. Each week my office receives numerous complaints about the pitiful train services constituents experience on a daily basis — overcrowded trains, lengthy and regular delays as other lines get priority, no air conditioning or buffet services, and carriages that are well beyond their use-by date. The list goes on.

It is unacceptable that in 2018 people in the Shepparton district are the recipients of a Third World rail system. The number of passengers on V/Line services in the past 10 years has increased by almost 90 per cent. Much of this can be credited to the significant investment in rail services and rolling stock the Bendigo, Ballarat, Geelong and Latrobe Valley lines have received. Not so many years ago the state of Bendigo's rail service was not dissimilar to that faced by Shepparton today. It now enjoys at least 20 trains a day with a high level of patronage. The results for Bendigo speak for themselves. Shepparton is only 19 kilometres further from Melbourne than Bendigo, yet there are light years of difference between the quality of our services.

We know that if you build it they will come. Demand in Shepparton continues to grow. Surely it is now our turn. Since the last election more money has been invested in rail in my electorate than ever before. We were really pleased to see \$43.5 million in last year's budget allocated to a number of upgrades. But while it gave us great hope, we are now 10 months down the track and there is no visible work underway. Momentum is being lost and faith is waning in the government's ability to deliver rail services to the Shepparton district that are worthy of our community. The time for bandaid fixes is over. We need an exponential leap, which can only be achieved with a massive funding investment that will rectify decades of neglect and an extraordinary lack of advocacy from previous representatives of my community.

### **McLeod Road, Patterson Lakes**

**Ms KILKENNY** (Carrum) (19:13) — (14 009) My adjournment matter is for the Minister for Roads and Road Safety, and the action I seek is for the minister to provide an update on the construction of the pedestrian

crossing over McLeod Road near Snapper Point Drive and Schooner Bay Road in Patterson Lakes. Following intense advocacy for many years, particularly from the residents of the Patterson Lakes retirement village, funding of \$400 000 was announced last year to install pedestrian traffic lights. I was delighted to join with the minister and more than 30 residents from the retirement village to make this very welcome announcement. I know they are looking forward to an update from the minister on this great local project.

### **Worn Gundidj Enterprises**

**Ms BRITNELL** (South-West Coast) (19:14) — (14 010) My adjournment matter is for the Minister for Aboriginal Affairs, and the action I seek is for her to meet with Shannon Collyer from Worn Gundidj Enterprises, now WG Enterprises, in my electorate to discuss a plan he has developed to provide Indigenous people with the opportunity to gain skills to enter the workforce.

Worn Gundidj Enterprises has developed a native foods agricultural social enterprise project plan, with stage 1 including agricultural trials. This has been identified as an emerging market and one Worn Gundidj has historical links with. As part of the project Worn Gundidj Enterprises plans to grow native celery, tea, parsley, mints, berries and strawberry gums, which are in demand in the perfume industry. This project is special and has intensive support associated with it to equip jobseekers with the necessary skills and attitudes. It is done by Aboriginal people with proven track records and for Aboriginal people to teach the skills needed for long-term employment.

So far the program has the support of Deakin University, which will help with research facilities and may provide land, and Wannon Water, which showed Worn Gundidj a number of potential sites last week. The South West Institute of TAFE is also on board. Worn Gundidj also have their own land available which has nursery facilities already established. Funding is the last remaining barrier. Mr Collyer is seeking \$50 000 for a pilot program, but he is facing issues. Worn Gundidj are being told by some funding bodies that the plan has too much of a social focus, while those who specialise in social enterprises say it has too much of a financial focus. Mr Collyer does report that Regional Development Victoria have been very helpful.

Mr Collyer has a long track record in this area and has long been a staunch advocate of programs that encourage young Indigenous people to improve their skill sets and equip them for life in the workforce. Worn Gundidj Enterprises has been involved in labour

market programs since 2003. These programs are becoming harder and harder for the Indigenous community to obtain successful outcomes through as large cohorts of the community will not engage with job networks due to the manner in which these networks engage with their clients. Mr Collyer says one of Worn Gundidj's organisational strengths is their smaller size, which allows strong relationships to be built through one-on-one networks — very necessary for success with his clients. He believes Indigenous clients are inherently entrepreneurial and micro-enterprises are popular and successful in Indigenous communities. He says classrooms do not work for entrepreneurs.

Minister, I ask that you seek a meeting with Mr Collyer and Mr Sproal. I believe you will be impressed with this innovative program which they have developed and will see the enormous potential this has to engage Indigenous people in my electorate to become successfully employed for the long term. I have personally known and worked with many of these people for a long period of time. I know Mr Collyer will do a very good job of making sure he has the confidence of the community he works with.

### **Frankston North education plan**

**Mr EDBROOKE** (Frankston) (19:17) — (14 011)  
My adjournment matter is for the Minister for Education, and the action I seek is for the minister to come out to Frankston over the next few weeks and speak to principals regarding the Frankston North education plan. The aim of the plan is to develop better education and health and wellbeing programs in the Frankston North area, building support for students and families, and building more opportunities for the Frankston North community. I know a lot of work has been done on the Frankston North education plan, and I would like the minister to visit and speak to principals over the next few weeks.

### **Responses**

**Ms NEVILLE** (Minister for Police) (19:17) — A number of members have raised a range of issues with a number of ministers, and I will pass those issues on.

**The DEPUTY SPEAKER** — Order! The house now stands adjourned until tomorrow.

**House adjourned 7.18 p.m.**