

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 27 March 2018

(Extract from book 4)

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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)

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

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

Acting Speakers

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

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The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

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

Member	District	Party	Member	District	Party
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 ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio ⁴	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John ⁵	Morwell	Ind
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Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
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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 ⁷	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁸	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 ⁹	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
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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
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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

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ ALP until 7 March 2017

⁵ Nats until 28 August 2017

⁶ Elected 14 March 2015

⁷ Died 23 August 2017

⁸ Elected 31 October 2015

⁹ Resigned 2 February 2015

¹⁰ Elected 18 November 2017

PARTY ABBREVIATIONS

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

Legislative Assembly committees

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

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Tuesday, 27 March 2018

The SPEAKER (Hon. Colin Brooks) took the chair at 12.04 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (12:05) — We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

RULINGS BY THE CHAIR

Member conduct

The SPEAKER (12:05) — Before calling for questions I wish to rule on a point of order that was raised by the member for Brighton right at the end of the last sitting week, during the adjournment debate. The member raised concerns about the behaviour of members during the debate. While there was certainly some disquiet in the chamber, it was not my view, and is still not my view, that the house became disorderly. Some members reacted to a very sensitive matter being raised earlier in the adjournment debate which meant that emotions in the chamber were running high. I would ask members to think carefully about the matters that are raised in this chamber and to focus on the substantive issues that are raised during the adjournment.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Member conduct

Mr GUY (Leader of the Opposition) (12:06) — My question is to the Premier. If any ordinary Victorian misappropriated or rorted funds from their employer, they would lose their job. Steve Herbert, the member for Tarneit and the member for Melton all lost their jobs for rorting parliamentary allowances. Premier, if you made these three resign their jobs for rorting, why are you letting the six ministers named for rorting by the Ombudsman keep theirs?

Honourable members interjecting.

The SPEAKER — Order! I know that members want to stay for question time, so I ask members not to start shouting.

Mr ANDREWS (Premier) (12:06) — I thank the Leader of the Opposition for his question. I am not

entirely sure that he has read the Ombudsman's report, because the Ombudsman makes no recommendations of action against anyone whatsoever. She does, however, make recommendations for reform —

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Kew and the member for Ferntree Gully to stop shouting across the chamber.

Mr ANDREWS — As I was saying, the Ombudsman makes no recommendation of action against anybody whatsoever, but she does make recommendations about reform, and the government stands ready to deliver that reform. We have made commitments to that end, and work has already begun to deliver in full on each and every one of the recommendations the Ombudsman has put forward in a report — a report that the Leader of the Opposition frankly has not read.

Honourable members interjecting.

The SPEAKER — Order! I have previously warned members about shouting in the chamber and using documents as props. I warn members not to hold documents up.

Supplementary question

Mr GUY (Leader of the Opposition) (12:08) — Given this whole scandal represents the largest amount rorted from the taxpayer in Victorian parliamentary history, Premier —

Honourable members interjecting.

The SPEAKER — Order! I was going to warn the Minister for Roads and Road Safety, the Attorney-General and the member for South-West Coast, but I issue this general warning to all members: if this level of shouting continues, I will remove members from the chamber without warning.

Mr GUY — Premier, you have claimed you were sorry about what has occurred, but are you sorry that your party rorted these allowances or are you just sorry that you got caught?

Mr ANDREWS (Premier) (12:09) — I would again direct the Leader of the Opposition to the Ombudsman's report and its findings, not what the Leader of the Opposition might have liked to see in the report but what is borne out by the facts and borne out by her comprehensive investigation into these matters. The Leader of the Opposition seems unable to refer to

the actual content; he would prefer to draw his own interpretations.

Mr GUY — On a point of order, Speaker, my supplementary was very straightforward to the Premier and it asked him: is he sorry that his party has rorted these allowances or just sorry that he got caught? He has not referred to that supplementary question, and I ask you to bring him back to doing so.

The SPEAKER — The Premier has been responsive to the supplementary question.

Mr ANDREWS — As I said, I have made comments and I stand by those comments absolutely. The Leader of the Opposition can seek to twist and turn what are the findings in the report, but I am afraid, poor Leader of the Opposition, the report stands, and I have concluded my answer.

Honourable members interjecting.

The SPEAKER (12:10) — Order! The member for Kew will leave the chamber for the period of 1 hour. I will not have this level of shouting across the chamber.

Honourable member for Kew withdrew from chamber.

Mr R. Smith — On a point of order, Speaker, the Premier can dodge and weave all he wants. It is pretty hard to misinterpret the Ombudsman's report, which says they were wrong. They were wrong, so the Premier should answer the question: is he sorry that he got caught?

The SPEAKER — Order! The Premier was being responsive. He has concluded his answer.

Ministers statements: West Gate tunnel project

Mr ANDREWS (Premier) (12:11) — I am delighted to rise to update the house on project progress for the West Gate tunnel, a project opposed by those opposite in a shameful partnership with the Greens political party — the anti-road party — and their mates over here, the alleged alternative government. We will not be deterred; the work has begun. There are 800 people working on this critically important second river crossing. The Minister for Roads and Road Safety and I were out there today to celebrate a significant milestone, something those —

Honourable members interjecting.

Mr ANDREWS — There was concrete being poured; they would know nothing about that. They have never seen concrete being poured. Perhaps we

should have invited them along to have a look at what actual progress — actual construction — looks like.

At the hub for the portal, the tunnel where stone, earth and rock will be removed in sufficient volumes to fill the entire MCG, the work has started. There are many people out there at the moment. That part of the project alone will see some 500 people employed. And whilst there are many different statistics about the significance of this project — 6000 jobs, 20-minute travel time savings and the fact that when the West Gate stops the city stops — the statistics do not necessarily matter so much as that image of the truck jackknifed on the West Gate covering the entire bridge, causing chaos and mayhem. That is the policy that those opposite endorse — chaos and mayhem and blocking this project. We will have none of that.

Honourable members interjecting.

The SPEAKER — Order! The member for Polwarth, the member for Bass and the member for Williamstown are all warned.

Electorate office budgets

Mr GUY (Leader of the Opposition) (12:13) — My question is to the Premier. Premier, when did you first become aware that a number of Labor's red shirts campaign staff were being funded by rorting the Victorian taxpayer in the manner the Victorian Ombudsman has uncovered?

Mr ANDREWS (Premier) (12:13) — I thank the Leader of the Opposition for his question and, again, his reinterpretation of what the Ombudsman has found. I will tell you what the Ombudsman has found. Everyone involved in the scheme acted in good faith. Everyone involved in these arrangements acted on the reasonable assumption that it was an extension of longstanding parliamentary pool arrangements. They are the findings —

Mr GUY — On a point of order, Speaker, I think it was a very, very straightforward question about when the Premier first became aware of this campaign funding mechanism. It is as simple as that. I asked the Premier a straightforward question. I ask you to bring him back to answering that.

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

Mr ANDREWS — Thank you, Speaker. The Leader of the Opposition asked me to alert the house as to when I became aware of a finding that the Ombudsman has not made. I would refer the Leader of

the Opposition to the report and the fact that he is very much mistaken.

Honourable members interjecting.

The SPEAKER — Order! The member for Ripon is warned. As I said to the house earlier on, I will not warn members further. Members will be removed from the chamber without warning.

Supplementary question

Mr GUY (Leader of the Opposition) (12:14) — Premier, you were at the launch of the red shirts. You sat on the campaign committee that approved the red shirts. You even thanked these red shirts and John Lenders in your 2014 election night speech. How can you ask Victorians to believe that you are either unable to remember or unwilling to tell them that you knew how these people were being paid despite your and your office's intricate involvement in the biggest rort in Victorian political history?

Honourable members interjecting.

The SPEAKER (12:15) — The member for Nepean will leave the chamber for the period of 1 hour.

Honourable member for Nepean withdrew from chamber.

Mr ANDREWS (Premier) (12:15) — I am not entirely sure whether there was a question involved in that little speech, but it had very little reference to the actual report that the Ombudsman has released after a comprehensive inquiry and investigation. I would direct the Leader of the Opposition to the report he clearly has not read. He would have preferred a very different report, but the facts do not bear out the conclusions that he would have liked to see. Of course he is not the Ombudsman, and given the company he keeps that is a very good thing.

Ministers statements: West Gate tunnel project

Mr DONNELLAN (Minister for Roads and Road Safety) (12:16) — I rise to update the house on work that is underway on the West Gate tunnel. This morning we were there to see the start of construction of a big shed — a big shed that Darryl Kerrigan would be proud of, bigger than the Altona Bunnings — where we are going to be processing an amount of dirt and soil enough to fill the MCG. We know the 500 workers already working on the site are terribly excited about this. But what have we got? We have got the Kumbaya coalition in the upper house putting forward another revocation of the planning scheme. This is a lot that

does not want to see us build what needs to be built in this great state to realise the 20-minute travel time savings people will get from Geelong.

It is a bit hard to work out on the other side what the alternative policies are, because you have got the Deputy Leader of the Liberal Party. What did he say? He said, 'We're not saying, "Don't build roads"', but that is exactly what they did for four years. You were more likely to hear a possum fart in Melbourne than you were the sound of a digger during their term. What about David Davis, a member in the upper house? What did he say?

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Warrandyte.

Mr Clark — On a point of order, Speaker, the minister is now debating the issue rather than making a ministers statement. I ask you to bring him back to compliance with sessional orders.

The SPEAKER — The minister will come back to making a ministers statement.

Mr DONNELLAN — Look, there is one statement I think we can all agree on and we do not want to debate, which is a statement by the Leader of the Opposition. What did he say? He said:

Victoria has been a donor state for far too long. We've been a net contributor to every other state since Federation.

...

It's time that all federal politicians stopped favouring Queensland, New South Wales and Western Australia at Victoria's expense.

That is very much worth a gold medal. It is very much a night at the Lobster Cave that I am prepared to offer him for that statement, because how long have we been saying that? We have been saying for a very long time that we have been duded by the Malcolm Turnbull Liberal government.

Electorate office budgets

Mr GUY (Leader of the Opposition) (12:18) — My question is to the Premier. The Ombudsman asked all leaders of political parties at the 2014 election to be interviewed in relation to the Labor red shirts rorting scandal. Denis Naphine was asked and was interviewed. Peter Ryan was asked and was interviewed. Greg Barber was asked and was interviewed. After saying that you would cooperate with the Ombudsman, Premier, when you were asked

for an interview, why were you the only party leader to refuse?

Honourable members interjecting.

The SPEAKER (12:19) — The Minister for Roads and Road Safety, and the member for South-West Coast will both leave the chamber for the period of 1 hour. Members will cease shouting across the chamber.

Minister for Roads and Road Safety, and honourable member for South-West Coast withdrew from chamber.

Mr ANDREWS (Premier) (12:19) — I do genuinely thank the Leader of the Opposition for putting on record that it is his view that you should at all times give full cooperation to the Ombudsman and nothing less. That is his view.

Honourable members interjecting.

Mr ANDREWS — No, no, that is your view. That is your view, and I tell you it is Easter time and there is nothing like a convert. I think that is a fairly new view on your part, isn't it?

Mr GUY — On a point of order, Speaker, I asked the Premier —

Honourable members interjecting.

The SPEAKER — The member for Warrandyte and the Premier will cease shouting across the chamber.

Mr Guy — Speaker, I asked the Premier a very straightforward question: when she asked him for an interview, why was he the only party leader to reject her request? Can you bring him back to answering that question?

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

Mr ANDREWS — Speaker, the Ombudsman finds in her inquiry and in her report, as we have asserted all the way through, that there was no delay in her work and there was no failure to cooperate with her work. All documentation that she sought was provided. I believe I wrote to the Ombudsman, and she has made no adverse findings on that.

Mr Hodgett — On a point of order, Speaker, I renew the Leader of the Opposition's point of order. It was a very straightforward question, and I would ask you to bring the rorting member for Mulgrave back to answering the question.

The SPEAKER — Order! I would hope that members in this house, in this debate or this question time can refer to each other by appropriate titles and with some level of —

Honourable members interjecting.

The SPEAKER (12:21) — The member for Hastings will leave the chamber for the period of 1 hour. I will not have members shouting over me when I am giving a ruling.

Honourable member for Hastings withdrew from chamber.

The SPEAKER — The Premier to come back to answering the question. The Premier has concluded his answer.

Mr Clark — On a point of order, Speaker, I submit to you that the Premier's answer was not responsive to the question. It was a very straightforward question about why he refused to be interviewed by the Ombudsman. I ask you to require him to make a written statement to the house, a written response to that very important question.

Honourable members interjecting.

The SPEAKER — The member for Clarinda is warned. I will provide an answer to the house on that matter when I have consulted *Hansard*.

Supplementary question

Mr GUY (Leader of the Opposition) (12:22) — Despite, Premier, your assurances to the contrary, why did your government ministers also refuse to cooperate with the Ombudsman, an independent officer of this Parliament? Premier, why did they refuse her requests for interview about Labor's red shirts rorting, despite your commitment in this chamber that Labor MPs would fully cooperate?

Mr ANDREWS (Premier) (12:22) — I thank again the Leader of the Opposition for his question. There has been full cooperation with the Ombudsman, and let us see if the Leader of the Opposition can pass the test that he sets for others. Let us see whether you can pass the test you set for others.

On the issue, directly with relevance to the question beyond those comments, I would make the point that the only parties that specifically prohibited the Ombudsman from investigating them were the Liberal Party, the National Party and the Greens political party. That is your answer.

Honourable members interjecting.

The SPEAKER (12:23) — Order! The member for Warrandyte will leave the chamber for the period of 1 hour.

Honourable member for Warrandyte withdrew from chamber.

Mr Clark — On a point of order, Speaker, it is not clear whether the Premier has concluded his answer or not. If he has not —

Mr Andrews interjected.

Mr Clark — He says he has. In that case I submit that his answer was not responsive to the question, which was about non-cooperation by his ministers and other MPs. Again I ask you to require him to provide a written answer under sessional orders.

The SPEAKER — I thank the member for his point of order. I will consider that matter and report to the house.

Ministers statements: West Gate tunnel project

Mr PALLAS (Treasurer) (12:24) — It gives me great pleasure to advise the house on the progress the government is making in delivering the vital West Gate tunnel. Today work started on the construction of an enormous tunnelling hub that will process excavated dirt and rock. Of course some 500 workers are already being employed at the hub once it is operational and 6000 are being employed overall.

But those 6000 jobs are really only a drop in the ocean of work that is associated with the economic benefit that will flow from this vital project. It is a project that will secure Victoria's economic future. In practical terms, the Victorian economy is going gangbusters, in no small part due to the enormous infrastructure investment that this government is getting on and delivering. The West Gate tunnel will deliver a freeway-standard access to the port of Melbourne and a badly overdue alternative to the West Gate Bridge. The need for that alternative was graphically demonstrated with the jackknifing of a truck on the West Gate Freeway, causing the entire arterial road network to come to a standstill.

Of course we will provide some highlights of the outstanding business case that was put on the record. It shows an \$11 billion boost to the Victorian economy. That truck jackknife two weeks ago demonstrated a capacity to create a redundancy risk on our vital arterials that the economy cannot withstand. This

project will unclog the road network. It will provide vital jobs, it will boost the economy and in particular it will create a boost to the western suburbs — the home of the fastest growing part of the state and the fastest growing population. This government is getting on and delivering the economic vitality they need.

Member conduct

Mr HIBBINS (Pahran) (12:26) — My question is to the Premier. Premier, Victorians are rightly fed up with the seemingly endless series of scandals involving Labor and Liberal politicians. In just this term of Parliament we have seen MPs betray the trust of Victorians with the rorting of the second home allowance, the misuse of ministerial drivers, dinners with mobsters, secret deals with Crown Casino, Transurban and Apple, and now the misuse of public money to fund your election campaign. Victorians want politicians to do better, and we deserve better. Premier, will you now create an independent parliamentary standards commissioner to hold dodgy politicians to account?

Mr ANDREWS (Premier) (12:27) — I do thank the member for Prahran for his question. Here I was, thinking that the opposition and the Greens were so, so close. It would appear not. If only I had the facility to give over half my time to the Leader of the Opposition to rebut. Surely he would want to rebut the monologue, the dissertation, the soliloquy from the member for Prahran. We do always love to be lectured at by those who sit up there in the commentary box —

Mr Hibbins — On a point of order, Speaker, the Premier appears to be misrepresenting what is going on. I actually asked him a question during question time, and I think that deserves an answer.

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

Mr ANDREWS — I am answering the member for Prahran, and on his behalf I think it is offensive for him to be referred to as 'Saint Sam' as he was by those opposite. I think that is inappropriate. The member for Prahran has asked a question, and I would direct the member for Prahran to the Ombudsman's report where no recommendation of action against anyone is made, where findings of people acting in good faith have been made and where moneys have appropriately been repaid by the Victorian branch of the Australian Labor Party. I do thank the member for Prahran for establishing that he is not completely connected to the Liberal and National parties. He in fact left the National Party out of his tale of woe — of course he being a

representative of that perfect institution, the Greens political party, which is perhaps why they did so very well in the recent Batman by-election.

Supplementary question

Mr HIBBINS (Prahran) (12:29) — Premier, I refer to the Ombudsman’s report, which I have read. I refer to recommendation 6, which recommends the establishment of an investigative capacity and clear pathways to refer misuses of parliamentary resources for examination by an independent agency. You have said that you have accepted the Ombudsman’s recommendation, so I would ask: what form will this independent agency take, and when will this process be implemented?

Mr ANDREWS (Premier) (12:30) — Given these are recommendations of the Ombudsman, emanating from her comprehensive report, we will have conversations with the Ombudsman about the development of these things. We only received the report just last week, as all honourable members did. The member for Prahran is asking for the detailed design of these arrangements two or three working days after the report was made public. We will get on and deliver. Be in no doubt, we will deliver a model that you will be able to sit up there and commentate about, because that is about all you ever do.

Ministers statements: rail infrastructure

Ms ALLAN (Minister for Public Transport) (12:30) — I am very pleased once again to rise to update the house on the major public transport infrastructure agenda, which has projects and programs going on right across the state of Victoria. Let us start with the Metro Tunnel. Construction is going on at sites right across inner Melbourne to help us provide more trains more often to the suburbs and the regions. I would like to remind the house that it was the Liberal and National parties who together voted to try to block the planning approvals for this critical project.

Let us move on to the Dandenong line, where nine dangerous and congested level crossings are being removed. Three are already gone; six will be gone over the coming months. Can I remind the house that it was the Liberal Party and the National Party who voted together in the upper house to try and block the planning approvals for this project as well.

Moving onto the Frankston line, I would also like to remind the house that the former Liberal-National government did not remove one single level crossing on the Frankston line. We are getting rid of 13; work has

started in Frankston, in Carrum and in Seaford. We are also providing additional train stabling on the Frankston line to increase the numbers of trains that can be stabled there from six to 24. Why are we doing this? We are doing this to provide more train services on the Frankston line, something you would think that most people would think is a good idea.

However, Speaker, I regret to inform you and the house — and I want to remind the house — that it was the Liberal Party and the National Party who voted together to try and block the planning approvals for this project as well. Just last week they were in Carrum, trying once again to rally the troops, having a public meeting about stopping our projects on the Frankston line.

Electorate office budgets

Mr GUY (Leader of the Opposition) (12:32) — My question is to the Premier. Noting that the Labor Party has failed to submit an accurate declaration of its 2014 campaign spending, a move that sees the Labor Party facing substantial fines and criminal prosecution, given that you knew about the payment method of the red shirts before Labor submitted its electoral declaration, why did you and the Labor Party knowingly and deliberately mislead the Australian Electoral Commission?

Honourable members interjecting.

The SPEAKER — Order! Members will be well aware that internal party matters are not considered government administration, however there is an aspect of that question that relates to government business and I ask the Premier to answer the question as it relates to his responsibilities.

Mr ANDREWS (Premier) (12:33) — The answer to the question is: we did not.

Supplementary question

Mr GUY (Leader of the Opposition) (12:33) — With substantial fines and possible legal action as penalties for breaching or failing to fully declare to the electoral commission all moneys used for campaign purposes, Premier, can you confirm that \$388 000 is the entire and full amount that is necessary for Labor to now declare to the Australian Electoral Commission for its red shirts rorting of taxpayer funds?

Mr ANDREWS (Premier) (12:34) — As I indicated last week, as the leader of the Labor Party I indicated to the state secretary that the money ought to be repaid. The amount was the amount that was determined by the

Ombudsman when she herself did make the point that a portion of that money was, without any doubt, attributable to permissible electorate office work. We have not sought to have that number diminished or broken down.

Mr GUY — On a point of order, Speaker, my question was: can you confirm that \$388 000 is the entire and full amount necessary to pay back, that no other moneys unaccounted for have been rorted? I ask you to bring the Premier back to answering that question.

The SPEAKER — I understand the point of order. However, the Premier was being responsive to the question that was asked.

Mr ANDREWS — That is the amount that the Ombudsman has indicated is attributable to these pooling arrangements, and the Victorian branch of the Australian Labor Party, at my urging, has repaid in full that amount, with no recommendation to do so. In fact it was done voluntarily, appropriately in full.

Ministers statements: West Gate tunnel project

Mr CARROLL (Minister for Industry and Employment) (12:35) — I rise to update the house on the jobs being put at risk by the once-grand coalition between the Greens, the Liberal Party and the National Party, as they launch another bid to have the hundreds of workers already working on the West Gate tunnel project sacked.

When it was completed in 1978 the West Gate Bridge was carrying 40 000 vehicles per day; today it is carrying 200 000 vehicles every day. On this side of the house we know a second river crossing is vital not only for residents in Melbourne's inner west and Geelong but also to take trucks out of the inner city. The Greens political party like talking about taking trucks out of the inner city. They talk about one thing in here and then do another thing outside and upstairs.

Work is underway to build a huge tunnelling hub. The hub will reduce noise and dust during construction and transport dirt and rock. Most importantly, this tunnelling hub will play host to 500 new jobs, part of the 6000 jobs for Victorians who will get work on the West Gate tunnel project, including 500 apprentices and 150 jobs for ex-auto workers. Right now there are 800 workers on the project, and I am not including the workers already engaged on the supply chain. When I talk about the supply chain I am talking about the workers in Benalla who will be part of the biggest concrete facility ever built in Victoria. The mayor of

Benalla calls it a game changer, the biggest thing since Thales arrived in Benalla.

The member for Euroa and the deputy leader are very quiet over there, because we know that if they cannot deliver one red cent of Snowy 2.0 for regional Victoria, what can the National Party deliver? We have seen the member for Prahran. He is already lining up the seat right here; one day it is going to be him. The Leader of the National Party has his back to us. He does not stand up for any jobs. However, the Andrews Labor government is getting on with building the infrastructure for today and for tomorrow.

Ms Asher — On a point of order, Speaker, I refer you to constituency question 13 836, which I asked of the Minister for Water on 14 December 2017. The 30-day period has well and truly elapsed, and I would be most grateful if you would take this up with the Minister for Water so I can have a response for my constituents.

The SPEAKER — I thank the member for the point of order. I will follow that matter up.

Ms Ryall — On a point of order, Speaker, I draw your attention to adjournment question 13 154, asked over six months ago to the Minister for Health. I raised the issue that the dental clinic in Ringwood has been open for 30 years and still only has three seats, with 1295 people on the waiting list for an average of 33 months. I still do not —

An honourable member interjected.

Ms Ryall — It is not the federal government. I still do not have an answer from the Minister for Health over six months later for my community, which is disgraceful. I do not know whether it is sheer laziness, just a refusal to answer the question or a denial to respond to your successive requests to answer this question, Speaker. I ask that it comes forthwith.

The SPEAKER — I thank the member for Ringwood for that point of order. I will follow the matter up again.

Mr Thompson — On a point of order, Speaker, I draw to the attention of the house that my constituency question to the Minister for Education, question 14 020, asked on 21 February 2018, in relation to seeking an affirmation and confirmation by the minister to this house that all members in this chamber are welcome to be invited to local state schools in their electorate, remains unanswered. I seek an answer to that constituency question.

The SPEAKER — I thank the member for Sandringham. I will follow that matter up.

Mr Wells — On a point of order, Speaker, I draw to your attention a question on notice that I lodged on 14 November 2017, question 13 477, to the Minister for Police regarding crime in my area. As I have not received a response yet, I would ask that you follow that up.

The SPEAKER — I will follow that matter up for the member for Rowville.

CONSTITUENCY QUESTIONS

Mornington electorate

Mr MORRIS (Mornington) (12:40) — (14 167) My question is for the Minister for Public Transport. I recently received an email regarding the new Frankston bus hub. I quote from that email:

I have been writing to the press and to Paul Edbrooke about the lack of shelter at the new bus hub at Frankston station. I think Mr Edbrooke is fed up with me and he has been no help whatsoever ...

Unfortunately no-one will admit that a mistake has been made at Frankston station's new bus hub.

For bay D, which is the three Mornington/Mt Martha buses, there is a tiny shelter with a tiny roof. It seats four people. Twenty-five people wait in blazing sunshine and soon it will be worse weather.

I really thought that the \$13 million spent ... would have produced a super bus station.

It is not well-planned and must be changed. Elderly people are trying to run back across the road where they have been sheltering under shops as the bus approaches. Nothing is safe or comfortable.

So I ask: on what date will the works at Frankston reach a point at which appropriate, convenient, fit-for-purpose shelter is available for bus passengers travelling from Frankston station to Mount Eliza, Mornington and Mount Martha?

Yuroke electorate

Ms SPENCE (Yuroke) (12:41) — (14 168) My constituency question is to the Minister for Industry and Employment. What information can the minister provide about access to employment for young people in the Yuroke electorate? Recently the Yuroke Youth Advisory Council held their first meeting for 2018. Every year that council chooses a topic to focus their attention on, and this year they will focus on youth employment. Employment is a top priority for people of all ages in the Yuroke electorate, and members of the

advisory council are keen to learn everything from resume writing skills in order to secure their first part-time job to choosing a long-term career path. It would be helpful to the work of the council if the minister could please provide information on initiatives or support that is available to ensure that young Victorians can secure employment, and I look forward to hearing from him.

Lowan electorate

Ms KEALY (Lowan) (12:42) — (14 169) My question is to the Minister for Emergency Services. When will you fund stage 2 of the Hamilton Country Fire Authority (CFA) air base upgrade? South-west Victoria has been hit hard by the recent fires. Air support crews dispatched over 50 loads of fire control material to fires with the essential support of the CFA ground crew at Hamilton CFA air base. I thank everyone who has helped battle these fires for their contribution. Over the past three and a half years the minister and the previous Minister for Emergency Services have been briefed about the vital need to progress the upgrade of the Hamilton CFA air base to assist planes to refill and refuel quicker, therefore providing for quicker turnarounds and more firefighting flights to be dispatched. Ground and air crews of Hamilton CFA air base need assurance that at the next significant fire event they will have an air base that will support them to despatch as many firefighting flights as possible. I therefore ask the minister: when will the funding flow to upgrade Hamilton CFA air base?

St Albans electorate

Ms SULEYMAN (St Albans) (12:43) — (14 170) My constituency question is to the Minister for Public Transport. Can the minister advise me when Metro Trains will improve the pedestrian underpass at Albion station? Albion station is one of the most popular stations in my electorate of St Albans, with over 17 000 people using it every week. It is one of the top 50 busiest stations in Victoria and a major travel hub for students attending the Victoria University Sunshine campus. We have already made major investment, removing level crossings in our local area including the deadly Main Road level crossing and the Furlong Road level crossing, both in St Albans. The Andrews Labor government understands public transport is important to our community. At the moment the pedestrian underpass is an eyesore and very unsafe. I call on the Minister for Public Transport to advise me when Metro Trains will improve the pedestrian underpass at Albion station.

Rowville electorate

Mr WELLS (Rowville) (12:44) — (14 171) The question I wish to raise is for the Minister for Police. Minister, do you find it acceptable that hardworking small business owners are falling prey to criminals while Victoria Police are too under-resourced to follow up blatant cases of theft? A resident in my electorate witnessed a very nasty exchange at a local restaurant in Rowville, where he works, where a couple left at the end of their meal and refused to pay their bill. Both of them refused to pay the restaurant and told the restaurant owners that they were leaving without paying because they knew there was nothing either the restaurant or the police could do about it. When the restaurant phoned the police, the police confirmed that there was nothing the police could do about the theft. Minister, this is obviously an ongoing scam. It is disheartening for restaurant owners and their workers who are unable to rely on police to take any action.

Essendon electorate

Mr PEARSON (Essendon) (12:45) — (14 172) I direct my constituency question to the Minister for Sport, and I ask: what is the latest information about the funding application from Aberfeldie St Johns Cricket Club for cricket equipment, including senior female equipment?

Evelyn electorate

Mrs FYFFE (Evelyn) (12:45) — (14 173) My question is to the Minister for Sport. What plans does the minister have to support the redevelopment of Wandin North Sports Pavilion? Wandin North Sports Pavilion is the home of the Wandin Football Netball Club and the Wandin Cricket Club. The pavilion is ageing and is in need of an extension and significant upgrades to bring the facility to its potential. In their master plan, the Wandin sports and recreation club envisage a multipurpose sporting and community pavilion, which will provide for the current and anticipated expanding needs of both women's and men's football, cricket, netball and other recreational sport. The initial estimated project cost is \$3.25 million, with the federal and local governments committed to putting in funds. But to get this off the ground they need the support of the state government.

Williamstown electorate

Mr NOONAN (Williamstown) (12:46) — (14 174) My question is to the Minister for Sport and it relates to the Sporting Clubs Grants Program and is similar to the question raised by the member for Essendon. As the

minister will probably be aware, the Williamstown Football Club has had their licence approved to compete in the VFL women's competition for the 2018 season. Following this, the club has lodged an application under the Sporting Club Grants Program for the purchasing of football jumpers for their female players. Similarly, the Altona North Cricket Club, a great local club, has also applied for a grant under the same program for new uniforms and equipment for their players. Like all members I really want to support my local clubs. So my question to the minister is: how will this program support clubs like the Williamstown Football Club and the Altona North Cricket Club to increase access and inclusion within our local community?

Frankston electorate

Mr EDBROOKE (Frankston) (12:47) — (14 175) My constituency question is for the Minister for Education. The question I ask on behalf of my community is: when will we be turning the sod on two very important projects in my electorate? The first project is the Derinya Primary School Stephanie Alexander-style kitchen garden, which I hear will be named after our dear friend and school community stalwart, Natasha Jansz, who passed away earlier last year. She was passionate about her community and she certainly was a stalwart in this project. The Minister for Education previously visited the school and had a great time seeing what the school and the project are all about. The second project is the \$5.9 million rebuild of McClelland College, a school the minister has also visited. I thank both school communities for their strong advocacy. The Labor Party and the Andrews Labor government are funding both projects in our community and we look forward to seeing them begin very soon and turning the first sod.

Polwarth electorate

Mr RIORDAN (Polwarth) (12:48) — (14 176) My question is to the Minister for Roads and Road Safety. Can the minister tell my electorate what the budget is for the repair and maintenance of wire rope barriers and who is responsible for their upkeep? Drivers along the Princes Highway west through my electorate and along parts of the Great Ocean Road regularly report broken and damaged wires, which stay unattended and unrepaired for months on end. One wire on a steep bend has been hanging, stretched across the arc of the road, for months now. In light of the many millions being spent on installing new kilometres of wire rope barriers, and the millions that VicRoads are now spending on an advertising campaign to tell motorists how safe and necessary these barriers are, can motorists in my electorate have confidence that, unlike the

myriad of potholes, unsafe intersections and other road dangers, this new road infrastructure will be properly maintained? Considering that kilometres of barriers have been installed, my constituents would like to know that they can and will be looked after in a timely and appropriate fashion.

The SPEAKER — Before moving from constituency questions, I want to rule on a matter that was raised by the member for South Barwon regarding a constituency question asked on 8 March by the member for Geelong. The member for South Barwon queried whether the question sought information. Having reviewed the transcript, I rule that the member for Geelong's question is out of order as it requests the minister to take action rather than seeking information.

**EDUCATION LEGISLATION
AMENDMENT (VICTORIAN INSTITUTE
OF TEACHING, TAFE AND OTHER
MATTERS) BILL 2018**

Introduction and first reading

Mr MERLINO (Minister for Education) (12:49) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006 in relation to the registration of teachers and early childhood teachers, the sharing of information between the Victorian Institute of Teaching and other bodies relating to registered teachers or applicants for registration, the handling of complaints by the Victorian Registration and Qualifications Authority and to provide for a TAFE institute to merge with an adult education institution and to make other miscellaneous amendments to that act and to make related amendments to the Working with Children Act 2005 and to the Children, Youth and Families Act 2005 and to make minor amendments to the Public Administration Act 2004 and to amend various university acts in relation to members of university councils and for other purposes.

Mr CLARK (Box Hill) (12:50) — I ask the minister to provide a brief explanation of the bill further to the long title.

Mr MERLINO (Minister for Education) (12:50) — The bill does a number of things. Importantly, it better aligns registration through the Victorian Institute of Teaching (VIT) with the working with children check to ensure that there are no gaps. It also has some changes as a result of the review of the VIT following some pretty disgraceful decisions in terms of inappropriate behaviour by teachers. It makes it quite clear in the statutory powers of the VIT that the safety and wellbeing of children is first and foremost; so that is within the statutory powers. It does a number of

other things, such as allowing a TAFE institute to take over an adult education institution, and makes various other changes.

Motion agreed to.

Read first time.

Mr PALLAS (Treasurer) (12:51) — I move:

That this bill be read a second time tomorrow.

Mr CLARK (Box Hill) (12:51) — Speaker, I wish to speak to the question of when the second reading of the bill will take place. I move:

That the word 'tomorrow' be omitted with the view of inserting in its place the words 'when a select committee of this house has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs'.

The reason I do that of course is that this is probably the single most important issue that the house is currently facing. We need to face up to our responsibilities. The government and the Labor members of Parliament need to face up to their responsibilities to deal with the very serious matters that have been raised in the Ombudsman's report, which found that the entire scheme for the use of electorate office staffing allowances was an artifice and that it was wrong, and yet the Labor Party and the government are refusing yet again to do anything about it.

Of course this is not the first time we have had this refusal of the government members of this house to face up to their responsibilities. We have seen it with the former Speaker; we have seen it with the former Deputy Speaker. These are scandals that are crying out for redress.

A government that is committed to doing the right thing and the responsible thing will deal with that matter promptly, and that should take precedence over other business, including the second reading of bills such as that which is before us. The government can agree to the establishment of a select committee. It can do the right thing forthwith. It can do the right thing today. We can get that select committee established. Then the second reading of this bill can proceed and the bill can be assessed and dealt with on its merits and the reasons in favour of it that were summarised in brief by the minister can be assessed by this house. If it is a worthy bill, it can be passed.

But the government should not be carrying on as though nothing has happened, as though there is no responsibility on their part to account for the

malfeasance that has gone on, to account for the abuse of public funds that has gone on and to deal with the very serious findings that have been made by the Ombudsman to get to the bottom of exactly what happened and why, exactly who is responsible and what accountability they owe to this house.

We saw in the previous Parliament in regard to the former member for Frankston that members of the then opposition, members of the Labor Party now in government, were very forceful in their argument that the allegations against that member needed to be dealt with, as indeed they did need to be dealt with. In the previous Parliament the right thing was done. The issues were referred to the Privileges Committee, and the Privileges Committee investigated at length and made a report. This house imposed sanctions in respect of the adverse findings that were made by that committee. That is exactly the process that needs to be followed here.

There needs to be a select committee established that can inquire into the misuse of these funds, as found by the Ombudsman, to work out where responsibility lies and that can hold members to account for it. This is a matter that is within this house's responsibility to deal with. It is ironic that we have previously had those on the government side put forward motions about the exclusive cognisance of this house. When they were complaining about the other place referring the matter to the Ombudsman they were saying, 'That is a matter for this house to deal with.' Now the time has come. Now the Ombudsman has exercised her statutory responsibilities. She is certainly of a similar view as this side of the house, that there was no obstacle whatsoever in terms of exclusive cognisance to her carrying out her duties under her statute. Yet by the very arguments that those on the other side of the house put then and by the longstanding traditions of this house, it is something that needs to be dealt with.

It should not need me or other members on this side to stand up and move amendments such as this to hold the government to account. The government should have signalled this forthwith and should have been prepared to do it today. Then we could have gotten on with the rest of the business of this chamber, and deal with legislation on its merits. However, unless and until the government is going to do that we are going to have to stand up and make clear time and time again that that is the government's responsibility. It is for that reason that I believe the second reading of this bill should not take place until such a select committee has been established. Then this house can once again commence exercising its legitimate responsibilities and try to

restore some of the standing of this house that has been so badly trashed by those Labor members opposite.

Ms ALLAN (Minister for Public Transport) (12:56) — The opposition had a pretty rough question time, didn't they? They had a pretty appalling question time, and today they have demonstrated that they are going to try and obstruct the government's legislative agenda. I can tell the opposition that they can try, but they will not succeed. We will keep on introducing bills, we will continue to debate legislation and I think it is —

An honourable member interjected.

Mr Richardson — Is that how you speak to females in the Parliament?

Ms ALLAN — Yes, clearly. I wonder if the member for Lowan —

Honourable members interjecting.

Ms ALLAN — I do wonder. I am waiting for the member for Lowan to rise to my defence. Not happening? Okay, I will move on. The manager of opposition business —

Honourable members interjecting.

The SPEAKER — Order! The house needs to come to order. The Leader of the House has the call.

Ms ALLAN — It is a really sad reflection that the member for Lowan is too —

Honourable members interjecting.

The SPEAKER — Order! The member for Lowan will come to order. The Leader of the House, without the assistance of the member for Mordialloc.

Ms ALLAN — I want to pick up on something that the manager of opposition business said in terms of comparing and contrasting issues that have been dealt with in this chamber during the time that I have been in the house along with the member for Box Hill. The member for Box Hill referred to the Ombudsman's report of the investigation into the former member for Frankston. There was a recommendation made in that Ombudsman's report that the Parliament was required to act upon. There was a recommendation, if my memory serves me correctly, that the matter be referred to the Privileges Committee. I therefore contrast that with the Ombudsman's report that was released last week that made no such recommendation against members of Parliament, nor that action should be taken

against members of Parliament. There is no such recommendation in that Ombudsman's report, which is in stark contrast to the recommendation that the Ombudsman made in regard to the former member for Frankston. The manager of opposition business cannot argue the case that this is an apples for apples example; it is most clearly not.

It is also interesting to note that the manager of opposition business and his cronies in the Liberal and National parties have chosen to interrupt the introduction of a bill that is concerned about the welfare of children in our education system. This bill that was moved by the Deputy Premier and Minister for Education is about trying to strengthen the support for children in our schools through some reforms that need to be made to the Victorian Institute of Teaching. I think most people would think that is pretty important. That is an incredibly important bill, and we would like that bill second read tomorrow so we can get it on the legislative agenda and bring it on for debate when the Parliament sits in the future. But obviously those opposite are not interested. They are not interested in that. They would rather shout and scream and continue —

Mr Watt interjected.

The SPEAKER — Order! The member for Burwood.

Ms ALLAN — to shout and scream, particularly at female members on their feet, but they also want to place politics as more important than the welfare of children. We are going to call this out. The manager of opposition business has flagged that they are going to do this time and again. We have got more bills to introduce, we will have this debate time and again, and I can tell the manager of opposition business that we will keep on introducing legislation. We will continue to debate legislation, and do you know what? In this place we will continue to pass legislation, because we understand that that is the role that we were elected to do, and we will continue to do that despite the efforts of those opposite. We know what they are up to. They are trying to bluff and bluster their way to trying to put the government off its program. We will not be deterred, and I look forward to having this debate again, I am sure, over the course of the afternoon as we push on and deliver the legislation that we need to put in place in Victoria.

Mr WALSH (Murray Plains) (13:01) — I rise to support the motion moved by the member for Box Hill that this bill not be read a second time until there is a

select committee formed to investigate the red shirts rorting by the Labor Party in this state at the 2014 election. I think the manager of government business effectively prosecuted the case for this side as to why there should be a select committee. The manager of government business talked about the fact that they were here to govern. Yes, they are here to govern. They are not here to rort this state; they are here to govern this state. That is what this motion by the member for Box Hill is about. It is about having a select committee that can actually investigate this.

The manager of government business talked about the fact that there did not need to be an inquiry. The government members of this chamber did not cooperate with the Ombudsman in her investigations. That is the nub of the issue and why the member for Box Hill has moved this motion. There needs to be a select committee formed to have this inquiry, because the members of the government in this house, including the Premier, totally ignored the requests from the Ombudsman to be interviewed. The Premier today did not answer the questions about why he was not interviewed by the Ombudsman, and I think that you, Speaker, are taking it on notice to give us a written response around that particular issue. That is why there needs to be a select committee formed to investigate this.

As the *Herald Sun* said in one of its articles on 22 March, 'sorry' is the hardest word to say, and I am sure that the Premier choked on that word. I do not believe the Premier is sorry about the rorting. The only thing the Premier is sorry about is the fact that he got caught. The member for Mordialloc might actually reflect on the fact that he was a beneficiary of this rorting in his election campaign.

Mr Richardson interjected.

The SPEAKER — The member for Mordialloc is warned.

Mr WALSH — The member for Mordialloc has had personal gain in this particular issue because he was a beneficiary of that rorting. So it is absolutely critical I think that this motion be voted for by everybody in this chamber. If people in this chamber actually believe in good governance in this state, they will support the motion by the member for Box Hill to have a select committee formed to investigate the rorts. If you do not support this motion, you are condoning the rorting of taxpayers money in this state. If you do not support the member for Box Hill, you are saying it is all right to rort the system of at least \$388 000. That is all the Ombudsman was able to

identify because the lower house members did not cooperate with this inquiry.

‘Yes’, the Leader of the House might say, ‘we’ll debate this again and again’. It is important to debate this again and again to get the message through that rorting will not be accepted in this state. Those on the other side of the house might sit up there and chuckle and think they have got away with this — that there will be a lot of noise in Parliament this week, people will go away for Easter, there is no Parliament for another month and people will forget. Can I tell those on the other side, including the member for Mordialloc who is laughing away up there, that Victorians will not forget this issue. It is the barbecue stopper. It is the standing-at-the-football stopper. People will not forget this.

From a country Victorian point of view, you add the rorting from the member for Melton and the member for Tarneit, the dogs in the car and the Country Fire Authority issues, and now you have this. People in country Victoria will not forget the rorting Labor Party politicians in this state and what they did in the 2014 election to get elected; \$388 000 is a lot of money. People say there has been no gain for people. Can I remind the ministers on the other side of the house that if there had not been rorting, they most likely would not be on a ministerial salary. To the parliamentary secretaries on that side of the house, if there had not been rorting, they most likely would not have been on a parliamentary secretary salary. Can I point out to you, Speaker, that if there had not been rorting, you may not have been in the winning party to be elected Speaker of this house. So there has been a lot of personal gain out of this issue. The member for Box Hill’s motion should be supported. If anyone votes against it, they are supporting rorting in this state.

Mr PEARSON (Essendon) (13:06) — I rise to oppose the manager of opposition businesses’s motion. This matter, as the Premier indicated in question time today, has been thoroughly investigated by the Ombudsman, and the Ombudsman has found that there are no adverse findings against any of the individuals involved and no further action is to be taken. Yet again what we are seeing from those opposite is another pathetic attempt to stop this government from getting on with delivering good, progressive government in the state of Victoria. At every step of the way they have failed to accept the verdict of the people in 2014. They think that somehow they should be on this side of the house. They do not appreciate the fact that the people had their say back in 2014 and they voted emphatically for the election of the Andrews Labor government. I am

delighted to be a member of the political wing of the labour movement.

Mr Watt interjected.

The SPEAKER (13:07) — Order! The member for Burwood will leave the chamber for the period of 1 hour. I have consistently warned the member for Burwood to stop shouting across the chamber.

Honourable member for Burwood withdrew from chamber.

Mr PEARSON — Thank you, Speaker. I am honoured and it is a privilege to be a member of the political wing of the labour movement. I stand in this place day in, day out, defending the interests of the labour movement, and I am honoured to represent the interests of the labour movement here. We will not be diverted by those opposite, who are preventing us from getting on with delivering good government to this state. I oppose the motion from the member for Box Hill.

Mr PESUTTO (Hawthorn) (13:07) — We need this motion to pass because this government has lost the moral and political authority to govern this state in the best interests of Victorians. How many scandals do we need? How many lies? How many rorts do we need? Let us go through them: red shirts, printing allowances, fake invoices. We had a minister getting their dogs chauffeured around. What else do we have to see before the Victorian people can have their chance to have a say on this government? We need to get to the bottom of what is arguably the biggest and the worst scandal and rort in this state’s parliamentary history.

What Ombudsman’s report has ever described a government as having engaged in ‘an artifice’, something which passes a horrible judgement on the character of this government and the type of leadership it is getting? She called it an artifice. She said it was wrong. She said that the government was wrong in taking legal action to the tune of a million dollars — maybe more than a million dollars. We will never know because you will not front up the invoices to tell the Victorian people how much was wasted. And that is on top of the rort. What is worse — the rort or the cover-up?

We have an Attorney-General who knew he was going to be named in this report, and he spent nearly a million dollars of taxpayers money trying to cover it up, and then he went on the Neil Mitchell program, saying, ‘Oh, dear me, what was I thinking?’. Having spent two to three years —

Ms Allan — On a point of order, this is a fairly narrow debate on the question of time. We have had a fairly broad scope canvassed by the manager of opposition business and the Leader of the National Party, and I would suggest now that the member for Hawthorn may need to be brought back to the question of time.

The SPEAKER — I ask the member for Hawthorn to come back to the motion being debated.

Mr PESUTTO — It is important to put the bill off until we have been able to establish a select committee. That select committee will be able to get to the bottom of what the Ombudsman was not able to do because she was prevented. Prevented by whom?

An honourable member — Whom?

Mr PESUTTO — The guilty nine, who sat in this place and refused to cooperate with the Ombudsman. They refused to provide documents and they refused to provide evidence. They took the fifth — what a disgrace. Everybody could see what was going on. Everybody knew the story, and they just hid behind and stayed mum about it. They did not say a thing and so the Attorney-General, having spent nearly three years with his colleagues taking the fifth, then went on Neil Mitchell and —

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Ferntree Gully — be nice.

Ms Allan — Speaker, I renew my earlier point of order to you. The reference to, I think, a point that is more relevant to the United States jurisdiction than an Australian jurisdiction is well and truly —

Mr Pesutto interjected.

Ms ALLAN — Yes, you did. You did, actually. You did, buddy.

I would suggest that you ask the member to come back to both being relevant to the standing orders of this Parliament and, indeed, relevant to the laws of this state.

The SPEAKER — Order! The member will come back to the motion.

Mr PESUTTO — It is a popular phrase, Speaker, but I will indulge the minister. Yes, I will come back to the question. We need the select committee because we had an example last week of a minister who told a

broadcaster more than he was prepared to tell the Ombudsman. If he is prepared to tell a broadcaster more than he told the Ombudsman, why shouldn't he come here? And to all the people in the gallery, if I could speak to them directly, Speaker, I would say, 'You deserve the truth, because it was your money that was wasted'. To the taxpayers in the gallery, 'It was your money'.

Ms Allan — On a point of order, whilst the theatrics are fun and a bit of entertainment, it is disorderly to invite and engage members of the gallery. I think we would appreciate the member for Hawthorn being brought back to the substantive debate before us rather than giving us an audition for a leadership position in the Liberal Party.

The SPEAKER — Order! The member for Hawthorn will come back to the motion.

Mr PESUTTO — The Andrews Labor government is unfit to govern the state.

Mr HIBBINS (Pahran) (*By leave*) (13:13) — From what I understand, we are being asked to support a reasoned amendment as part of the —

Honourable members interjecting.

The SPEAKER — Order! The house will come to order, with the assistance of the Leader of the House.

Mr HIBBINS — This is a reasoned amendment to defer the first reading of this bill until a select committee has been established to further investigate the misuse of public money to fund the Labor Party's campaign. It has happened in an environment where the government's approach to the Ombudsman's investigation has been completely inadequate. They have, in fact, been running interference through the courts multiple times, where they have failed. They have refused to have their members front up and speak to the Ombudsman.

We have had their response to the Ombudsman's report, which is again completely inadequate. They think that this is the end of the matter, as the Premier has said, and are using the report and the recommendations to suggest that there should be no further action. The reality is that the Ombudsman found that the lower house members, of this chamber, were in breach of the Members Guide. They found what was clear from the evidence was that this was a plot by the Labor Party to misuse public money to fund their election campaign. It is not the end of it, as the Premier would say.

I think what the Victorian people want is for the individual members who have been found in breach of the Members Guide to be held accountable. What we have put forward over the last week or so is a motion to refer this to the Privileges Committee, just as we did with the former Speaker and Deputy Speaker, to see whether they have been in contempt of Parliament in relation to breaching the code of conduct and then whether any fine or any other penalty should be applied.

I think what Victorians also want to see is at least a penalty paid by the Labor Party. Essentially, they have got an interest-free loan at the moment from the taxpayer. Victorian taxpayers want to see this fixed. As I stated in my question, there has just been an endless series of scandals involving politicians, and they want to see an independent parliamentary standards commissioner hold politicians to account. That is what the Victorian people are asking for. And to suggest that the damning Ombudsman's report is the end of it — well, it is not the end of it.

Ms SHEED (Shepparton) (*By leave*) (13:16) — The Australian people expect a much higher standard from our politicians than they are getting at the moment, and I think the Victorian people expect a much higher standard also. We have been in the Parliament for over three years, when there have been a number of incidents that have brought this Parliament into disrepute. We are in a situation right now where we have got Australian cricketers in disrepute. We have got a situation where farmers in the northern Murray-Darling Basin are being prosecuted for stealing water and for bringing into disrepute the whole Murray-Darling Basin plan.

In this Parliament there have been a number of things which have been a cause of great concern, and the Ombudsman's report of last week raised a lot of concerns. It is a situation where the parties are at each other's throats. Why not take advantage of a situation such as this and all the others to have a go at the other side? We know that when this motion to refer the matter to the Ombudsman was in the upper house there was a proposed amendment to extend it to all parties. Was that because there was something to look at in relation to the other parties? I do not know, but it must have been, because they were pretty keen for that not to happen and it was restricted to one party, so the Ombudsman has gone along on that basis. As I said, I do not know whether anyone else has done the wrong thing, but it seems to me that the people of Victoria would like to see this fixed so that it cannot happen again.

The Ombudsman has made a series of recommendations. There has been a motion on the notice paper for many months about appointing a parliamentary integrity adviser. That was what was called for a long time ago when both the former Speaker and the former Deputy Speaker were removed from their positions. Nothing has been done. There has not been a meeting of the Standing Orders Committee for well over a year. There has been no meeting of the Privileges Committee. There have been no steps taken to right the wrongs that appear to have occurred in this place.

I can tell you about one thing that is coming up: the state election. If anyone is going to punish anyone else for the wrongful things they have done in this Parliament, that is when it will occur. It will be the people of Victoria who will make the judgement, so I call on this Parliament here today to get on with the job of the government business program and pass the legislation that needs to be passed. Let us do our job. Let us deal with the fact that we are going to have our First Nations people here tomorrow on the floor of the house to make statements about a treaty. Let us actually do the job that we were put here to do.

I feel very strongly that the people of Victoria are tired of the lack of leadership coming from the parties. They are tired of the carry-on that happens in this place. What they want to see are outcomes in relation to their communities. We want healthy, educated, smart communities that are connected and that might have a future. That is what we want to see happen in this place. So let us get on with the job. Yes, the electorate will decide who has done the wrong thing. I call on this house to actually start looking at doing what really matters, and that is getting on with the business of the day.

The SPEAKER — Order! The question is:

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

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

House divided on question:

Ayes, 43

Allan, Ms	Languiller, Mr
Andrews, Mr	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D' Ambrosio, Ms	Noonan, Mr

Dimopoulos, Mr
Donnellan, Mr
Edbrooke, Mr
Edwards, Ms
Eren, Mr
Foley, Mr
Garrett, Ms
Graley, Ms
Halfpenny, Ms
Hennessy, Ms
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms
Knight, Ms

Pakula, Mr
Pallas, Mr
Pearson, Mr
Perera, Mr
Richardson, Mr
Scott, Mr
Spence, Ms
Staikos, Mr
Suleyman, Ms
Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 40

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
Kealy, Ms
McCurdy, Mr
McLeish, Ms
Morris, Mr
Northe, Mr

O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr
Ryall, Ms
Ryan, Ms
Sandell, Ms
Sheed, Ms
Smith, Mr R.
Smith, Mr T.
Southwick, Mr
Staley, Ms
Thompson, Mr
Thorpe, Ms
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Question agreed to.

Motion agreed to.

JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018

Introduction and first reading

Mr PAKULA (Attorney-General) (13:27) — I move:

That I have leave to bring in a bill for an act to amend the Australian Consumer Law and Fair Trading Act 2012, the Births, Deaths and Marriages Registration Act 1996, the Civil Procedure Act 2010, the County Court Act 1958, the Legal Aid Act 1978, the Legal Profession Uniform Law Application Act 2014, the Magistrates' Court Act 1989, the Victoria Law Foundation Act 2009 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

Mr PESUTTO (Hawthorn) (13:28) — I ask the minister to give a brief explanation of the bill.

Mr PAKULA (Attorney-General) (13:28) — I am happy to provide the member for Hawthorn with a brief explanation. The bill will give effect to 16 recommendations from the government's access to

justice review to increase access to justice for Victorians and ensure that the most disadvantaged and vulnerable people in our communities receive the support they need when engaging with the law and the justice system. The bill also makes miscellaneous amendments to other justice legislation.

Honourable members interjecting.

The SPEAKER — I do not know that I have removed members from the chamber during introduction of bills, but there is always a first time.

Motion agreed to.

Read first time.

Mr PAKULA (Attorney-General) (13:29) — I move:

That this bill be read a second time tomorrow.

Mr CLARK (Box Hill) (13:29) — I wish to speak to the question of when this bill is considered because, as I have indicated previously, I believe that business such as this bill should not be proceeded with further until this house has dealt with the issue of the abuse-of-office allegations that have been made against a number of members in this place, including the findings of the report of the Ombudsman. Accordingly, I move:

That the word 'tomorrow' be omitted with a view of inserting in its place the words 'when a select committee of this house has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs'.

In moving that amendment I again remind the house that the integrity that we have been fortunate to enjoy in this jurisdiction and generally throughout Westminster jurisdictions is not something that has happened by accident. It is followed because, over a period of centuries, parliaments in this country and our predecessor at Westminster have been assiduous in dealing with issues of corruption and abuse of office. There is a well-known saying that the price of liberty is eternal vigilance. It is also true that the price of freedom from corruption is eternal vigilance. Any society that wants to preserve itself from the terribly devastating consequences of corruption and abuse of office needs to be prepared to act whenever these issues arise.

It has been the longstanding practice of Westminster parliaments, a practice of which we should rightly be proud as the inheritors of that practice, that when there are issues of abuse of office raised about members of this chamber or of our counterparts, our sister

jurisdictions or the Parliament at Westminster, that the house concerned takes responsibility for its own conduct, for the discipline of its members and for the upholding of its standards and that it does so in a way that puts aside partisan considerations and gives top priority to the standing and integrity of the house and to the importance for every member of the house that each and every one of us is held in some respect for at least the dignity, honesty and probity with which we conduct ourselves as members of Parliament, even if people are not pleased with the positions that we take on matters of policy.

There have been proposals that we should depart from that approach. There have been arguments put that we are not a fit chamber to continue to uphold our own standards in the way that Westminster parliaments have done for centuries. Those issues can be dealt with as and when they come before this Parliament. In the meantime it remains the responsibility of this chamber to uphold the standards of honesty, of probity, of respect for office and of use of allowances and entitlements for the purposes for which they are conferred upon us, and to examine and report on and, if necessary, deal with allegations of abuse of office where those allegations are proven.

In the past that would have gone without saying. Whenever serious matters have arisen in the past, regardless of whether they have been on the government side or the opposition side, they have been referred to a committee of members of this house made up of members of many different persuasions who have put aside their party or personal views and focused on dealing with the matter on its merits. It should not need me to reiterate that that is exactly what should be happening here.

It cannot be pretended that the Ombudsman has not found that wrongful practices occurred and that what occurred was an artifice. It cannot be contested that members on the other side refused to cooperate with that inquiry, purportedly on the back of a motion passed by this house. So the conduct of members of this house has not been scrutinised. There are these very serious allegations outstanding against them, and it should be the top priority of this house to deal with those matters. Once we deal with these we can go back to bills and deal with them on their merits. It can be done very quickly if the government agrees, but we need to attend to this and put our house in order.

Ms ALLAN (Minister for Public Transport)
(13:34) — I should buy a Tattsлото ticket because I predicted this would happen. I predicted that this would be the behaviour of the opposition, and I now renew a

number of the arguments made during the course of debate, just as the manager of opposition business has. I do not support the position that has been put by the manager of opposition business. I note that the opposition, the Liberal and Nationals coalition, perhaps with some friends on the crossbench, are wanting to continue to obstruct the introduction and passage of legislation.

The last time we had this discussion, a few moments ago, it was on a piece of legislation that was about increasing educational support to students in schools. This time the bill they are trying to obstruct and block is a bill around improving access to justice and making amendments to a number of acts. Some of them contain consumer protections, and some of them are about strengthening Victoria Legal Aid provisions. There are a whole range of activities that are contained in this bill that is being moved by the Attorney-General that are about strengthening access to justice, which clearly the Liberal and Nationals opposition do not want to see debated. Once again they would rather put the political game playing before the debate on this legislation.

I could speculate that it is because they are a little bit lazy. They might not want to put their back in and do the hard work that you have got to do in scrutinising legislation and getting stuck in. I could speculate that. But I would also like to point out that the manager of opposition business is asking us to consider an issue that does not even sit on the notice paper. There is nothing on the notice paper in regard to this matter for us to consider. I am also going to predict that he might try and put something on the notice paper. We will see what comes over the course of the day, but there is no motion on the notice paper for us to consider on this issue, so it is purely a hypothetical position that is being put by the manager of opposition business.

I would also like to pick up on some of the points that the manager of opposition business made during his contribution this time and last time — and perhaps he will make it again in the future — about the reasons why he wants to have this issue on the floor of the house about wanting to investigate matters regarding members of this place. Can I remind those opposite that when an attempt was made in the upper house to expand the Ombudsman's inquiry into investigating the political parties, the Liberal Party and the National Party and perhaps even the Greens as well — I am pretty certain it was — that motion was blocked by those parties in the upper house. So there is no high and mighty standard that they are trying to set here — none at all. It is all about the politics for those opposite. If they were fair dinkum about having a genuine investigation into this matter, they would have allowed

that motion to be passed. It should have sailed through based on the performance that we are hearing here.

Ms Staley interjected.

The ACTING SPEAKER (Ms Spence) — Order! The member for Ripon!

Ms ALLAN — Based on the performance we are hearing here, you would have thought that that sort of motion would have sailed through the upper house, but it did not and it was blocked. It was blocked by the Liberal Party, it was blocked by the National Party and it was blocked by the Greens political party. So really this just exposes those opposite.

Honourable members interjecting.

Ms ALLAN — I could speculate that empty vessels make the most noise, but perhaps that would be just a little bit impolite of me. This just exposes those opposite for being all about the politics.

Honourable members interjecting.

Ms ALLAN — I suppose someone picked that up. It is not about standards; it all about the politics for those opposite. As I said before, we will push on, we will continue to introduce legislation and we will continue to debate legislation. And you know what? We will continue to pass legislation because that is the job we were elected to do. We will not shy away from that job. We do it every single day, and the noise of those opposite will not stop us from continuing to pursue an agenda that is about strengthening the state of Victoria whilst we have the privilege of being in government.

Mr WALSH (Murray Plains) (13:39) — I rise to support the motion moved again by the member for Box Hill that the bill not be read a second time until a select committee is put in place. It is rather ironic that the bill we are talking about in this case is actually a bill introduced by the Attorney-General. The Attorney-General is the top law officer in this state. The Attorney-General, as I understand it, is responsible for the integrity of the law system in this state. It is he that everyone looks to to set the example about law-abiding citizens in this state. Very disappointingly it is he who spent over \$1 million of taxpayers money defending the indefensible, trying to stop the Ombudsman investigating the red shirts rort scheme. It is rather ironic, as I said, that it is the Attorney-General's bill that we are now talking about.

The manager of government business cries crocodile tears about the fact that we are holding up legislation. We are not holding up legislation; we are not holding

up debate about legislation at all. If those on the government benches support the member for Box Hill's motion, we can get on with doing the other business of this house. It is a very simple decision: do you vote against the member for Box Hill's motion, to support rorting, to cover up and to hide from rorting, or do you support the member for Box Hill's motion to set up a full and transparent select committee with public hearings around the rorting here so the facts can be on the table? It is a very simple choice. The Attorney-General should support the member for Box Hill and make sure that the law of this land is upheld and there is a transparent process around that.

The member for Shepparton spoke on the previous motion of the member for Box Hill and talked about the house getting on with the business of governing this state. I agree with the member for Shepparton about the house getting on with doing the business of governing this state, but part of the issue of governing this state is holding the executive government and the government of the day to account and to make sure they spend taxpayers money wisely, and that is what this motion from the member for Box Hill is all about. It is about the integrity of the system in Victoria and making sure that the government of the day and the executive government are held to account to make sure they expend taxpayers money appropriately and uphold the laws of the land.

That is where spending more than \$1 million of taxpayers money to go to the full bench of the Supreme Court and to the High Court to try to stop the Ombudsman doing her job I think is a misuse of taxpayers money, and the Attorney-General was wrong to do that. The fact is that at this stage the Ombudsman has identified at least \$388 000 of rorting of taxpayers money, and that has now been paid back by the Labor Party. The fact that it has been paid back so readily now that the Ombudsman's report is out says that those that made these decisions knew they were doing something wrong. They actually had advice twice from Peter Lochert, as I understand it from reading the report, that this did not fit within the parliamentary guidelines. But still those ministers and those members in this house refused to cooperate with the Ombudsman and refused to be interviewed by the Ombudsman because of the issue of cognisance between the two houses.

Here is an opportunity for those who sit on the other side of the house to own up, be honest and have an inquiry. They should support the member for Box Hill's motion so an independent inquiry is set up, a select committee is formed and the truth can come out, because there are quite a few members on that side of

the house who have a vested interest in covering it up. There are quite a few people who benefited —

Ms Allan interjected.

Mr WALSH — including the manager of government business, who I think protests too loudly about this whole issue, and whose campaign was the beneficiary of something like \$21 500 of rorted money from upper house members to help people go into her campaign office and fight her campaign. The manager of government business has a vested interest in keeping this cover-up going because she was a personal beneficiary in her campaign in Bendigo East, and the same applies to a whole range of members on the other side of house. I see the member for Macedon at the starting gate wanting to say something. She was a beneficiary as well.

Ms THOMAS (Macedon) (13:44) — I rise to oppose the motion by the member for Box Hill and to reiterate the points that were made by the Leader of the House in her contribution. I must say that it is a bit rich to stand here following the member for Murray Plains.

Honourable members interjecting.

The ACTING SPEAKER (Ms Spence) — The member for Warrandyte!

Ms THOMAS — This is the very same member who was responsible for the Office of Living It Up Victoria when he brought all his National Party mates and ripped off the people of Victoria and did what those on the other side have done every time they have been in government — ripped off regional Victorians and taken them for a ride.

Honourable members interjecting.

The ACTING SPEAKER (Ms Spence) — The members for Ripon and South-West Coast, I cannot hear the member for Macedon over your voices.

Ms THOMAS — Thank you very much, Acting Speaker. What a disgraceful performance over there from the member for Ripon. I will tell you what — to listen to the member for Murray Plains and those on the other side — of course we will be opposing this ridiculous political stunt from those on the other side.

Mr R. Smith — On a point of order, Acting Speaker, perhaps during the member's contribution she can tell us what Renee Pope-Munro is doing now that that person is not being paid by the taxpayers to help her win her election in the seat of Macedon.

The ACTING SPEAKER (Ms Spence) — There is no point of order.

Mr R. Smith interjected.

The ACTING SPEAKER (Ms Spence) — The member for Warrandyte, enough. I could not hear what was going on on that side of the house because you were much louder.

Mr WAKELING (Ferntree Gully) (13:46) — We have had a contribution from the member for Macedon, who is standing in this house pretending that this side of the house is raising issues that are not of concern to the Victorian community. She is listed on page 76 of the Ombudsman's report.

Ms Allan — On a point of order, Acting Speaker, and on a question of relevance, the member for Macedon is not the matter for debate here in this question before the house. It is a question of time, as moved by the manager of opposition business, and I simply ask the member for Ferntree Gully to come back to the question of time that is before the house.

Mr R. Smith — On the point of order, Acting Speaker, it is a ridiculous comment to say that the member for Ferntree Gully cannot raise issues that were raised by the member for Macedon. The very nature of a debate is to respond to what has gone on in the debate preceding. It is ridiculous to say that the member cannot respond to what has already been said during this part of the debate.

The ACTING SPEAKER (Ms Spence) — I will ask the member for Ferntree Gully to continue. During the debate on a previous motion on a very similar matter it was raised that people were speaking beyond the motion itself in exactly the same fashion as the point of order that has just been raised. I do not know that the member for Ferntree Gully has done that in this case, and I ask him to continue.

Mr WAKELING — Thank you for your guidance, Acting Speaker. The very essence of the motion that has been put by the member for Box Hill is that we have a very dire situation here in the state of Victoria. We have a Victorian government that is not focused on governing but is more focused on covering up rorts that happened under their watch. They have seen fit to not only use taxpayer funds to the order of nearly \$400 000 —

An honourable member interjected.

Mr WAKELING — at least up to \$400 000 — to finance a scheme that is inconceivable. It is

inconceivable that any member of Parliament could sign a casual employment form, as we have done as members of Parliament, for employees that do not work in their office. It is inconceivable to think that any of us in this place could think that you could do that and not think that there is a problem. I cannot believe that not only did this government, when in opposition, spend nearly \$400 000 of Victorian government funds but they then spent upwards of nearly \$1 million to stop this matter being investigated. This government —

Ms Allan — On a point of order, Acting Speaker, I have indicated the scope of the debate, but I would also ask the member for Ferntree Gully that if he is going to contribute to debate, that he also be factual in that contribution. The allegations he is making cannot be found in the Ombudsman's report that was released last week. Regarding the reference to the legal action that followed, that was initiated by the Ombudsman. The member is not reflecting that accurately. I ask you to bring him back to the issue before the house, which is a question of time — a narrow question of time.

The ACTING SPEAKER (Ms Spence) — I do bring the member for Ferntree Gully back to the question.

Mr WAKELING — Thank you very much, Acting Speaker. My only response, and I know it is disorderly to respond to interjections and comments by those opposite, is that if in fact it was not \$1 million this government has spent to hide this matter, how much taxpayers money did they spend fighting these matters through the legal system in the state of Victoria? Because that is an answer that Victorians want to know. That is part of the reason we need an inquiry in Parliament on this issue, to get on with the job of getting to the bottom of this murky government — this government that has acted in a corrupt way previously. Victorians want to know not only how much money was spent by this government in running their red shirts campaign but also how much money was organised by this government, commissioned through the cabinet, to spend on defending this government. I think that the Leader of the House should give us that answer.

Ms Allan — On a point of order, Acting Speaker, the member is making claims that have no basis in —

Mr WAKELING — They do.

Ms Allan — Well, they do not. There are no findings in the Ombudsman's report in that regard. Those legal proceedings, as the Ombudsman herself indicated last week, were initiated by the Ombudsman.

Acting Speaker, I simply renew my point of order, and I will continue to renew my point of order that this is a narrow debate on time, and I ask you to bring the member back to debating that matter.

The ACTING SPEAKER (Ms Spence) — I do bring the member for Ferntree Gully back to the matter.

Mr WAKELING — One of the reasons we need this is because of what we have just heard from the Leader of the House.

Honourable members interjecting.

The ACTING SPEAKER (Ms Spence) — Order! The member for Ripon! The member for Warrandyte! Leave is granted for the member for Melbourne to speak.

Ms SANDELL (Melbourne) (By leave) (13:52) — We are not happy that today's parliamentary business is being taken up by these political games, and I would say that most Victorians — any Victorians who happen to be watching — would agree with us. The opposition has prosecuted their case on this issue. It is hard to see what obstructing important parliamentary debate further could hope to achieve except to frustrate this Parliament and cause more political pain for the government.

That puts us as the Greens in a position where we are forced to speak on these issues and we are forced to vote on these issues, but we would much prefer that our day in Parliament was spent on important issues that are before us. We have many coming up, including a motion on treaty. There is actually a much better way, which we urge both sides to adopt. This could all be solved relatively easily by the government referring members involved in this matter to the Privileges Committee — the most appropriate place for this — the Labor Party agreeing to pay a financial penalty for the taxpayer money improperly used for election purposes and the government agreeing to introduce an independent parliamentary standards commissioner.

These are the solutions being put forward by the Greens. These are the solutions that the public want to see. The public actually expects this systemic abuse of taxpayer money and parliamentary process to be fixed. They are not just interested in a witch-hunt, which is what the opposition seems to be interested in. That is not what we are interested in. We are interested in actually fixing the parliamentary system so we can restore the trust of the public in this house which makes our laws. The public do not want to see any more political games. We do not want to see any more political games, and we urge both sides to reflect on

their behaviour today and actually live up to the standards that Victorians expect.

The ACTING SPEAKER (Ms Thomson) — The question is:

That the word proposed to be omitted stands part of the motion.

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

House divided on question:

Ayes, 43

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

Noes, 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
Burgess, Mr	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	Victoria, Ms
McCurdy, Mr	Wakeling, Mr
McLeish, Ms	Walsh, Mr
Morris, Mr	Watt, Mr
Northe, Mr	Wells, Mr

Question agreed to.

Motion agreed to.

LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018

Introduction and first reading

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) (14:00) — I move:

That I have leave to bring in a bill for an act to amend the Gambling Regulation Act 2003, the Liquor Control Reform Act 1998, and for other purposes.

Mr D. O'BRIEN (Gippsland South) (14:01) — I seek a brief explanation of the bill from the minister.

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) (14:01) — The bill will amend the Liquor Control Reform Act 1998 to strengthen harm minimisation measures, particularly those aimed at protecting minors, and to reduce red tape for licensees. The bill will also amend the Gambling Regulation Act 2003 to improve the regulatory framework for gambling in Victoria. This will enable the government to implement the National Consumer Protection Framework for online wagering, and to increase the efficiency and flexibility of the Keno licence application process.

Motion agreed to.

Read first time.

LONG SERVICE BENEFITS PORTABILITY BILL 2018

Introduction and first reading

Ms HUTCHINS (Minister for Industrial Relations) (14:02) — I move:

That I have leave to bring in a bill for an act to provide portability of long service benefits in certain industries and to amend other acts and for other purposes.

Motion agreed to.

Read first time.

NOTICES OF MOTION

Notice of motion given.

Ms ALLAN giving notice of motion:

Honourable members interjecting.

Ms ALLAN — The Leader of the Opposition said we should have done this three months ago. Does that mean that the Leader of the Opposition knows that

there is something dodgy here? You know, don't you? You know what you have covered up. I was responding to the interjection by the Leader of the Opposition.

Honourable members interjecting.

Ms ALLAN — Speaker, I ask the Leader of the Opposition to withdraw calling me a fool.

Mr Guy — I withdraw.

Ms ALLAN continued giving notice of motion.

Mr Walsh — On a point of order, Speaker, I seek clarification about the notice that the manager of government business has given and her responding to interjections as she gave that notice. My understanding is that everything the manager of government business said in that motion is actually recorded in the motion and will go onto the notice paper. Is that correct?

Ms Allan — On the point of order, Speaker, if it would assist I would be delighted to read the notice of motion again. If there is any doubt, I am delighted to read a new notice of motion that will make things very clear.

The SPEAKER — I am advised that we refer to the written notice provided by the minister.

Mr Walsh — On a further point of order, Speaker, are you saying that everything that the manager of government business said is not necessarily recorded in *Hansard*?

The SPEAKER — It is not.

Mr Clark — Speaker, further to the point of order raised by the Leader of The Nationals, the standing orders provide for ministers to give a notice of motion orally and then to provide a copy of the written motion to the table, as indeed is the case for all members when they are able to give a notice of motion. That is the reason it is given orally: that the house is informed of it.

I submit that it is not in order for the Leader of the House to correct an error that she has made in giving the notice by delivering a copy of a written notice. The written notice should conform with the oral notice. The oral notice is not made valid by conforming with the written notice. Now, if there is some arrangement whereby the giving of the notice is interrupted, that can be dealt with, but I submit it is not appropriate for the minister to place reliance on a written notice if she has failed adequately to give an oral notice; and if she has not given it orally, that needs to be dealt with as an oral notice.

The SPEAKER — Order! In response to the point of order raised by the Leader of The Nationals, notices of motion are not usually recorded in *Hansard*. They are written notices that are given by the minister, in this case orally, at the table. She probably should not have responded to interjections.

Mr Guy — But she did.

Honourable members interjecting.

The SPEAKER — The member for Warrandyte will not shout at the Chair. So the notice of motion stands.

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE

Drug law reform

Mr HOWARD (Buninyong) presented report, together with appendices, extract from proceedings, summary booklet, minority report and transcripts of evidence.

Tabled.

Ordered that report, appendices, extract from proceedings, summary booklet and minority report be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 4

Mr J. BULL (Sunbury) presented Alert Digest No. 4 on:

Charities Amendment (Charitable Purpose) Bill 2018

Engineers Registration Bill 2018

Guardianship and Administration Bill 2018

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018

Parks Victoria Bill 2018

together with appendices.

Tabled.

Ordered to be published.

**ENVIRONMENT, NATURAL RESOURCES
AND REGIONAL DEVELOPMENT
COMMITTEE**

**Sustainability and operational challenges of
Victoria's rural and regional councils**

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

Tabled.

Ordered that report and appendices be published.

DOCUMENTS

Tabled by Acting Clerk:

Commissioner for Environmental Sustainability Act 2003 —
Strategic Audit: Implementation of Environmental
Management Systems in Victorian Government 2016–17

Crown Land (Reserves) Act 1978 — Order under s 17D
granting a lease over Glenfern Valley Bushland Reserve

Duties Act 2000 — Report 1 July 2017 to 31 December 2017
of Foreign Purchaser Additional Duty Exemptions under s 3E

Financial Management Act 1994 — 2017–18 Mid-Year
Financial Report incorporating the Quarterly Financial Report
No 2 for the period ended 31 December 2017

Interpretation of Legislation Act 1984 — Notice under
s 32(3)(a)(iii) in relation to Statutory Rule 26 (*Gazette G12*,
22 March 2018)

Land Tax Act 2005 — Report 1 July 2017 to 31 December
2017 of Land Tax Absentee Owner Surcharge Exemptions
under s 3B

Ombudsman — Investigation of a matter referred from the
Legislative Council on 25 November 2015 — Ordered to be
published

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

Boroondara — C279

Gannawarra — C42

Greater Geelong — C365

Greater Shepparton — C199

Indigo — C73

Knox — C161

Latrobe — C102

Melbourne — C330

Northern Grampians — C35

Stonnington — C243

Surf Coast — C96

Swan Hill — C65

Warrnambool — C102

Yarra — C242

Statutory Rules under the following Acts:

Building Act 1993 — SR 26

Conservation, Forests and Lands Act 1987 — SR 25

Drugs, Poisons and Controlled Substances Act 1981 —
SR 31

Magistrates' Court Act 1989 — SRs 28, 29

Rail Safety (Local Operations) Act 2006 — SR 27

Victorian Civil and Administrative Tribunal Act 1998 —
SR 30

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — *Occupational
Health and Safety Act 2004:*

Compliance code: Hazardous manual handling

Compliance code: Noise

Compliance code: Plant

Compliance code: Confined spaces

Compliance code: Facilities in construction

Documents under s 15 in relation to — Statutory
Rules 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30

Documents under s 16B in relation to:

National Parks Act 1975 — National Parks
(Authorization to Carry and Use Firearms or Other
Weapons in the Course of Hunting Deer by
Stalking in the Avon Wilderness Park, Tara Range
Park and Specified Areas of the Alpine and Baw
Baw National Parks) Notice

Wildlife Act 1975 — Declaration of Certain
Wildlife as Unprotected Wildlife on Private
Property under s 7A

Snowy Hydro Corporatisation Act 1997 — Documents under
s 6A

Surveillance Devices Act 1999 — Report of the Victorian
Inspectorate under s 30Q

Victorian Inspectorate — Reports 2016–17 under s 39 of the
Crimes (Controlled Operations) Act 2004, s 131T of the
Fisheries Act 1995 and s 74P of the *Wildlife Act 1975*

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting)
Notice (*Gazette S112*, 13 March 2018).

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Health Legislation Amendment (Quality and Safety) Act 2017 — Sections 6 to 32, 45 to 59, Part 3 and ss 80 to 88 — 1 April 2018 (Gazette S96, 6 March 2018).

The SPEAKER — The question is:

That the Ombudsman's *Investigation of a Matter Referred from the Legislative Council on 25 November 2015* be published.

Mr CLARK (Box Hill) (14:13) — I would like to speak to the question and support the motion for the publication of the Ombudsman's report. I think it is one of the most significant reports that the Ombudsman has put forward to this house. It relates to one of the most extensive misuses of parliamentary allowances that we have seen in this state's parliamentary history. It is important that this report be published, that it be published far and wide, and that it comes to the attention of Victorian citizens and to the attention of all responsible authorities who may be in a position to hold people to account for what has occurred here.

As I have said, it is one of the most significant reports from the Ombudsman that has been tabled in this state's history. It is in fact almost unbelievable that so many members, not only of this house but of the other place, have been named in the report as having been involved in what the Ombudsman has described as an artifice and something that was clearly wrong and an abuse of allowances by the members of Parliament concerned. It goes to the heart of the integrity of government in this state and to the heart of our system of government, the Westminster system of Parliament, under which we have been fortunate to operate for many years. It is therefore very important that it be published so that the community can see the full detail of what is in that report, because it is not something that should be judged by the glib remarks of the Premier and his attempt to say, 'Nothing to see here, let's move on.' It is something that the community needs to understand, through the publication of this report, exactly how extensive, how coordinated, how structured and how deliberate the entire artifice was.

There is page after page in this report that goes through the evidence that was taken. The Ombudsman publishes the relevant documents, reports on those members of this Parliament who were interviewed, reports on what was said by the field officers concerned who were also electorate officers, and draws distinctions with the one electorate officer who did do the right thing and was apparently sacked by the Labor Party for his troubles. This highlights the extent of the

abuse of the electorate officer position by everybody else, and the Ombudsman's evidence shows this person was reprimanded for actually doing his job as an electorate officer, showing clearly it was intended that others should not and that he should not. So all of this is detailed in that report and it is important that members of the community can see all of that detail through the publication of this report, because when they examine that detail they will see that the claims that were made — that this was something entirely innocent — are completely unfounded. It was a contrivance from the start, and that is what is laid out in detail in this published report. The other reason this report needs to be published is that it sets out in detail the extent to which members of this house refused to cooperate with the Ombudsman's inquiry.

Ms Allan — On a point of order, Speaker, I have been listening very carefully to the manager of opposition business and this is a motion that has, I am happy to indicate, the support of this side of the house, because really this is a motion to allow — as I have been advised — the report to be published and therefore gives the report the appropriate parliamentary privilege cover that it requires. There is literally nothing to debate here, and I would argue that going into —

An honourable member interjected.

Ms Allan — In terms of the motion that is before the house — goodness me! There is no point of debate here. We are agreeing about the motion. My point of order is that the matters that the manager of opposition business is canvassing go beyond the motion that is about the printing of the report. It is not about the substance of what is in the report.

Mr CLARK — On the point of order, Speaker, it is clear the Leader of the House is trying to filibuster and stop me concluding my speech. For her to suggest that members cannot speak on a motion because maybe the other side agrees to it would negate the vast majority of debate on bills when different parties want to put a point of view. I want to emphasise the importance of the publication of this report, and I submit that my remarks are in order.

The SPEAKER — I do not uphold the point of order. The member for Box Hill to continue.

Mr CLARK — So to conclude, in the 8 seconds remaining, it is important this report be published. The community is entitled to see exactly what has gone on with the abuse of office that is highlighted in it.

Ms ALLAN (Minister for Public Transport) (14:18) — As I indicated before, there is no point of debate here. This is a process and procedure —

Honourable members interjecting.

Ms ALLAN — Goodness me, they are so tiresome. They are so very tiresome.

The SPEAKER — Order! The Leader of the House will ignore interjections.

Mr M. O'Brien interjected.

Ms ALLAN — I wish I had a dollar for every time you told me to sit down, buddy. I would happily donate a dollar to Women's Health Loddon Mallee for every time you told me to sit down in your aggressive way.

The government has no truck with this motion. It is, as I said, a simple procedural motion agreeing to the publication of a report that, as we know by now, has been published, has been widely canvassed for debate and no doubt will continue to be canvassed. I would suggest that we can now move through this matter that is before the house. We should move through it expeditiously and go to the next item on the program, which is around the government business program, so that we can allow the debate on legislation to continue.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Warrandyte and the Minister for Industry and Employment to cease shouting across the chamber.

Honourable members interjecting.

The SPEAKER (14:20) — The member for Warrandyte and the Minister for Industry and Employment will leave the chamber for the period of 1 hour.

Honourable member for Warrandyte and Minister for Industry and Employment withdrew from chamber.

Mr D. O'Brien (Gippsland South) (14:20) — I too am pleased to rise to speak on the publishing of the Victorian Ombudsman's report into the investigation of a matter referred from the Legislative Council on 25 November 2015. It is perhaps no great surprise that the Leader of the House would like us to sit down and not talk about this because —

Ms Allan — No, I didn't say that.

Mr D. O'Brien — You did say exactly that. You were just saying that we should not be debating this because it has been well canvassed. It is extraordinary that the manager of government business would say that we should not be debating this issue, when as the Leader of the Opposition pointed out earlier this is the single largest rort of the Victorian taxpayer in this Parliament's history. It is a fundamental role of this Parliament to ensure that the executive is kept accountable, and that is what we will be doing on this side because this government, the Labor Party, has absolutely rorted taxpayers funds for its own political benefit in a way that has never been seen before.

The Ombudsman's report outlines what has actually been a calculated, well-planned artifice — an artifice to rort taxpayers money for the benefit of the ALP. The Ombudsman said:

... the arrangement to employ field organisers as electorate officers was an artifice to secure partial payment for the campaign out of parliamentary funds, and was wrong.

That is why we are here talking about the publishing of this report now, because as much as the government would like it to go away and pretend that it is not a big deal — and it highlights the government's approach to this that they think that it is not a big deal and we all should move on — it just shows how wicked and deceitful they have become. We must as a Parliament take up this issue and highlight the rorting that has gone on. It is not only what the Ombudsman has reported in the last week in this report; I also support the previous debate we had today with respect to the establishment of a select committee, because we have not got to the bottom of this.

The member for Shepparton said earlier that the people of Victoria should have their say at an election, and indeed they will. I agree with her; they will have their say. But they also deserve to know the full story because the Ombudsman herself has indicated that this is not the full story. Again in the foreword the Ombudsman said:

... there are gaps in the evidence of which Parliament should be aware.

She also went on to highlight that, because of the Legislative Assembly's claim of exclusive cognisance, there are other areas that she was unable to investigate and that she had to rely on the information that she received from the police to actually come up with this report. It is extraordinary.

We have got the government running a defence that those involved — the 21 MPs and former MPs who were involved in employing staff to work for the Labor

Party as campaigners — did so in the reasonable belief that they were acting as part of an existing pooling arrangement. What a crock that is! It is just extraordinary to think that the members of the government thought that. The Ombudsman has outlined in great detail how those members had employed people as casual electorate officers and did not know what they were doing. Indeed on page 10 of her report, paragraph 26, she said:

Participating members were uniformly unaware of the field organisers' typical daily schedule.

They were unaware of it. This comes from the party that talks about OH&S incessantly in this Parliament, that talks about the rights of workers and about making sure that they are looked after and that they are supervised properly, and they were signing time sheets for people they had never met, let alone not even knowing what these people were doing. For the Attorney-General and others to say that 'this was all above board' and 'we thought we were just employing electorate officers' is extraordinary.

The other matter that I will just briefly canvass is the Ombudsman's comment that those who were involved in this rort did not benefit personally. Well, that is one area where I will disagree, because they did benefit personally. They got ministries. There are six of them there that are now in the ministry as a result of this. The estimate is they have received half a million dollars personally as a result of being ministers.

Honourable members interjecting.

The SPEAKER — Order! We do not need members shouting across the chamber.

Ms Allan — On a point of order, Speaker, simply on relevance, none of what the member has been canvassing in the last few moments is found in the Ombudsman's report, and I would ask that you bring him back —

Mr D. O'BRIEN — It is in the Ombudsman's report.

Ms Allan — Not the claims of personal benefit.

The SPEAKER — Order! Regardless of the fact, the member's time has expired.

Ms HALFPENNY (Thomastown) (14:25) — I support the motion.

Mr SOUTHWICK (Caulfield) (14:25) — That was a big contribution from the member for Thomastown! We have not seen a report like this before. I tell you

what, the Ombudsman's report is the most damning report that this Parliament has ever seen. It incriminates the Labor Party and shows fairly and squarely that we have a government that lied to get into the position they are now in. That is how they started. This government started with a lie and is working continuously —

Ms Allan — On a point of order, Speaker, I ask that you bring the member back to being relevant to the motion that is before the house. The claims he is making in his contribution do not reflect the recommendations that are contained in the Ombudsman's report. We are debating the matter of the Ombudsman's report being published, and I would ask that he be relevant to the material that is in the Ombudsman's report.

The SPEAKER — Order! The member for Caulfield will keep his remarks to the motion before the house.

Mr SOUTHWICK — I am keeping my remarks to the Ombudsman's report and requesting, as the motion says, that it be published because it is the most damning report that we have seen. No wonder that we have the Minister for Public Transport wanting to hide this when she benefited from this rort — \$24 000, hiring —

Ms Allan — On a point of order, Speaker, the member for Caulfield is misrepresenting me. I am supporting this motion. It is inaccurate to say I am trying to hide this motion from the house, and I would ask you to bring him back to being relevant to the motion before the house.

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

Mr SOUTHWICK — As we said, the member for Bendigo East certainly benefited. Firstly, by having somebody employed, a Renee Pope-Munro, who for 35 days —

Ms Allan — On a point of order, Speaker, the member for Caulfield is misleading the house. The Ombudsman found very clearly that there was no personal gain by a member. I would ask that if the member is going to make a contribution on this debate, that he be factual as to the content of the report.

The SPEAKER — Order! There is no point of order. The member for Caulfield to continue.

Mr SOUTHWICK — The report says very clearly that the member for Bendigo East and other ministers certainly would not be here if it were not for the financial benefit that they secured by doing this. The

minister is on half a million dollars that she would not be paid otherwise if she —

Honourable members interjecting.

Ms Allan — On a point of order, Speaker, I have no argument with having this debate, but I do have argument with the fact that the member for Caulfield is not being factual. The material he presents to the house during the course of this debate needs to be factual, and I ask you to bring him back to being factual and relevant to the motion before the house.

Mr SOUTHWICK — On the point of order, Speaker, it is very clear in the Ombudsman's report that electorate officer Renee Pope-Munro had 35 days authorised by the member for Bendigo East, which —

The SPEAKER — Order!

Mr SOUTHWICK — This is on the point of order.

The SPEAKER — Order! I am sufficiently availed of the information to rule on the point of order. I do not uphold the point of order. The member for Caulfield to continue his contribution.

Mr SOUTHWICK — We know from this report that 21 members of Parliament — Labor members — benefited from this; all were part of this. This government started with a lie, and if this report is any indication of anything that this government stands for, then I think we know that it is a fraudulent government. What can we rely on in any decision that this government has made since they began? They began with a lie, and that is why this report is so important. They began with a lie and we have seen time and time again fraudulent activity. From the former Speaker to the former Deputy Speaker to a minister chauffeuring their dogs around in a car, we have seen kinds of behaviour that a government would never, ever have done before.

This is a government that have been in it for themselves. This is a government that has misrepresented Victorians and misrepresented certainly anything to do with fairness. This is the most deceiving, corrupt government that we have ever seen. This report says that, and it goes right to the heart of the matter. That is why the Premier would not give evidence and that is why the ministers would not give evidence. They have all financially benefited, because now the ministers, including the Premier, are in jobs that they would never have received if they had not got in as a result of the deceitful and misleading behaviour that they engaged in in order to win government in 2014. And we know that this report says it all.

Mr PEARSON (Essendon) (14:30) — I rise to support the publication of the report.

Question agreed to.

CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) 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 14 March to:

Gambling Legislation Amendment Bill 2017

Racing Amendment (Modernisation) Bill 2017.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Engineers Registration Bill 2018

Guardianship and Administration Bill 2018.

ELECTORATE OFFICE BUDGETS

Mr GUY (Leader of the Opposition) (14:31) — I desire to move, by leave:

That:

(1) the Assembly notes:

- (a) the Ombudsman's report, *Investigation of a Matter Referred from the Legislative Council on 25 November 2015*, into the misuse of electorate office staffing entitlements by 21 current and former Labor MPs;
- (b) that a number of current and former Labor MPs and electorate office staff refused to cooperate with the Ombudsman's investigation;
- (c) that the Ombudsman was unable to obtain all relevant information and has referred gaps in the evidence to Parliament;

(2) a select committee of eight members be appointed to inquire into, consider and report, no later than 31 August 2018, on:

- (a) the misuse of electorate office staffing entitlements by certain current and former Labor MPs, including in particular, obtaining and considering evidence that was withheld from the Ombudsman;

- (b) the expenditure of public money by the government in actions in the Supreme Court, Court of Appeal and High Court in an effort to prevent the Ombudsman's investigation;
- (3) the committee will consist of four members from the government party nominated by the Leader of the House, three members from the opposition nominated by the Leader of the Opposition and one member from the Australian Greens nominated by the member for Prahran;
- (4) the members will be appointed by lodgement of the names with the Speaker no later than 12 noon on the day following the day on which this resolution is agreed to by the Assembly;
- (5) the first meeting of the committee must be held no later than seven days after the day on which this resolution is agreed to by the Assembly;
- (6) the committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (7) the nearest whole number of members exceeding one-half of the members appointed under paragraph (3) will constitute a quorum of the committee;
- (8) the chair of the committee will be an opposition member and the deputy chair will be a government member;
- (9) in addition to exercising a deliberative vote, when votes on a question are equally divided, the chair, or the deputy chair when acting as chair, shall have a casting vote;
- (10) the committee may commission persons to investigate and report to the committee on any aspects of its inquiry;
- (11) the presentation of a report or interim report of the committee will not be deemed to terminate the committee's appointment, powers or functions; and
- (12) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly, will have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly.

Leave refused.

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Public Transport)
(14:34) — 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, 29 March 2018:

Engineers Registration Bill 2018

Guardianship and Administration Bill 2018

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018

Parks Victoria Bill 2018.

In making a few comments on the motion that I have just put before the house regarding the government business program, as I indicate consistently, I move this motion with optimism that it will be unanimously supported by those in the chamber. There are four bills, each worthy of consideration throughout the course of the week. I note that the opposition has signalled it would like to take the Guardianship and Administration Bill 2018 into consideration in detail. Time may or may not permit, but that is considered appropriate to be done on Thursday afternoon. However, I do note that the opposition has cut across itself by not getting to this motion in a more timely way due to other debates that have been had over the course of the afternoon. So that consideration-in-detail stage is in a little bit of jeopardy, but we will work through that over the course of the week.

I would also like the house to note that there are a couple of other matters that we need to deal with as well. There is an information-sharing bill — I do not think that is quite the correct title, but there is a bill relating to those matters — that has been returned for our consideration from the upper house, and that will be dealt with. I am always happy to be cooperative with the opposition, and they have requested that that be dealt with tomorrow. We will deal with that tomorrow.

Mr Burgess interjected.

Ms ALLAN — I am doing you a favour. I would suggest you not interject in that way. I would also like to point out that shortly we will be debating a motion that is on the notice paper in the name of my friend and colleague the Minister for Aboriginal Affairs to establish a framework to allow a slightly different than normal presentation of the second-reading speech of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018. This is quite a significant piece of legislation. I will allow the minister, who has been doing tremendous work in this area, to canvass that more over the course of the debate on the motion that, as I have indicated, the government will be seeking to bring on for consideration and, hopefully, unanimous support immediately after members statements.

I would also like to draw the house's attention to the motion that I gave notice of on behalf of the Treasurer regarding the sale of Victoria's share of Snowy Hydro to the commonwealth government to facilitate the Prime Minister's desire to introduce the Snowy 2.0 scheme. The state has been quite cooperative with the

efforts of the Prime Minister, and I would hope that the chamber is equally cooperative in facilitating the passage of this motion as it is a requirement that we do that and we do it this week.

Honourable members interjecting.

Ms ALLAN — I am getting a few little murmurings that there might not be unanimous support for this motion. I am sure the Prime Minister's office will be very interested to hear that there might be some heavy weather. I would hope that would not be the case, because this is another example of the government wanting to help facilitate the Prime Minister's agenda on this matter.

There is a lot of activity to get through over the course of the week. I look forward to the house getting through this substantial amount of work with good grace and good humour. With that, I commend the motion to the house.

Mr CLARK (Box Hill) (14:38) — The government has outlined a business program of four bills and sundry other matters. I note the Leader of the House did not refer to one of the motions she gave notice of earlier. That reinforces our view that it was not one that was being moved with any sincerity on the government's part. However, the main issue that hangs over this house is in relation to the report of the Ombudsman, as we have been making clear already during the course of this afternoon. It was particularly conspicuous of course that the Leader of the House had nothing to say about that matter. I do risk repeating myself, but these are things that need to be said over and over again because the facts have not changed and the situation still needs to be dealt with.

Indeed this has been compounded between the last sitting week and this one by the Ombudsman's report and the fact that there are a number of grave allegations and indeed a number of very strong factual findings by the Ombudsman about the conduct of members of this house that the government is still refusing to deal with. Not only have we had the longstanding refusal of the government to deal with the allegations and evidence against the former Speaker and the former Deputy Speaker but we now have many other members on the government side of the house, including ministers, who have been named in the Ombudsman's report in connection with findings on a scheme to use public money that was wrongful and an artifice.

These are matters that need to be brought to account. They need to be brought to account by this house, and that is particularly so because the Ombudsman's

report's shows that ministers in this house and members in this house who are the subject of the evidence against them, which shows participation in this artifice of a scheme, refused to cooperate with the Ombudsman's investigation. With them having failed to do that, there is an issue in terms of accountability and probity, of whether that was a justified course of conduct on their part and why exactly they were refusing to cooperate with inquiry.

It would seem, on the face of it, that if, as the evidence prima facie points to, there has been wrongdoing on their part, that wrongdoing is potentially being highlighted by their non-cooperation with the Ombudsman when they ought to cooperate, and it is also highlighted by the efforts that were made by the government to expend further public funds to try to prevent the Ombudsman's inquiry continuing. That of course particularly relates to the conduct of the Attorney-General now that it has become public that he was one of the participants in this artifice, yet he was the one who was driving the efforts of the government to try to prevent the Ombudsman from undertaking the inquiry, which she has now done and reported on. These are particularly grave matters on top of those matters that were previously outstanding in relation to the former Speaker and former Deputy Speaker.

It is something that the house should be dealing with this week, yet week after week we have had the government pretend that there is nothing it needs to account for — try to move on, brush it aside, refuse to accept the responsibility that is owed to this house. Some members have questioned why it is that we on this side of the house have been pressing this issue so strongly and so repeatedly during the course of today and intend to continue to press it in the future. That is because it is a travesty that needs to be dealt with. It is a travesty that this house is not accepting responsibilities that in the past Westminster parliaments around the world would have accepted to deal with these serious allegations that have been made against members of their house, and to put partisan considerations aside and refer it to the appropriate committee, to get to the bottom of it and make sure that it does not happen again, and that misfeasance is dealt with appropriately by this house as a deterrent to future misfeasance. So for all of these reasons the opposition parties oppose the government business program.

Mr PEARSON (Essendon) (14:43) — I am delighted to rise today to speak in support of the government business program. It is an outstanding government business program. There are four bills before the house. I am thoroughly looking forward to the contribution from Wurundjeri elders in this place as

we start the formal process to establish a treaty. Finally we will be able to bring justice to the very first Victorians of this state, and it is an absolute honour and privilege to be a member of this place and to be party to these discussions. So it is a really good solid working program before us.

I look forward also to making a contribution on the trade sale of Victoria's interest to the commonwealth in relation to Snowy Hydro. It would be remiss of me to not take this opportunity to welcome back the member for Box Hill, who was absent for the last sitting week, because what became clear in the course of that week is that the Deputy Leader of the Opposition is not in the league of the member for Box Hill, who is proving himself to be a modern-day Spurius Ligustinus, who was a first centurion of the first legion in republican Rome.

Mr HIBBINS (Pahran) (14:44) — I rise to speak on the government business program on behalf of the Greens. Here we are again. We have got four bills on the notice paper and then of course we have got the motion for the sale of the Snowy Hydro, and we have got the fantastic ceremony that is going to occur and speeches along with the second reading of the treaty bill, which is certainly welcome.

Unfortunately the government is again, just as we have seen with the previous Speaker and Deputy Speaker, seeming to avoid any parliamentary scrutiny of its own members. In this instance now it is the breaching of the Members Guide through the misuse of public money to fund their election campaigns. So again, just as we have not supported the government business program in the past, we are urging the government to hold its own members to account. Just as we did with the former Speaker and Deputy Speaker, again we urge the government with its members that have been found to be in breach of the Members Guide to provide a far more substantive response to allow parliamentary scrutiny of those members and then provide a much more substantive response to what the Ombudsman has found.

They have essentially got an interest-free loan from the taxpayer to fund their campaigns by just simply paying back the dollar amount. They have not addressed the amount that they have spent on their legal fees to run interference on this particular investigation, so we will not be supporting the government business program in this instance. There is a shadow over this Parliament caused by the breaches of the Members Guide and the poor behaviour of MPs. That is only added to further by this government's refusal to allow its members the scrutiny of this Parliament by using its numbers in this

place to avoid scrutiny. So we will not be supporting the government business program in this instance.

Mr CARBINES (Ivanhoe) (14:46) — I am pleased to contribute and support the government business program and the four bills that are before us this week, particularly around the Parks Victoria Bill 2018, where we did see — and I am looking forward to the debate on this — those opposite when in government sacked one in 10 Parks Victoria staff who lost their jobs. So that bill is going to be very important to discuss how we are going to reinvest and how we are creating much better governance arrangements at Parks Victoria, and I look forward to making a contribution in relation to that bill.

Can I say also that in relation to the Snowy Hydro matters that the Leader of the House has introduced on behalf of the Treasurer they are really critical matters that are going to see the potential for some \$2 billion and more of investment coming back to Victoria, which is a state that continues to be forgotten by those up in Canberra in the Turnbull government. In this matter in particular it is a great opportunity for us to push through some paperwork and secure some \$2 billion-plus of investment for Victorians. Not only that but I know that it is a troubling matter for those opposite who want to put up some of those moneys apparently for their failed flyover plans, where they are going to push people from one set of traffic lights to the next. Some electorates can put up designs that look like they might be 8, 9 or 10 storeys high — they are not going to be things that are going to be supported in communities like mine. What we also know is they have disappeared without a trace, so we do not want to spend too much time talking about something that has just seemed to totally disappear without a trace, never to be seen or heard of again.

In the interests of providing further opportunities for people to move onto the government business program, since those opposite have sought to delay us, as they did delay any action for four years when they were last in government, I commend the business program. I particularly look forward to the work of the Minister for Aboriginal Affairs in relation to the treaty legislation and the unique opportunity she is providing, with the support of the Parliament, those traditional owners and their representatives with a place at the table this week in this chamber. I hope that is something those opposite will support.

Ms STALEY (Ripon) (14:48) — I rise to speak on the government business program and to support the manager of opposition business's opposition to this motion by the Leader of the House. I do so because of what the government business program fails to include.

Once again it has failed to include any consideration of the approaches by those on this side of the house to deal with the member for Tarneit's and the member for Melton's roting of their second residence allowances. Of course it now also goes on to fail to include — and we saw those opposite deny leave to even put on the notice paper — the motion by the Leader of the Opposition to set up a committee to deal with the Ombudsman's report.

There are many, many things that I am sure will be said over the course of these few days and in future in relation to the Ombudsman's report, but it is up to the Parliament to deal with the consequences of them. We can continue to highlight what the Ombudsman has found, but at the heart of it the government in this chamber has refused to participate in the Ombudsman's inquiry. I particularly draw attention to paragraph 84, which goes to the issue of exclusive cognisance. That is something that this Parliament and this house talked about and, because of the desire by the government to not face any scrutiny, it asserted exclusive cognisance. The Ombudsman has made very clear that she believes that that was done erroneously and she believes it was done to thwart the clear intention of the Parliament in section 16 of the act, as affirmed by the High Court. I would have thought, given that the Ombudsman has so recently made a very, very clear ruling, that the actions by this government in this place have been set out to thwart an act of Parliament that seeks to give her powers that, at the very least, we should be discussing here this week.

I return again to the members for Tarneit and Melton. I do not think they should be forgotten because we have now learned just how extensive the roting by this government, by the Labor Party, has been. The former Speaker and Deputy Speaker still need to be dealt with either by a select committee as proposed by the Leader of the Opposition or by the Privileges Committee as proposed by the Greens. There are a number of options here. We are happy to work with others in this place to get to a place to ensure that they are properly investigated, but again the government utterly refuse to bring onto the notice paper any sort of debate, anything at all that will draw their members to scrutiny.

It is absolutely scrutiny that is needed here. We now have 21 that have participated in the red shirts rorts. We have the former Speaker and the former Deputy Speaker. We have a variety of other issues in terms of rorts across this Parliament that have all been perpetrated by members of the Labor Party. And yet every week the Labor Party comes in here and says, 'We haven't got any time to do any of these other issues. There is no time to do any of those. All we can

do is filibuster on occasion'. I think last sitting week we had them speaking on bills that half of them had clearly not even read their speaking notes on, to try and get to the end of the list.

Once again I stand here and I say that we should not support this government business program while it does not include proper scrutiny of those opposite, proper scrutiny that those on this side of the house have been asking for now for years. Until we see that, this program cannot be supported.

In closing, I also note that as soon as those on this side of the house in any way seek to put those on the government benches under any scrutiny, the first thing that the Leader of the House says is, 'The consideration-in-detail stage is in a bit of jeopardy'. Of course she would say that, wouldn't she? After making a promise before the election that that would be a regular part of these debates, now at any chance she will move away from that. Once again we have seen that this week. In closing, I support the manager of opposition business's opposition to this motion, and I urge everyone to vote against it.

House divided on motion:

Ayes, 42

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

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	Victoria, Ms
McCurdy, Mr	Wakeling, Mr
McLeish, Ms	Walsh, Mr
Morris, Mr	Watt, Mr
Northe, Mr	Wells, Mr

Motion agreed to.

MEMBERS STATEMENTS

Tourism industry

Ms ASHER (Brighton) (15:00) — I refer to the Victoria Tourism Industry Council magazine called *Tourism Excellence*, volume 7, number 2, summer 2017–18. I notice the smiling face of the Minister for Tourism and Major Events on the cover accompanied by a glass of champagne. Whilst the minister would no doubt be pleased with his photo on the front page of a tourism newspaper, I hope that he would take the time to read the budget submission of the tourism industry and actually act on it in the upcoming budget. Indeed I can quote from page 7 of this magazine:

According to Tourism Research Australia's *Tourism Investment Monitor 2017*, the value of Victoria's tourism investment pipeline (counting significant projects valued at over \$20 million) in 2016–17 was 14 per cent of the national total, a figure that is lower than those for each of Western Australia (17 per cent), Queensland (20 per cent) and New South Wales (36 per cent).

The industry goes on to make the point that tourism is highly competitive, and there has always been a case for government investment in the tourism industry. Not only does the industry call for tourism investment in infrastructure, it calls for additional funding for marketing across intrastate, interstate and international markets, and I call on the minister to act on it.

Yuroke electorate student leadership awards

Ms SPENCE (Yuroke) (15:01) — One of the highlights of being a member of Parliament is that each year I have the opportunity to acknowledge the wonderful student leaders from our local primary and secondary schools. This year was no exception, with me sending out more than 200 congratulatory certificates to student leaders across Yuroke. Leadership comes in many forms, and I want to acknowledge the many school captains, class captains, Victorian certificate of applied learning captains, house captains, sports captains and their relevant deputies from both primary and secondary schools.

I want to provide a special acknowledgement to some amazing young students from Newbury Primary School, who I had the pleasure of recently meeting and presenting with their leadership badges. Congratulations to preps Liurina, Vethmi and Rishav; grade 1s Dinuja, Jana and Navneeth; grade 2s Mansimrat and Sheba; grade 3/4s Mete, Parota, Harsareet and Irem; and grade 5/6s Inci, Ova, Salvatore and Ravneet. A special thanks to Principal Michelle Bromfield and Mr Ben Hirst from Newbury Primary School for organising the special assembly. It was terrific to see so many parents and friends there to support the children on this special occasion. They were rightly beaming with pride.

Santo Spinello

Ms SPENCE — On a sad note, the Labor family in the north is devastated by the loss of our friend and comrade Santo Spinello, who passed away on 17 March. A life member of the Labor Party, Santo fought for Labor since joining in 1975. He was campaigning for Batman only hours before his passing, and two weeks earlier he was working with us at the Craigieburn Festival. I send my sincere condolences to Santo's family: his wife, Sophie; his daughters, Justine and Mel; and his beloved grandson, Brandon. Vale, Santo.

Hope Restart Centre

Mr T. BULL (Gippsland East) (15:03) — Last week I attended the official fundraising launch of the Hope Restart Centre, which is a community-driven exercise to establish a drug and alcohol residential rehabilitation facility in Bairnsdale. The proposal, which is being driven by a very dedicated local committee, has already achieved shire planning approval, has already secured \$3 million in federal funding and has strong philanthropic commitments. Now we are waiting for state government commitment.

In attendance at the launch was Stefan Gruenert from Odyssey House, who is very knowledgeable in the area of residential rehab, and he gave a great speech to those that were gathered. The amount of work that has been completed by the likes of Peter and Margaret Down, John Glynn, Richard Rijs and their committee has been absolutely enormous. From a state perspective I have had some good faith discussions with the minister, and we are hoping for a positive outcome in the budget.

Country Fire Authority Bairnsdale station

Mr T. BULL — I was also pleased to hear about the relocation of the Bairnsdale fire station being

well-advanced. We got an update from the Country Fire Authority last week. The current station is plagued by OH&S issues, being on the Princes Highway very close to a busy intersection in the Bairnsdale CBD. I am advised that the lease of the land for the proposed new station has been secured, so again we look forward to an announcement in the upcoming budget about that new fire station.

Timor-Leste maritime boundary

Mr WYNNE (Minister for Planning) (15:05) — As Victoria's minister responsible for the relationship with Timor-Leste, I would like to congratulate the governments of Timor-Leste and Australia on recently reaching agreement on a maritime boundary. Agreement on this complex issue marks an important milestone in the relationship between our countries. It has to be acknowledged that successive federal Australian governments have mistreated East Timor in terms of its maritime boundary claim, and it has been a long and difficult struggle for that country to receive what is rightfully theirs. I congratulate Xanana Gusmao, who has led the negotiations on behalf of the Timor-Leste government.

An excellent book called *Crossing the Line* has been written by a former adviser to Steve Bracks, Kim McGrath, and I would encourage anyone who has an interest in this very, very important maritime boundary issue to read her excellent book. I now hope the agreement will ensure long-term financial security and independence for the people of East Timor, as they will now be able to drill for oil and gas within their boundary, and I know that Victoria will continue in a bipartisan way — both sides of politics have a wonderful track record of their support for East Timor, one of our nearest neighbours — to maintain our strong relationship with them. Congratulations that finally this matter has been resolved in a just and fair manner and the people of East Timor have a great future ahead of them.

Rowville electorate crime statistics

Mr WELLS (Rowville) (15:06) — This statement condemns the Andrews Labor government's failure to acknowledge the law and order crisis occurring across Victoria in the recent release of the December 2017 quarter crime stats. Statements from the Premier and the Minister for Police boasting about an overall drop in crime indicate that they are completely out of touch with how the community feels about crime and safety where they live.

In my Rowville electorate the Knox crime statistics have risen by 18.3 per cent over the last three years of this Labor government. Motor vehicle theft, for example, across Victoria is up 10.3 per cent since Labor came to office. A Rowville resident contacted me recently describing the impact of these crimes. He said:

... my work vehicle has been broken into and all power tools stolen a few months ago. My father's work vehicle has been broken into just the other night.

A stolen Audi was dumped across the road from our house and a detective from Knox informed me that it had been used in 'serious crime'.

He went on to describe vehicles and people moving around in his street at night, which he described as:

... made me fearful for mine and my family's safety ...

And further:

... it was disheartening not to see one police vehicle drive through the area last night given there is an established history of burglary around here.

Like people in Rowville, the reality for Victorians across the state is that Victoria is much less safe. Crime is up nearly 10 per cent under the Premier, and more serious offences are up significantly more.

Del King

Mr PEARSON (Essendon) (15:08) — I rise today to remember Del King, who recently passed away at the Royal Melbourne Hospital. I got to know Del through her work as a police officer working on the Flemington public housing estate. Del was a past president of the Rotary Flemington and hiked Kokoda on two separate occasions with disadvantaged students from Flemington. Del was a kind, caring person who just got on with making our community a better place. Her passing makes us all the poorer. My thoughts are with her family at this difficult time. Vale, Del King.

Bill Bolitho

Mr PEARSON — Yesterday I also learned of the passing of an old friend of mine and many other members, Bill Bolitho. A former staffer at both a state and federal level, Bill was a larger than life character who brought happiness and laughter to many of those that he met. The last time I saw Bill, he was very ill, but I prefer to remember the second-last time I saw him, which would have been just before Christmas 2012, when I shouted him and his son a couple of drinks as I raced home. I turned and saw a father talking with his son while they had a drink, and it gave me such a warm feeling. Bill was a great contributor to both the

industrial wing and the political wing of the labour movement. He was brave, he was fearless, he was my friend and he will be missed.

Italian Senior Citizens Club of Essendon

Mr PEARSON — It was an honour to be invited by Pasquale Petrollini to attend the 42nd birthday of the Italian Senior Citizens Club of Essendon, otherwise known as Circolo Pensionati Italiani di Essendon. Under Pasquale's leadership the club is going from strength to strength, and it is wonderful to acknowledge the wonderful role that these hardworking migrants have played to make our country great.

African-Australian inclusion program

Mr PEARSON — I was delighted to join the member for Williamstown yesterday at the graduation ceremony of the most recent cohort of African-Australian graduates from the National Australia Bank (NAB). This fantastic program, which is a partnership between the NAB and Jesuit Social Services, has done so much to improve education outcomes for African Australians. The member gave an outstanding speech. I was delighted to be there with him.

Nunawading Lions Club

Ms RYALL (Ringwood) (15:09) — The Nunawading Lions Club recently celebrated International Women's Day, holding a fabulous fundraising event in Mitcham for The Babes Project, an organisation that does incredibly important work in supporting and empowering women facing pregnancy and motherhood alone. The night was a huge success, raising \$3000, with many soft toys and first teddies donated. My thanks go to the president, the committee and those who organised the event. To know that each of you have supported The Babes Project's incredible volunteer work at such a critical time of a woman's and newborn's life is so satisfying. I know that the women who receive that support are so very grateful.

Heatherdale Preschool

Ms RYALL — Heatherdale Preschool recently celebrated its 65th anniversary. This preschool has made an indelible mark on our community and on the huge number of lives it has provided a foundation for over 65 years. Congratulations to the president and the committee, both past and present, as well as all staff and volunteers who have taken the preschool from strength to strength.

Antonio Park Primary School

Ms RYALL — Congratulations to Antonio Park Primary School on yet again another fantastic fete. It was a huge attendance as always, with this year's theme of Where's Wally. No-one had any trouble finding Wally; he was everywhere. Congratulations to all involved, including the committee, teachers and volunteers, who worked tirelessly to make sure the event was a great success, with great food, great entertainment and great fun.

Nepean Special School

Mr EDBROOKE (Frankston) (15:11) — The member for Carrum and I were invited to Friday's Nepean Special School assembly and, to our surprise, were presented with the golden toilet trophy for helping the students successfully campaign to renovate the very tired senior and junior school toilets. I would like to place on record our thanks to the state Minister for Education, who visited the students, saw their Changing Places Australia campaign and provided their school with these toilets. He was able to provide the funding to renovate the toilets to the highest standard.

SkyBus Stadium, Frankston

Mr EDBROOKE — I am also thrilled to announce that SkyBus has signed a sponsorship deal with the mighty Frankston Dolphins and that Frankston Park will now be known as SkyBus Stadium. Australia's premier airport transfer service is now in partnership with the Mornington Peninsula's premier football team. SkyBus has been an integral part of the Frankston and Mornington Peninsula community for a long time now, and I think this new relationship with the Frankston Football Club cements its reputation not just as a great business but as a much-valued corporate citizen. Our entire community fought hard to win back our club's VFL licence, and I will be proud to sit with the fans in SkyBus Stadium this year cheering on the Dolphins.

Big Picture Fest

Mr EDBROOKE — Frankston city centre's skyline was transformed thanks to the inaugural Big Picture Fest. The Andrews state government was excited to fund this as part of the Frankston street art masterplan. The three-day festival brought our community together with experienced street artists, who were commissioned to transform drab walls in high-profile locations across Frankston's city centre. Headlined by a significant piece by a world-renowned street artist called Smug from Glasgow, the program included multiple large-scale street art productions,

guided walking and photographic tours, block party celebrations and family-friendly events.

Western Victoria fires

Ms KEALY (Lowan) (15:12) — The recent fires across south-west Victoria have been devastating. The Lowan community of Gazette was hit hard in physical loss of assets including homes, stock, fence lines, pasture and hay, but also emotionally and mentally. The Country Fire Authority (CFA) did an amazing job. It is during significant fire events like this that you realise how important it is that Victoria has a guarantee of surge capacity that CFA volunteers and private devices provide.

Through adversity comes amazing support and community spirit. The Gazette CFA shed, which had to be saved from fire by its own brigade members, has now become a sanctuary and essential community meeting place. Thank you to the many people who have ensured that all fire crews and the community have been fed, watered, supported and well-coordinated throughout the fire event and recovery.

I would like to acknowledge and thank Matt Nield and David Molin of Trotters Coaches, who bravely drove buses filled with guests from the wedding reception at the Pathfinder stables out of the fire to safety. Thank you also to Southern Grampians Shire Council, Red Cross, the CFA and the Department of Health and Human Services for their significant support provided to locals during and following the fire.

The clean-up and recovery has now begun, but locals have made it very clear they do not want to see ministers coming to town in a few months to give them medals and accolades. What the locals want to see are tangible improvements that will help to protect the community and fight fires more efficiently in the future; an ultralight tanker and radio in the fire shed for the Gazette CFA; Gazette Woolshed Road to be graded through to Judds Lane; and stage 2 of the Hamilton CFA air base upgrade with a generator to be funded.

Finally, thank you to the people of Gazette, who have held together and supported one another in the most difficult of circumstances. You are an inspiration. Thank you.

US-Australia Cancer Moonshot

Mr McGUIRE (Broadmeadows) (15:14) — Cancer will touch one in two Australians during their lifetimes, highlighting the need, urgency and value of breakthroughs. Cancer knows no boundaries, so neither can the quest to find cures. International collaboration is

crucial in saving lives. This is why the US-Australia Cancer Moonshot matters. The initiative aims to accelerate advances vital to survival by making more therapies available to more patients while improving the ability to prevent cancers and detect them at an early stage.

The US-Australia Cancer Moonshot aims to fast-track innovative clinical trials. Doubling survival rates in the next decade was the aim of last week's cancer moonshot strategy meeting featuring leading Australian and American government officials, medical researchers and philanthropists at the US embassy in Canberra, where I represented the Victorian government.

Brain cancer has been defined as a priority because it kills more children and adults under 40 than any other cancer. Data sharing is crucial for discovery. The US and Victoria signed a memorandum of understanding to share patient histories, with full privacy protections, to advance research and discovery in July 2016 when Vice-President Joe Biden declared to the Premier his admiration for all we have done, while marking the opening of the \$1 billion jewel in Australia's medical research crown, the Victorian Comprehensive Cancer Centre.

This development came six months after I publicly called for Australia to offer to partner the US within days of President Barack Obama issuing his challenge that America should be the country to cure cancer, because driving international collaboration provides the best opportunity for life-saving breakthroughs.

Batman by-election

Ms THORPE (Northcote) (15:15) — I would like to congratulate and thank all the members and volunteers in the Batman campaign, particularly the Greens volunteers who worked tirelessly throughout the campaign. I would like to congratulate Ged Kearney on her win and also congratulate Alex Bhathal on being a fantastic candidate. She was a candidate from the grassroots, a candidate who has lived and worked in the area for just under 30 years and a candidate who will continue to work very hard for her community. Our volunteers showed strength and camaraderie in pulling together throughout that campaign, given it was such a tough campaign, and came together at the end of that as a great party to continue on our next journey. I would like to thank all the Greens volunteers who helped out in Batman and look forward to our next journey.

Maria Dudycz and Jessica Gallaher

Mr NOONAN (Williamstown) (15:16) — It is with pleasure that today I congratulate local residents Dr Maria Dudycz and Dr Jessica Gallaher, who have been inducted into the Victorian Honour Roll of Women in 2018. Dr Dudycz was influential in the development of the Disability Act 2006. She worked to strengthen the rights of persons with disabilities through the provision of additional institutional oversights and protections on the use of restrictive interventions. Dr Dudycz also helped reform the Guardianship and Administration Act 1986, challenging the sterilisation of persons with disabilities unable to consent and educating others about these complex issues. As an inaugural director of the National Breast Cancer Centre, she played an influential role in research decisions and incorporated ovarian cancer into the centre's strategic remit.

Dr Jessica Gallagher has exhibited great sportspersonship, talent and dedication to alpine skiing, athletics and track cycling. She is in every way a true all-rounder. Dr Gallagher has represented Australia in the Paralympic team, making sporting history in 2016 when she became the first Australian athlete to medal at both the summer and winter Paralympics or Olympics. She broke the world record at the 2016 Para-cycling World Championships in the tandem match sprint. She was successful in becoming the first Australian woman to win a winter Paralympic medal in 2010 and then again in 2014.

These two wonderful individuals are not only outstanding role models for women but also wonderful ambassadors in their chosen endeavours.

Sandringham electorate crime statistics

Mr THOMPSON (Sandringham) (15:18) — Across a range of statistical benchmarks crime is up in Victoria, and numbers of Sandringham electorate constituents are living in fear. We have had unprecedented events in the Sandringham electorate over the past three years, including a carjacking at Southland and a home invasion in Mentone recently.

In aggregate terms, over the last three years there has been a 47.8 per cent increase in aggravated residential burglaries and a 29 per cent increase in aggravated robberies. Over the same period motor vehicle thefts are up 10.3 per cent, rape is up 16.5 per cent and sexual offences increased by 28.3 per cent. For the last 12 months, attempted murder is up 51.9 per cent and sexual offences have increased by 15.9 per cent. In February 2018 there was a home invasion in Mentone,

causing immense personal distress to the victim who had personal items stolen.

All Victorians deserve better than this. Locally crime increased by a staggering 11.8 per cent in Bayside and 13.1 per cent in Kingston. A greater sense of safety must be restored to our local streets and neighbourhoods.

Tony Tsourdalakis

Mr THOMPSON — I would like to pay tribute to Mr Tony Tsourdalakis, on behalf of the organising committee for Greek National Day, who did some outstanding work in bringing the Evzones to Victoria.

Mauritius

Ms GRALEY (Narre Warren South) (15:19) — In March 2018 the island nation of Mauritius celebrated 50 years of independence. Congratulations! Mauritius has had a strong connection with Victoria since our two nations established a trade relationship back in the 1800s. I personally have ties with Mauritius as my great-great grandfather Ignace Edouard Couacaud packed up what little he had in Mauritius and made the journey across the Indian Ocean to the goldfields of Victoria in 1850, hoping to find prosperity, freedom and a better life for future generations, and he did — we have.

In the 50 years since the constitution of Mauritius was adopted — like us, a democracy — the country has undergone what some call the 'miracle of Mauritius'. Mauritius has worked towards improving the lives of its citizens, with Mauritius now having a gross domestic product per capita of more than \$18 600. The country strives towards being more than just a tourism hub. Now its business, IT and financial districts are thriving as well. Mauritius has proudly shown its dedication to social progression and unity, declaring that education for all is of paramount importance. This has meant that the island is now full of passionate and dedicated young professionals and entrepreneurs. Despite all this rapid growth and change, Mauritius has made sure that its culture and environment remain protected, especially thanks to the efforts of the Mauritian Wildlife Foundation.

Mauritius is such a beautiful place. It is also a multicultural melting pot, and many Mauritians have come to Australia and now call Melbourne home. I would like to congratulate and thank the 11 800 Mauritian-born people now living in Victoria. I know a lot of you are in my electorate of Narre Warren South and the community is made better by you being

here. Mo ti a contan felicite la Republik Morice pou so cinquantième l'anniversaire l'indépendans. Bravo Mauritius! A special call-out to the Richard family in Mauritius.

Burwood electorate crime statistics

Mr WATT (Burwood) (15:21) — New crime statistics for the year ending December 2017 are a damning indictment of the Andrews Labor government. Data compiled by the independent Crime Statistics Agency show that crime in Monash has increased by 21.6 per cent, in Whitehorse by 13.3 per cent and in Boroondara by 7.9 per cent since the election of the Andrews Labor government. Since the election of the Andrews Labor government crimes against the person in Camberwell have increased by 229 per cent. Total crime in Camberwell has increased by 44.5 per cent.

Crimes against the person in Canterbury are up 54.2 per cent, while total crime is up 6 per cent. Crimes against the person in Glen Iris are up 47.6 per cent. Assaults in Glen Iris are up 50 per cent. Crimes against the person in Burwood have increased by 15.4 per cent. Drug offences are up by 86.4 per cent. Crimes against the person in Chadstone are up by 36.1 per cent. Burglary and break and enter in Chadstone are up 36.5 per cent. Theft in Chadstone increased by 71.6 per cent. Drug offences in Chadstone increased by 79.2 per cent. Total crime in Ashwood is up by 8.3 per cent.

Since the closure of the Burwood police station burglary and break and enter in Burwood has increased by 28.7 per cent, theft by 41.1 per cent, drug offences by 24.2 per cent, crimes against the person by 9.2 per cent, and total crime has increased by 11.2 per cent. The government's closure of police stations can no longer be ignored in light of these damning statistics. It is about time the Andrews Labor government took community safety seriously and reopened police stations.

Greek Independence Day

Mr DIMOPOULOS (Oakleigh) (15:22) — It was estimated that around 15 000 people turned out at the Shrine of Remembrance on Sunday to pay their respects on Greek Independence Day and to welcome the Greek presidential guard, the Evzones. The Andrews government is proud to have supported the guards' visit to Melbourne. It is yet another way this government supports our multicultural communities. I would also like to thank Tony Tsourdalakis from the organising committee, the trustees of the shrine and the entire Greek-Australian community of Victoria for their enormous support on the day.

Koornang Park, Carnegie

Mr DIMOPOULOS — Last week I was very pleased to announce that our government is joining with the Glen Eira City Council to upgrade the Koornang Park pavilion in Carnegie to create female-friendly facilities. This has been one of the key objectives of our government over the last three years. The \$100 000 from the Andrews government will ensure real access and greater participation from all members of the clubs that use this facility, which includes the Caulfield Bears Junior Football Club, the Mighty Caulfield Bears Football and Netball Club, and the Carnegie Cricket Club.

Mary Kappner

Mr DIMOPOULOS — My condolences to the wonderful Mary Kappner of Murrumbena. Mary was a classy, loyal and funny woman — a resident, friend and branch member of the Australian Labor Party. I want to quote from the eulogy her daughter read out:

Mum was a person who was blessed with a marvellous sense of humour, incredible resilience and a lifelong tendency to optimism.

...

Mum was a woman who loved to party and enjoyed her whiskey; she had a great many friends and was a great friend to many.

...

Mum was a fearless, passionate and straight-talking woman. She was a brilliant cook and loved to read and to garden. She was also a long-term member of the ALP and always had a great interest in politics, both local and international. A regular Sunday morning cry would be, 'Quick! Barrie's on!'.

Thank you, Mary, for all you have done in supporting me.

Stephen Myall

Mr NARDELLA (Melton) (15:24) — I send my condolences to Joanne Duncan, Stevie and her family for the passing of Stephen Myall on 14 March 2018. My condolences also extend to his mother and father and the family. I had known Steve since around the time Joanne started to go out with him and started to talk about him in glowing terms. They truly loved each other and were like two peas in a pod. They had the same interests: their dogs; the law and justice — especially for young people; human rights; social justice; fairness and looking after the underdog.

In the law, Steve worked extremely hard and had enormous respect from all who he worked with and all

who came before him on the magistrates bench. He was extremely fair and would make sure that, especially when people were not represented or were represented badly, their case was heard properly. He was one of the smartest men that I have ever met and talked to.

I want to thank the member for Bellarine and all the family and friends who supported Joanne and Stevie. Steve loved his dogs, his lumberjack shirts, his trackie daks, his beanie, his motorsports, the law, his postie motorcycle and Foxtel sports, but above all he loved Joanne unconditionally. Vale, Stephen Myall.

Western Victoria fires

Ms COUZENS (Geelong) (15:26) — My thoughts go out to the communities in Victoria's south-west who were impacted by the recent grassfires and bushfires, and who are still managing the aftermath of peat fires, which are causing extreme smoke conditions. Saturday, 17 March 2018, will always be in the memories of the communities impacted. Homes and livestock were lost; however, thankfully no human life was lost. These are strong communities, communities who support each other and rely on each other. The Premier and the Minister for Emergency Services have already visited some of the affected communities. There is no doubt that the people impacted are resilient, but these communities will get ongoing support from the Andrews government. I also want to thank the amazing emergency services workers and volunteers that attended the fire.

Walk for Johnno

Ms COUZENS — I was very pleased, along with my team, to participate last Saturday in the Walk for Johnno, a Geelong-based fundraiser for the Heart Foundation. I want to acknowledge and congratulate Rebekah Spencer, her mum and her family for organising this fantastic event. Johnno would be very proud. Walk for Johnno started in memory of Geelong local John Spencer, who suffered a fatal heart attack in February 2015. Now in its third year, the event is all about remembering and supporting the many loved ones, friends and community members who have encountered cardiovascular issues. All funds raised go towards the life-saving work of the Heart Foundation. The walk was 37 kilometres from Queenscliff to Eastern Gardens in Geelong along the picturesque Bellarine Rail Trail. Thanks to my team of walkers. They did well.

Western Victoria fires

Mr RIORDAN (Polwarth) (15:27) — It has been a difficult few weeks for many of my constituents in the Corangamite shire — namely, the towns of Cobden, Terang and Camperdown — and the nearby community of Garvoc in the Moyne shire, who were all suddenly called to action late in the evening of Saturday, 17 March, by the St Patrick's Day fires which destroyed and damaged homes, livestock, sheds and property. It has been a trying time for all, but as is often the case in Australia at times like this the very best in human nature can come to the fore. The fires were stopped and contained and no lives were lost in difficult conditions, and I would like to record my very greatest praise of the nearly 1000 Country Fire Authority and Victoria State Emergency Service volunteers who were able to spring into action late on a Saturday night.

I know from firsthand experience that, despite the attendance at birthdays, weddings and other gatherings across the affected communities on that Saturday night, the moment the alarms were called volunteers swung into action. Late on a dark, wild night, without power, without the air support that we so rely on to fight wildfires, with dying mobile phone coverage, my Polwarth communities and volunteers were able to do what they do best. But the heroes were not only out fighting fires. There were stories of people quickly calling on their elderly and frail neighbours to keep them safe and of new families being sheltered and protected by those who had seen it all before in the Ash Wednesday fires. I was particularly impressed with wonderful people like Evelyn Grayland, Jocelyn Martin and Adriana Bekker, to name but a few, who swung into action for days on end to make and prepare food for those left homeless and for those out fighting fires.

Stephen Myall

Mr J. BULL (Sunbury) (15:29) — Like the member for Melton, I rise to express my condolences on the passing of a much-loved and respected magistrate, Stephen Myall. Stephen, the partner of the former member for Macedon, Joanne Duncan, was a wonderful, kind, caring and compassionate person, from working in suburban courts like Geelong, Sunshine and Broadmeadows to setting up a legal partnership with a colleague. His passion for those who needed help the most was not overlooked. This is a devastating loss, although I am certain that the impression Steve left on those around him will live on, as will the difference he made to this state. I extend my deepest sympathy to Joanne, Stevie, his friends, his family and his colleagues at this sad time. He will be greatly missed.

Santo Spinello

Mr J. BULL — It is also with a very heavy heart that I rise to speak of the passing of Santo Spinello. Santo joined the ALP in 1975, tirelessly advocating for Labor values and beliefs. He has been described as a linchpin and a central pillar of the labour movement in the north, and I could not agree more with this. Whether it was time on election day booths or doorknocking across the north of Victoria, Santo never gave up and continually pushed the limits. He went well above and beyond his duties. He was a true Labor man whose contribution, passion, kindness and dedication to the cause will never be forgotten. My thoughts are with the Spinello family at this time. They have my deepest condolences.

BUSINESS OF THE HOUSE

Standing and sessional orders

The ACTING SPEAKER (Mr Pearson) — Before calling the Minister for Aboriginal Affairs, I wish to point out to the house that the minister has further amended the motion under standing order 140. The further change is in paragraph (5), and the change is to give each Independent member 5 minutes to speak rather than 2 minutes. The notice paper has not been reprinted, but there are hard copies of the amended motion at the end of the table near the mace.

Ms HUTCHINS (Minister for Aboriginal Affairs) (15:31) — I move:

That so much of standing and sessional orders be suspended on Wednesday, 28 March 2018, so as to allow:

- (1) business to be interrupted immediately after the conclusion of constituency questions and the Victorian treaty advancement commissioner, Jill Gallagher, AO, Geraldine Atkinson, Paul Briggs, OAM, Vicki Clark, Janine Coombs and Mick Harding to attend on the floor of the house;
- (2) the visitors to carry into the house a wooden message stick, wooden digging stick and shield;
- (3) the house to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018;
- (4) after debate on the bill is adjourned, two of the visitors to address the house in English and Aboriginal languages for up to 5 minutes each to explain what the bill and the broader treaty process means to them, their families and Victorian Aboriginal communities and how it may support reconciliation to benefit all Victorians;
- (5) the Premier, Leader of the Opposition, a representative of the Greens and each Independent member up to 5 minutes each to respond to the visitors' remarks;

- (6) the visitors to leave the floor of the house following the responses.

I am pleased to stand here speaking in favour of this motion, not just because it is historic. We know that twice before traditional owners have been present on the floor of the house. The first time it happened was in the year 2000, and the daughter of one of the speakers who spoke then, Uncle Kevin Coombs, has been invited to join us tomorrow. The fact that we have traditional owners being invited onto the floor may not be remarkable for the fact that they are attending, because it has happened before, but more so for the reason that they are attending. Without debating the bill that has been first read, I will say that our commitment to advancing the treaty process with Aboriginal Victorians is founded on reconciliation, and certainly we know it is the right thing to do.

The bill we will debate was developed in partnership with the Aboriginal Treaty Working Group based on what community consultations have happened over the last two and a half years. We know that this discussion is simply about recognising the past, acknowledging the present and certainly respecting and planning for the future. What better way to demonstrate this partnership and show how serious we are about self-determination than by having strong Aboriginal voices accompany the bill's second reading. The Victorian treaty advancement commissioner and the working group have been the driving force behind the Victorian treaty process to date. They will continue to shape the steps towards a treaty, and it is fitting that the Parliament recognises their leadership and achievements by inviting the commissioner and five representatives of the working group as guests onto the floor of the Parliament.

More Aboriginal people and more voices should be welcomed into this space, from which they have been largely excluded over many, many years. This is a powerful opportunity for this Assembly to hear from Jill Gallagher, who is the commissioner, and the working group chair, Mick Harding, about what treaty means to them, to their families and to the community. They will share with all of us why treaty is needed and what aspirations are involved with treaty. Members of the Parliament, I welcome the opportunity for you to listen to Aboriginal people to appreciate the significance of the bill as a foundation for building a modern treaty process in partnership with Aboriginal Victorians.

There have been some discussions over the last few days about the opposition feeling discomfort with traditional owners speaking after the second-reading speech. We do not agree this is a problem. The motion makes it obvious that they are not participating in the

debate, and I am sure that members in this place can easily make the distinction between genuine debate that we will have around the bill and what this motion provides, which is allowing strangers in the form of traditional owners onto the floor to talk. We can only move forward on the path of treaty, and if we do so together with Aboriginal Victorians, I know we can make a significant step forward.

Mr CLARK (Box Hill) (15:34) — This is, as the Minister for Aboriginal Affairs has indicated, a motion to propose some significant arrangements in relation to the second-reading speech for the bill on this subject. As the minister indicated, the opposition does have some concerns about the manner in which it is being implemented. I will explain those to the house.

They are concerns in relation to the proper and appropriate processes by which this Parliament should operate. None of our concerns is specific to the fact that Indigenous people are coming to the house. Acting Speaker, as you and the house will know, we were agreeable to Indigenous representatives being present immediately prior to the second-reading speech being given for the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017. We believe it would be more appropriate to proceed by a similar route in relation to this bill. As I said, the reasons for that are ones relating to appropriate processes of the Parliament which have broad application and would apply whatever the context and whoever it was that was being invited onto the floor of the house.

Those concerns are perhaps twofold. First of all, we believe it is appropriate that when the house is proceeding to deal with the legislation, as distinct from receiving presentations from members of the community, that that should be something where the elected representatives of the community participate and therefore should not be occurring at the time that other people are on the floor of the chamber.

The second concern that we have about the procedure that is put forward in this motion is that the Premier, the Leader of the Opposition, a representative of the Greens and Independent members be invited to make responses immediately following the addresses being made to the house by the visitors. As the motion indicates, those addresses propose to relate to both the bill itself and to what the motion refers to as the broader treaty process. That puts members of this house other than government members in a difficult position because it will be the first time upon the second reading that those members will have the bill available to them, but yet in effect they will be expected to make remarks on the spot which are quasi-second-reading speech comments. This usually

happens after parties have had an opportunity to consider the bill and consult, and debate is resumed usually two weeks after the moving of the second reading.

For that reason we have concerns about the structure of the motion that the minister has moved, and I wish to move amendments that have the objective of restructuring the procedure so that it closely follows the procedure that the house adopted in relation to the Yarra River protection bill, whereby in accordance with previous precedents visitors to the house are invited to the floor of the house and make their presentations to the members of this chamber, and then withdraw. Obviously they are very welcome to remain in the gallery. Then the house resumes the business with the elected members of the house receiving the delivery of the second-reading speech. Accordingly, I move:

That the motion be amended as follows:

- (1) omit paragraph (3);
- (2) omit '(4) After the debate be adjourned, two' and insert '(3) Two';
- (3) in paragraph (4), omit 'the Bill and';
- (4) omit paragraph (5);
- (5) renumber paragraph (6) as (4); and
- (6) add the following words at the end of the motion: '(5) The House to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018.'

I request that those amendments be circulated to the house. While the formal structure of these amendments has a lot of cross-references and changed numbering and words, the net effect will be that the procedure is very close to what we followed in relation to the Yarra River protection bill, whereby the business of the house is interrupted, and our guests are invited to attend on the floor of the house — they are authorised to carry the wooden message stick, wooden digging stick and shield with them. Two of the visitors are to address the house on what the treaty process means to them, their families and Victorian communities and how it may support reconciliation to benefit all Victorians. We omit the proposal of immediate responses from members of this house to what our visitors have said, they withdraw from the chamber and then we proceed with the order of the day relating to the second reading of the bill.

As I said, the reason we are proposing this approach relates to how this house functions as a house, the fact that parliaments consist of the elected representatives of the people. It is appropriate that we proceed as elected

representatives when we are deliberating on business of the house in the normal way and also that we avoid creating the situation whereby members of the house who may only have seen the bill and may only have heard some of the arguments relating to it a minute or two earlier are expected to respond immediately.

I could perhaps illustrate why the proposed process causes us concern by reference to a potential analogy. If a future government wanted to bring in laws — for example, that provided for stronger sentencing to deter crime, something that certainly the Liberal-Nationals coalition is committed to if it is elected to government — would this motion now before us be a precedent for a future government — potentially a future coalition government — to invite victims of crime to attend on the floor of the house and make addresses to the house about the importance to them of legislation relating to stronger sentencing and about the effect that crimes have had on them and their families and the need for stronger deterrence; and then for other members of the house, including hypothetically Labor opposition members or the Leader of the Opposition, to be expected to stand up and respond to the bill? We do need to consider not just the immediate context in which this motion is proposed but its broader implications and the precedent that it could set.

I should state, in case it needs to be said, that nothing in the concerns that I have raised is intended to indicate any disrespect whatsoever to the guests who are proposed to be invited to join us. Certainly we on this side of the house have had very close relationships with many Indigenous communities when we were in government. I can speak in my own capacity as the former Attorney-General in relation to the further implementation of the Traditional Owner Settlement Act 2010: I very well remember the discussions and very successful negotiations that we had with the Dja Dja Wurrung people and the very moving ceremony that I was privileged to attend in Bendigo that was also attended by the then Governor to mark the conclusion of that agreement under the Traditional Owner Settlement Act 2010. I also recall very good relationships with the Gunditjmarra community and many other communities.

I know other colleagues did likewise. The then Minister for Aboriginal Affairs, Jeanette Powell, did a lot of work to further legislation and liaise with Indigenous communities in relation to the registered Aboriginal parties process. My colleague in the Council the Honourable Mary Wooldridge, as a minister, was responsible for appointing Victoria's first commissioner with responsibility in relation to Aboriginal children, and in my capacity as Attorney-General, along with a

number of other ministers, I was very closely involved with the Closing the Gap program to try to address issues of youth offending and how the justice system responded and tried to work with Indigenous communities to get people who had gone astray to restore them to heading in the right direction. Of course we also gave very strong support to the Koori Court process and for the role of elders and respected persons in relation to that.

I know that the close relationships with Indigenous communities that were fostered under the previous government have continued with both the member for Bayswater and the member for Gippsland East as shadow ministers for Aboriginal affairs. Speaking for myself, certainly during my time as Attorney-General I was very impressed with the positive direction in which many Indigenous communities were heading, and the very sound judgement and guidance that many elders and respected persons were providing to their communities, not only in relation to Koori Courts but more generally in charting the future destiny of their peoples. I was also enormously impressed with the younger generation of many Indigenous communities who were also playing valuable leadership roles and stepping up into responsibilities in giving guidance and direction, as well as the many Indigenous people working in bodies such as Aboriginal legal services on prevention of family violence in the Aboriginal community and so forth.

I make those points simply to reinforce the fact that our concerns about this motion relate to the precedent that it sets and the impact that it has on the way in which the business of this house is conducted. It is about ensuring fairness and ensuring proper debate so that elected representatives on behalf of all of their communities can make measured and considered contributions, and that the precedents that have been established in this house and others over many decades, if not centuries, to ensure fair and effective handling of business to get the best outcomes for the communities are observed.

Those are the reasons that I am moving these amendments. I would certainly hope that the government would reconsider their position in relation to them. They do seek to be constructive and provide a way forward that we can all agree upon and that can allow Indigenous people to be present on the floor of the house and make presentations to the house in the way that the government desires. They also remain consistent with the precedents in relation to the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017, which in turn was consistent with prior precedents, which I have indicated have been developed by this house over many years for the

purpose of ensuring proper, careful, thorough and fair consideration of legislation so we can get the best outcomes on behalf of the community. Accordingly, I commend my amendments to this motion to the house.

Ms THORPE (Northcote) (15:49) — The Victorian government should be congratulated for taking proactive steps toward a state-based treaty or treaties. Like so many in my community, I believe treaties are crucial for healing and peacemaking. I have campaigned for treaties since I was a kid, attending rallies with my nan, and they have been a focus and passion of my adult life. I was thrilled when the government announced it was holding a self-determination forum in 2016 to address this unfinished business. However, since then I and many, many others have been disappointed by the government's approach.

The Greens would like to take this opportunity to express our concern with the process outlined in this motion and with the treaty framework development process more widely. This motion seeks to have members of the treaty interim working group enter the Parliament and speak as if they were traditional owners empowered by their clans or nations to speak on behalf of their communities in the Parliament on the Advancing the Treaty Process with Aboriginal Victorians Bill 2018. That is simply not the case. These are Aboriginal people speaking as individuals or as representatives of organisations or the working group.

Some in this chamber might think that I am splitting hairs, but this is about culture. This is about our traditions and our true self-determination. All these things are critically important in a process as significant as framework legislation for negotiating a treaty with the sovereign peoples of this land, the clans. This proposal is symptomatic of the fundamental problems in the government's consultation and treaty development process thus far. The process of developing the treaty framework has failed to engage the clans and their elders, who are our law. Instead the working group and the community assembly consist largely of individuals hand-picked and appointed by the government.

I know this because I was part of the interim treaty working group as a representative of the Victorian Traditional Owner Land Justice Group. The traditional owner land justice group is an unincorporated body that advocates for clans in Victoria. The original group of 10 representatives on the interim working group was negotiated with great concern for representation and balance. Then without consultation the minister appointed six more individuals. It was at that point that I and the traditional owner land justice group were

forced to walk away from the process. Later in the process, the government formed the so-called community assembly as another consultation body. In this case, it was 100 per cent hand-picked by the government from a group of self-nominated people.

The government will say, 'Oh, but we held forums in communities across the state and online so everyone had an opportunity to have their say'. Well, I can tell you that that is not the way to build relationships and build trust with the clans and elders after all of the injustice done. You have to go to them and make it work on their terms, not on the government's terms. Many elders were not aware of these forums or they were not able to attend as they did not have transport options to get there. Others, I believe, chose not to engage as they were not happy with the process.

I believe the government has done all this not with the intention to be disrespectful but in an effort to streamline the process, to move through the steps in their time frame, in a way that works for them, with a bunch of people who understand how the government works and will work with government systems to get it done. But isn't this symptomatic of the whole problem? Even when it comes to negotiating a treaty with the first people of this land, it is still on white fella terms — when and how they want to get the process done, with the people appointed by them to help them achieve it.

For hundreds of years we have had to endure white fellas imposing their culture on us, and with this process for developing the treaty framework legislation, the pattern continues. Our culture and traditions are brushed aside for the ease of the government. But you cannot rubber stamp a treaty process. A treaty is supposed to be about meeting in the middle and about respect. In fact given the history of atrocities and genocide against the first peoples of this land, you would think that the government would actually want to be generous and do things on our terms for once.

Article 18 of the UN Declaration on the Rights of Indigenous Peoples states that:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.

The process so far has completely failed to support self-determination by the clans, despite the government's attempts to brand it that way. Further, it is in direct contradiction to the United Nations declaration, with most of the representatives chosen by government via groups of their creation.

If we are to be successful in creating a representative body that is truly representative of Aboriginal people and if we are to create a treaty-negotiating framework that is in accordance with the UN Declaration on the Rights of Indigenous Peoples, with free, prior and informed consent, then things have to change. I sincerely hope the government can take this criticism on board and improve the process moving forward. The Greens strongly believe in developing treaties with the sovereign peoples of this land. This is the best way to ensure that the benefits of treaties truly address the injustices of colonisation and deliver for grassroots communities. We want to work cooperatively with the government and this Parliament to get it right. We must decolonise this of all things. We must deeply and truly respect the cultures and traditions of the clans.

Ms SHEED (Shepparton) (15:56) — I am pleased to have the opportunity to speak briefly on this motion. I consider this to be an extraordinarily important motion, and the process that it has attempted to put in place is in my view also significant. The traditional custodians of the land that I represent across my electorate are the Yorta Yorta and Bangerang peoples, and the elders of these communities are very engaged and have a long history of leadership and advocacy across that region. Their voices are the voices of great experience, and they are well placed to shepherd in a new era in terms of how we deal with Aboriginal people and in terms of proceeding with a treaty process, which I understand is what this bill will be about. It is important that we not only discuss this bill, the issues around it and why we have come to this point but that we also give those elders and leaders of the various communities the opportunity and a platform on which to be heard. The motion that is before the house does that.

I also support the proposed amendment, because it is with some concern that we in this house are asked to respond very quickly to a process that will be undertaken by the elders who come into the house tomorrow, not knowing what they will be saying and not having seen the bill. I think there is a level of discomfort in such a sensitive and important matter — to be put on the spot in a sense. While I support the overall intent of the motion from the Minister for Aboriginal Affairs, I do support the member for Box Hill's amendments.

Should this motion be successful, then tomorrow Mr Paul Briggs, who is an Aboriginal elder of my community, will be attending and will be one of the elders on the floor. He is a member of the Aboriginal community who is well-known across the whole of Victoria and indeed Australia. Those of us locally know him so well for the work that he has done as the

founding president of the Rumbalara Football Netball Club, a position he has held since 1988. The club came about as a result of his recognition of the vital role that sport has played in Indigenous communities. It is not just about sport; it is an extraordinary institution that has engaged people across sport and recreation and a range of social opportunities. He describes it as also providing an opportunity for the spiritual, the emotional and the physical wellbeing of all of those involved in it. He is the first Indigenous man to be appointed to the council of the University of Melbourne in its 150-year history, and that took place in 2005. He has been a significant Aboriginal leader and he takes a broad view of how things should proceed. He talks to me about the notion of economic empowerment and what that means to his people.

Today in Queens Gardens in Shepparton the statute of William Cooper was unveiled, and that is a tribute to another leader from the community of Greater Shepparton. When Paul Briggs spoke to the gathered group there today, he talked about the day being an opportunity for reflection and as an opportunity to move forward. He certainly mentioned that the way he sees the treaty process is a way of moving forward and creating a future for his people.

Surprisingly there are two people from the Shepparton region who will be on the floor of the house tomorrow. The other is Geraldine Atkinson. Geraldine is a person I have known simply through meeting her at Lulla's kindergarten. She is an absolutely dedicated advocate for the needs of children and their education. She is a recognised leader in Koori education. She became president of the Victorian Aboriginal Education Association in 1999 and has been re-elected every year since. As president of this organisation she has been able to contribute her expertise to key policies and strategies that have guided Koori education in the state — so another extraordinary leader from the Greater Shepparton community.

It is with great pride that I will sit here tomorrow and see these local community elders given the opportunity to have their voice heard, to have the platform of the Parliament, to have us all here listening to them. On that basis I support the broader motion, but I support it with the amendments proposed by the manager of opposition business.

Mr T. BULL (Gippsland East) (16:02) — I rise to make a few comments in support of the amendments to the motion as proposed by the member for Box Hill. As he so eloquently pointed out, these amendments are about process. While I note the comment from the member for Northcote and the concerns that she raised

in relation to this process, as the member for Box Hill explained, we want to put on the record that we certainly do not oppose our Indigenous community representatives coming onto the floor of the chamber. This is about when.

We believe that their comments, in line with the practices of the past, should be before the second reading, as was the case and followed the normal precedent with regard to the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 debated in this chamber not that long ago. It is normal practice that when a bill is introduced, the debate is then adjourned, usually for two weeks. Then we come back at that later date, having been able to have the opportunity to assess the contents of the bill, discuss the ramifications of the bill — on any subject — with those in our community who may potentially be interested or impacted, have the opportunity to discuss with our colleagues of course and then come back into the chamber having been through what are often very complex and in-depth consultation processes, to be able to report our position.

This was the process used in the Yarra protection bill. It is the precedent that has been set, and this motion changes that precedent. So we believe it is appropriate that we do have traditional owners here. We do not object to having traditional owners or Indigenous representatives on the floor of the chamber but I stress that they should be addressing the chamber before the second reading of the bill, not after. It is not usual for non-MPs to be the first people to speak after a bill is second read.

I just wanted to touch on a couple of things. I think that both sides of the house have a history of bipartisan support for issues relating to Aboriginal affairs. This is not about showing any disrespect to the Indigenous representatives that will be attending. Indeed we have had some very positive actions as outcomes when we were in government. The member for Box Hill touched on a few of these. I think he mentioned the Traditional Owner Settlement Act 2010 for the Dja Dja Wurrung. We also established the Victorian Indigenous Honour Roll, which recognised a number of very, very important contributors to not only our Aboriginal community in Victoria, but our entire Victorian and Australian community. We also provided funding to take that honour roll into our schools to educate our young kids. It was a great initiative.

We strongly supported the move of the Koorie Heritage Trust from its backstreet location, for want of a better description, into a very prominent position. We brought it to the people in its current location in Federation Square. We also initiated the process to have the Budj

Bim Cultural Landscape granted World Heritage status. I note the current government is continuing with this, but it was something that we initiated and were very pleased to do so. I think if we go back over the journey, we will see that both sides of politics have been very open and supportive in relation to matters relating to our Indigenous community.

So I certainly support this motion. I stress that we are not opposed to hearing from our Indigenous representatives on the floor, but we believe that this should be done before the second reading. Then we should follow the normal process to have the bill adjourned after the second reading and allow everyone in this chamber to go and consult with the various groups that we need to consult with and come back and have a very balanced debate.

For those reasons, I support the amendments to the motion as proposed by the member for Box Hill.

Ms HUTCHINS (Minister for Aboriginal Affairs) (16:07) — In terms of the amendments that have been put forward by the opposition, I would say that this government absolutely cannot support those amendments, particularly point 4 of those amendments, which omits the paragraph which talks about the Premier, the Leader of the Opposition and representatives of the Greens — let me emphasise — ‘responding’ to the visitors’ remarks. That is not debating the bill in any way, shape or form. Let me just set the record straight: the opposition and all parties in this house will have an entire five weeks to consider their position and their comments on the bill once this house adjourns at the end of this week, so the excuses that have been put forward about proper process are ones I absolutely do not concur with.

We have certainly paved the way when it comes to the issue of a treaty process and talking about a treaty. Yes, this is not the usual process, but this is a process that we believe will give the opportunity for Aboriginal traditional owners, our representatives from the treaty working group, to be here on the floor to make remarks about the process so far and the importance of what we will be considering in detail, in debate, when this house recommences after the Easter break.

Certainly with regard to the comments that were made by the member for Northcote, I think there was a lot of stretching of the truth there. In fact, let me just emphasise that the Federation of Victorian Traditional Owner Corporations has representatives on the Aboriginal treaty working group — on the now known working group — who will be represented here tomorrow. So to say that traditional owners have not

been included in this process is simply not true. And the community assembly that was formed was very much at arm's length to the government's work on this bill. The concept was put forward, the work was done, in response to looking at an opportunity for them to have some independence so that Aboriginal organisations and Aboriginal traditional owners and Aboriginal people from across the state could be invited to participate, nominate and be a part of that process going forward. I am very proud to be part of making this the most inclusive process that we could make it.

I was actually a little astounded by some of the comments made by the opposition. I am not sure it is right to compare traditional owners to the rest of mainstream Victoria. Quite frankly, to say that there has been bipartisan support around this process so far I think, again, is very much stretching the truth. I have tried to engage the opposition. On many occasions we have tried to engage the opposition. We have invited them to forums to be a part of this process and, quite frankly, they have been absolutely silent. It astounds me that they want to take away the opportunity to say whether or not they will stand on the pathway to treaty.

Ms Victoria interjected.

Ms HUTCHINS — Yes, I know you have been there. You also hid from being in photos with the treaty working group because you were not sure where you stood on this and whether you wanted to be a part of the process going forward. I think the reality is that those opposite are scared. They are scared of this issue, and that is why they have not engaged. That is why they have stretched the truth on this. I would say get on board and support it.

House divided on amendments:

Ayes, 36

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

Noes, 45

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

Amendments defeated.

Motion agreed to.

LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018

Second reading

Debate resumed from 7 March; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) (16:18) — I am very pleased this afternoon to rise and speak on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. It is particularly a pleasure to be able to speak on a bill for which there has almost entirely been bipartisan support over a number of years now, because it stems of course from the tragedies over many decades that were experienced by very innocent and almost always very young victims in a number of institutions throughout Victoria and indeed the country. For decades many of these victims had suffered in silence, and it was only through the work of some very brave survivors who stood up and spoke up that we were able to achieve reform. Chrissie and Anthony Foster were among many people who were very brave to raise their voices. Sadly, many lives were lost in the meantime, usually by victims through their own hand given the weight of grief and trauma they had suffered.

This state in particular — Victoria — can take some comfort that it has had a leading part in the changes which have occurred over recent years, beginning with,

as I said, those agents of change, the Fosters and others, who were very brave, but also governments of both political persuasions. In particular I want to pay tribute to the former Baillieu and Napthine governments. It was of course under Premier Ted Baillieu that the Betrayal of Trust inquiry was established and did its landmark work. The Family and Community Development Committee was chaired by Georgie Crozier from the Legislative Council and its members included the member for Broadmeadows, the member for Ferntree Gully and the member for Thomastown, and members from the other place, Georgie Crozier, as I mentioned, and former members Andrea Coote and David O'Brien. Their work was profound, and we are still in the process of implementing a number of the changes that came out of that historic inquiry, including new criminal offences that were passed in the last year of the Napthine government.

We will remember that the Family and Community Development Committee handed down its report in November 2013. It was in I think May of 2014 that the Napthine government announced its response and began the work of implementing the recommendations of that committee. You will recall, Acting Speaker Spence, that some of the key reforms included introducing offences and making sure that those who are in a position to say something do say something. We introduced a new offence of failing to report child abuse where one knows and is reasonably in a position to take steps.

There was also sweeping reform to mandatory reporting requirements, working with children checks and reforms which affected the structure and operations of manifold organisations around the state, and those reforms have had an amazing effect on the culture of organisations. Organisations today are much more alert to the possibility of risks. They know that they cannot discharge their obligations by moving a problem somewhere else, which was of course one of the biggest problems with what happened. People who did not want to confront and discharge their obligations simply shifted the burden, the risk, the hurt and pain elsewhere, and people continued to suffer. Even today we see a number of legal actions that have been going on in recent months, including one at present where those sorts of allegations are being made. I make no comment on any existing matters, but the work of the Betrayal of Trust inquiry has had that profound effect.

The royal commission which was established by the federal government after the Betrayal of Trust inquiry had commenced has also delivered findings that will have far-reaching effects in this space. Victoria can claim and accept that it has had a very distinguished

place in the reforms which we have been debating over recent times. I will even give the current government credit for its willingness and ability to continue that reform process, removing limitation periods, and I think just about every reform that the current government has proposed we have supported. On maybe one or two occasions we may have expressed some misgivings about operational aspects of the reforms, but we have never doubted each other's commitment to wanting to deal with this. I think that is a fair comment to make about the government.

We lend our support to this bill. We think it is an appropriate step. It is tragic that victims have over many years suffered at the hands of evildoers who have abused them either physically and/or sexually. As if that abuse were not bad enough, if victims then retained lawyers or legal representation, commenced a legal action and then were confronted with highly technical rules and defences which they might hopelessly misunderstand because it was not in their area of expertise, that would only aggravate the deep-seated pain and enduring trauma they would feel.

There has never really been any great justification for the invoking of the types of defences by institutions and organisation where they would hide behind structural complexities to elude their liability for what had happened. I cannot think of any justification, particularly where claimants have had meritorious claims. They have gone to the trouble of pursuing their claims, and the only reason they have failed is because of the corporate structure or non-corporate structures, as the case might be, which would preclude their ability to seek compensation.

Arising out of the Betrayal of Trust work and the royal commission work were a number of recommendations which touched upon this space. This bill does not particularly give effect to recommendation 26.1 from the *Betrayal of Trust* report, which recommended a requirement that organisations incorporate, but this nevertheless is a very important step in that direction. It provides for a regime which I hope will never be necessary for a number of reasons, one being that I hope organisations and institutions would never seek to hide behind these complex corporate financial structures to avoid liability where a claimant has a meritorious claim for damages following sexual or physical abuse.

This bill purports to address the problems of the Ellis defence, where a claim that otherwise was successful and sound was ultimately unsuccessful because the claimant could not access the assets which would have supported the claim and resulted in damages simply

because the body in that case was not an incorporated body capable of itself being sued. My understanding from talking to various stakeholders is that this defence has not often been raised in litigation in Victoria, although I have also heard that it certainly has been raised in the past. So it remains a problem. I am given to understand, though, that organisations have been changing their structures to make them more transparent and to facilitate the ease with which a claimant who has a meritorious claim can pursue damages and recover their losses beyond the pain and suffering and special damages. We are going to support this bill. We think it is appropriate and will give further effect and dignity to the painful journeys of victims and their families.

Looking at what the bill does, it is a relatively simple bill. It is essentially establishing two means by which a claimant will be able to pursue an associated trust or a trustee more particularly where the non-government organisation (NGO) which is accused of breaching its duties by not preventing the child sexual abuse or child physical abuse is not in a position or capable of being sued. The bill talks about control. What it is purporting to do is offer an unincorporated association the means by which it can nominate effectively an associated trust which can serve as the appropriate and proper defendant, but it also provides that where that NGO fails to nominate a proper defendant within 120 days the plaintiff in that case can apply to the court for an order that the claim is to proceed against the trustees of an associated trust of an NGO on behalf of that NGO as a proper defendant.

Looking at it, I do not think it is likely that this bill will have great practical application if NGOs work towards incorporating and establishing a more transparent corporate structure to manage their affairs. But for those that do not, this will provide what appears to be to us a very sound means by which claimants can pursue their losses.

One area I was concerned about, which does appear to be addressed adequately in the bill, is whether in circumstances where trustees are pursued in their own right their own personal liability will be no greater than the assets or the value of the trust property. I think that is appropriate. My concern on that was that it is readily conceivable that even where a claimant has a meritorious claim a trustee may have had no knowledge or no active or contemporary connection to the operations of the NGO but may have been, by virtue of the extension provisions of the bill, made liable for something they knew nothing about and could have been significantly out of pocket where there was no fault on their part and more particularly no ability on their

part to do anything about it necessarily. We are satisfied that the bill does make it adequately plain that in those cases a trustee will be liable up to the value of the assets of the trust, and we think that is wholly appropriate. I note that the bill does apply to abuse whenever it occurred, and in our view that is appropriate.

The bill is relatively simple. We want to place on record our thanks to all of those people, a couple of whom I mentioned, the Foster family, but also so many others who led to these changes. We are very happy to support this bill, and we wish it a very speedy passage through the Parliament.

Mr McGUIRE (Broadmeadows) (16:32) — *Betrayal of Trust* revealed a cover-up that killed. It also highlighted that even for survivors the path to compensation has been tortuous. What this bill does is close an unfair legal loophole known as the Ellis defence, where a victim of child abuse has been unable to sue an organisation responsible for their abuse because that organisation is unincorporated and has no legal identity. Many religious organisations, schools and charities that work with Victorian children are unincorporated instead of conducting their activities through complex legal structures. This problem has stopped many child abuse victims from being able to sue organisations which knew about their abuse and their abuser but did nothing or, in the worst cases, closed ranks. Victims and their families, the Victorian Parliament and the royal commission told us that we need to fix the Ellis defence. This is what the Andrews Labor government is doing and also what we have had in the bipartisanship through the 57th and 58th Parliament and through Liberal premiers Ted Baillieu and Denis Naphthine as well — a bipartisan approach to actually address the evil that has been perpetrated in the past. The evil that men do lives after them, unfortunately.

Closing this loophole builds on laws the Victorian government passed in 2017 to establish a clear statutory duty of care for organisations which deal with children to protect them from abuse and laws the government passed in 2015 to remove statutory time limitations for child abuse cases. The government pays tribute to the work of the victims, their lawyers, friends and families, who have worked so hard for so long and at such personal cost to get to this point. All victim survivors should have the chance to get the justice and compensation they deserve, and we hope the bill will receive the support of all parties and pass quickly. I want to acknowledge the member for Hawthorn for giving his support on behalf of the opposition. I think it also should be noted that the Premier has signed Victoria up to the important next step in this tortuous

journey to justice, transparency and healing — a national redress system. Churches have surely exhausted excuses for refusing to join. The children were innocent. Their fortitude in testifying as adults has been humbling.

I do want to pay tribute to Chrissie and Anthony Foster's quest for the obtainable truth. This is their life-saving legacy. This has been an incredible test of will and fortitude. The last time this house sat, when the Attorney-General gave his second-reading speech, Chrissie Foster was here. It was one of those occasions when her eyes sparkled again. She said, 'I always believed in the truth', and she declared that with a smile. She had just watched the Victorian government define this proposed new law to remove the defence that institutions had used to avoid compensating victims for so long. Chrissie's quiet conviction interrupted the clamour of the Parliament. I thanked her for all it had taken in bearing witness against indifference, because this goes to the heart of the matter. I remember Nobel Peace Prize winner, holocaust survivor Elie Wiesel's definition of the danger of indifference, and I want to quote him:

The opposite of love is not hate, it's indifference.

...

And the opposite of life is not death; it's indifference.

Chrissie's grace over time has been astounding. When we met she thanked me for listening, referring to my role as deputy chair of the parliamentary inquiry into the handling of child abuse by religious and other non-government organisations that began six years ago and in 2013 delivered the landmark report *Betrayal of Trust*. It was astounding what the people who came to testify did in comparison to what we as MPs did to actually listen and learn from them. I want to, as I have on every occasion, acknowledge the work of all of the members of the committee — the member for Thomastown and the member for Ferntree Gully; Georgie Crozier, the chair, in the upper house; David O'Brien from the National Party and Andrea Coote, who have both since left the Parliament. I note that David O'Brien is still working to try to help victims in returning to his previous career as a lawyer. I wish all strength to his arm in upholding the rights of people who have gone through this process.

There is an important proposition in this bill that goes to the issue of redress. The government remains committed to implementing all of the recommendations made in the *Betrayal of Trust* report, which includes introducing a redress scheme for victims. That has been the important next step that the Premier has taken in

conjunction with the Premier of New South Wales, and the Prime Minister recently made that announcement.

I have been asked to yield on this bill at this time because we have so many other members who want to make a contribution, and I do that in the spirit that these debates have been held right through two parliaments now in bipartisanship. I commend the bill to the house for all it means to so many people who are still going through this trauma.

Ms RYAN (Euroa) (16:38) — It is a privilege to rise to speak today on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. The purpose of the bill, as the shadow Attorney-General outlined earlier, is to allow child abuse victims to sue unincorporated non-government organisations which use trusts to conduct their activities. The Liberals and The Nationals support this bill because we recognise that it endeavours to close a legal loophole that in the past has been exploited to deny natural justice and compensation to survivors of child abuse.

The bill, as the member for Broadmeadows said, arises from the *Betrayal of Trust* report, which has been canvassed extensively in this place. I also wish to place on record my thanks to the members of that committee, particularly Ms Crozier in the other place who chaired the committee, but also the members for Ferntree Gully, Broadmeadows and Thomastown, a former member for Western Victoria Region David O'Brien and a former member for Southern Metropolitan Region Andrea Coote, who all worked tirelessly through what was no doubt a very difficult and emotional process not just for them but more importantly for the people who appeared before the committee and gave evidence, many of them for the first time.

That report of course triggered the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse, which handed down its final report in December 2017 and made a total of 409 recommendations. It was an absolutely exhaustive process, hearing evidence from almost 8000 witnesses in private sessions. It held 444 days of public hearings and took more than 1300 written accounts. Recommendation 94 of the royal commission's final report really gives rise to the legislation that we have before us today. That recommendation states:

State and territory governments should introduce legislation to provide that, where a survivor wishes to commence proceedings for damages in respect of institutional child sexual abuse where the institution is alleged to be an institution with which a property trust is associated, then unless the institution nominates a proper defendant to sue that

has sufficient assets to meet any liability arising from the proceedings:

- a. the property trust is a proper defendant to the litigation
- b. any liability of the institution with which the property trust is associated that arises from the proceedings can be met from the assets of the trust.

It further urges the Australian government and most particularly state and territory governments to act upon that recommendation.

As we know it has taken a number of incredibly courageous individuals to get us to this point. The member for Broadmeadows mentioned Anthony and Chrissie Foster. Another of those people was of course John Ellis, who was a key witness before the royal commission and whose case gives rise to the legislation that we have before us.

John was abused as an altar boy in the Bass Hill parish in Sydney by a Catholic priest. He was a lawyer by profession and he later attempted to sue the church for common-law damages in 2002. Five years later that case was defeated in the High Court. Cardinal George Pell later apologised and said he did not feel that the church's treatment of John Ellis came from a particularly Christian point of view. He expressed his view that the church should be able to be sued in such cases. That case widely became known as the Ellis defence, and it really highlighted that some non-government organisations through their structures have made it almost impossible, or in the past have made it impossible, for a victim to find an entity that could actually be held liable for abuse.

In the Ellis case the church in fact conceded that the evidence filed established an arguable case, but then it successfully argued that that claim should be dismissed on the grounds that the Catholic Church in itself was not a legal entity and therefore could not be sued. While officials can be sued in many cases, as was the case with John Ellis and is often the case in claims of historical sexual abuse, officials are often dead or unable to be located when those cases finally come before the court.

Under the bill that is in front of the house today those unincorporated organisations, including religious institutions, will be given an opportunity to nominate a legal entity that has sufficient assets for child abuse survivors to sue. If they choose not to do that — if they fail to nominate an entity — then a court will be able to order that an unincorporated organisation's trusts can be sued so that survivors of child abuse can indeed access compensation.

I do note some comments from Dr Judy Courtin, a lawyer who has worked for many years representing survivors and their families, that many religious institutions no longer rely on the Ellis defence because they do realise that in doing so they are denying natural justice and that it is a very unjust process for those survivors. She has said that she was never happy with that — the fact that they chose to no longer use the defence — because all it takes is a new archbishop or leader who holds a different view to come in and decide that using the Ellis defence is fair. That is why it is important that Victoria has enshrined these changes in the law.

As I mentioned earlier, there are many people who gave evidence to the royal commission and who have driven the changes that have been coming before Parliament now for a number of years under successive governments. One of those who I would quickly like to mention and put on record is the mayor of the Moorabool Shire Council, Paul Tatchell. Paul has spoken out and given evidence and helped drive the reform. As a schoolboy in Ballarat he was abused by what we now know was a notorious ring of paedophiles. He fought back. He was clearly very, very angry and ended up in physical altercations with the people who were put there to ultimately look after him.

He has said in the past that he does not consider himself a victim, and when the church finally compensated him he gave all the money away to the homeless. He said that he felt that it was blood money and that it was money that people in the Catholic community had put on the collection plate to be used with good intention. He gave it away to the homeless because he believed they were people who needed help. He has hoped that that has done some good. Paul has been a real advocate, particularly for people around Ballarat. I am sure the member for Wendouree would be very familiar with Paul and his work. I wish to take this opportunity to formally register my thanks for all of the work that he has done over the years.

In concluding, in releasing the royal commission's final report the CEO of the royal commission, Philip Reed, said that the recommendations would provide a safer future for Australia. But he also said:

We have now completed our work. It's up to governments and institutions to take the next steps and implement the royal commission's recommendations.

I believe that we have an obligation to ensure that survivors of historical sexual abuse receive justice, not just by having their cases heard and upheld but also by providing them with legal redress. It is not good enough that we would just leave that to goodwill or to chance.

On that basis, I commend the bill to the house and I wish it a speedy passage.

The ACTING SPEAKER (Ms Graley) — I am going to call the member for Carrum, but I am going to apologise to the member for Northcote for not calling her earlier. I will make sure that I call her straight after the member for Carrum.

Ms KILKENNY (Carrum) (16:48) — I am very pleased to rise in this place to speak on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. Before I speak on the bill I would like to take the opportunity to acknowledge all survivors of institutional child abuse in Victoria and say to them how deeply sorry I am for all the hurt and all the pain and the shame they have endured for years and years, exacerbated often by the slow pace of change and the historical lack of recognition.

So many survivors are ageing and the difficult and sad truth is that they actually cannot wait much longer. They are people like Valda Hogan in my electorate. Valda is in her early 70s. Together with her brothers and sisters Valda was placed in institutional care when she was a child. She was abused over a period of years. She has been fighting for justice ever since for herself and her siblings, particularly for her brother, with the help of a wonderful network of people including Helen Dawson from the Care Leavers Australasia Network. People like Helen have been working tirelessly for years and years to help support people like Valda and to bring about meaningful change for them and so many others.

Part of that change has already occurred with the passing of the Limitation of Actions Amendment (Child Abuse) Act 2015. That act removed completely the statute of limitation periods that applied to civil actions founded upon child abuse, with both retrospective as well as prospective effect. The Victorian government was actually the first in Australia to introduce this legislation.

The bill before us will do even more. The Legal Identity of Defendants (Organisational Child Abuse) Bill 2018 will address what is really a shameful situation we have here in Victoria and in Australia. A common-law position has seen survivors of institutional child abuse unable to sue the very institutions that have abused them because of a legal loophole. As we have heard, this loophole, or this situation, is known as the Ellis defence. This defence prevents child abuse survivors suing organisations, such as the church, that have been responsible for their abuse. In a New South Wales Court of Appeal case in 2007, *Trustees of the Roman Catholic Church for the Archdiocese of Sydney*

v. Ellis & Anor, the court held that the Catholic Church could not be sued for compensation because it was not a legal entity. Surprisingly in the past the Roman Catholic Church in Australia had actually treated its trustees as the appropriate body to be sued, but John Ellis and those who followed him were the unfortunate victims of a change of policy in the church, consequent obviously upon the church wanting to protect its finances. I know that certainly in England and Wales the church accepts that its trustees are its secular arm and are the appropriate body to be sued. In other jurisdictions like Canada, the United States and Ireland the church is treated as a corporation sole and is able to be sued as a statutory corporation.

The Ellis decision in 2007 ended a very lengthy and drawn-out legal battle for John Ellis, who was sexually abused by a priest in the 1970s. Mr Ellis's experience was examined by the Royal Commission into Institutional Responses to Child Sexual Abuse in March 2014. Sadly, there was evidence before the commission which suggested strongly that the church added legal abuse to the sexual abuse suffered by Mr Ellis. The commission heard that the church spent more than \$1 million over 12 years fighting Mr Ellis's claim, even denying in court that the abuse had actually happened and threatening him with court costs for several years.

The bill before us will help put a certain end to this legal abuse, this trauma, and help deliver justice to some of the most vulnerable members of our community. Sadly, in this state we have so many survivors of institutional child abuse. This has been shaped by what has been a historical period in particular circumstances, defined many times by a sense of adult entitlement in a society all too ready to turn a blind eye and a society where institutional governance structures operated wilfully and deliberately to conceal child sex offences while continuing to place children at risk.

I am so deeply troubled by the culture of these institutions and the conduct of their leaders over so many years. Obviously many lives have been destroyed. No single piece of legislation can remedy all the past hurt, but this bill will certainly go some way to providing some justice for them.

As we have heard, this is a simple bill and it will make sure that survivors of institutional abuse can pursue compensation. Under these reforms, unincorporated non-government organisations (NGOs), including religious institutions, will be given an opportunity to nominate a legal entity with sufficient assets for child abuse survivors to sue, and if an NGO does not

nominate, the courts will have powers to appoint the organisation's associated trust to be sued on their behalf and pay compensation to sexual abuse victims.

These reforms implement key recommendations from the Victorian *Betrayal of Trust* report and the *Redress and Civil Litigation* report by the Royal Commission into Institutional Responses to Child Sexual Abuse. There is a body of people who have done an incredible amount of work in bringing this issue to the fore. We obviously cannot thank them all individually, but collectively they have done an incredible job to get us to this point. I would like to commend the Premier and the Attorney-General for their work on bringing greater justice, hope and recognition for survivors of institutional child abuse in Victoria. I commend the bill to the house.

Ms THORPE (Northcote) (16:55) — I rise today to speak on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. I start by sharing a story of a friend of mine, Donis, whom I have known for over 20 years. Donis was stolen from her family, and each of her brothers and sisters were put into separate children's homes. They suffered terrible abuse over many, many years. From the age of five Donis herself was drugged in one of these institutions. Her whole life has been a great struggle due to the trauma of her childhood. She is now 47 years of age, and the last time I spoke to her she was hoping to make it until she was 50.

These stories are heartbreaking, and they are all too common. It is a relief that finally federal and state governments are doing something to provide redress and allow justice to be served on this. But the reality is that two decades after the *Bringing Them Home* report was published, members of the stolen generation do not have their own redress scheme as recommended by that report. Legislative reform in Victoria has failed to address harms that are specific to the stolen generation. And while we are yet to see the detail, we know that the national redress that Victoria has committed to joining will be limited in scope.

Turning to the bill, I say clearly at the outset that the Greens will be supporting this bill. The Greens' position will be set out in more detail in the other place. The bill will abolish the heinous Ellis defence that has existed for far too long, and it will see Victoria become the first Australian jurisdiction to successfully do that. It has our full support for those reasons, but more importantly it has our full support for the symbolic message it sends to Victorian care leavers and for the positive implications it is likely to have for so many of those people.

No doubt we will spend a lot of time during debate on this bill congratulating the government on its work on this issue and for playing an important role in bringing the bill forward. I would add to those congratulations my respect and gratitude for campaigners and legal advocates who have worked so hard to make this change happen, many of whom have contributed to and scrutinised the bill in draft form.

As we have already heard, this bill provides for non-government organisations, including religious organisations, to nominate a legal defendant for the purpose of being sued for sexual and/or physical abuse of children in the care of institutions. Where an institution does not nominate a defendant, the bill enables the court to nominate any associated trust that can then be accessed for the purposes of any compensation awarded.

When John Ellis sought compensation for his abuse from the Sydney Catholic archdiocese, the New South Wales Court of Appeal found that the Catholic Church and its trustees could not be sued or held liable for his abuse. This loophole, which became known as the Ellis defence, has existed since that time, allowing churches to be considered non-entities, meaning that they cannot be sued as a single entity. While the Ellis defence did not become commonplace, it has loomed large in history and has acted as a powerful deterrent for victim-survivors of child sexual abuse that occurred in institutional contexts.

As a new member of Parliament I have to say I find it incredible that it has taken such a long time and so many inquiries and investigations to get to this point. Seven state and national inquiries have taken place to confirm the simple fact that the sexual abuse of children historically in Australian residential institutions was widespread. It is incredible that it has taken 10 years of tireless advocacy and campaigning to reach the point where this awful legal loophole is about to be closed. I know so many Victorians and Australians share my feelings on this issue. It has taken far too long, and while we have every right to mark this moment as a historic one, we should also note that it has taken far too long, and a decade of blood, sweat and tears to get here.

In particular I want to acknowledge the experience of my own people today. We have been disproportionately affected by historic child abuse, and so much of the harm inflicted has never been adequately addressed. We know from the *Bringing Them Home* report that between 10 and 33 per cent of Aboriginal and Torres Strait Islander children were taken from their families by force between around 1910 and 1970. The trauma experienced by all of those children, and the

intergenerational trauma that continues to this very day, is unspeakable. We do not know how many of those children were sexually and/or physically abused, because that data simply does not exist. It was not reported, it was not recorded; and on the rare occasions that it was, it was often destroyed.

I am prepared to go out on a limb and suggest that the vast majority of Aboriginal kids that were forced into institutions were abused there, because while we do not have the data on abuse, we do have a huge amount of information about the cultural and social norms and practices that drove these policies and that shaped the actions of the people responsible for these kids. As was noted in one research report prepared as part of the royal commission:

At the height of segregation and 'protectionist' policies it was thought that Aboriginal and Torres Strait Islander peoples would inevitably die out from exposure to a supposedly superior race. As Dr Cecil Cook, Chief Protector Northern Territory ... believed:

Generally by the fifth and invariably by the sixth generation, all native characteristics of the Australian Aborigine are eradicated. The problem of our half-castes will quickly be eliminated by the complete disappearance of the black race, and the swift submergence of their progeny in the white ... The Australian native is the most easily assimilated race on earth, physically and mentally.

In particular, patriarchal attitudes about the entitlement of white men to sex with Aboriginal and Torres Strait Islander women and children almost certainly increased the risk of Aboriginal kids being abused in institutions. Indigenous women and girls were systematically abused for the sexual gratification of white pastoralists, and these attitudes and practices continued well into the 20th century. Nor was it confined to remote settlements. Aboriginal girls sent to work in so-called respectable homes were routinely abused. Archbishop Donaldson, visiting Barambah in 1915, noted that of the girls sent out to service, 'over 90 per cent come back pregnant to a white man'.

While we know that physical and sexual abuse of all children was widespread in institutions, we also know that this fails to accurately represent the harm inflicted on all children who spent time in institutional contexts. This brings me to the important point of the definition of abuse included in the bill. The Greens have long advocated for the full implementation of the *Bringing Them Home* report, including establishment of the national compensation fund under Indigenous leadership, accompanied by a range of reparations and reforms. In the absence of specific mechanisms for the stolen generations, we have advocated for a more comprehensive definition of abuse in relevant

legislation that includes cultural and psychological abuse as well as forced labour.

My colleagues have moved amendments in debates on previous bills aimed at widening this definition. None have been supported by either major party. Now there is a huge amount of evidence of the horrific impact of psychological and cultural abuse on children throughout their lives, and that body of evidence keeps piling up to this day. Yet no redress mechanism to date has genuinely recognised this. Psychological abuse will only be compensated where it happened in conjunction with sexual abuse or physical abuse. I find that pretty horrific.

It is particularly horrific when you consider the extent to which psychological and cultural abuse was deliberately and consistently inflicted on Aboriginal people over such a long period of time. Our Aboriginality was denigrated, our culture was systematically attacked. We were branded as an inferior race. People in positions of power and influence believed and actively worked to breed out the genetic characteristics of our race. Many of the institutions that held children were established with the explicit purpose of breaking down Aboriginal resistance to settler encroachment on their traditional lands. Removing kids from their families, separating siblings and placing kids in institutions where child abuse was rife was a systematic strategy to break down Aboriginal resistance and cultural identity.

From the 1950s onwards, a body of evidence was built showing that large institutions were hugely expensive and failed to meet the needs of children. At that point, many white children were rehomed in smaller facilities or placed in foster homes. Aboriginal and Torres Strait Islander kids, who had always been put into larger residential institutions, remained in large residential institutions long after these institutions were considered to be unsafe for non-Aboriginal children.

Bringing Them Home made it clear that when state governments finally started to take the needs of vulnerable children more seriously, these safeguards and protections were rarely afforded to Aboriginal kids. In light of this, I am sure members of this house will understand how passionate I am in arguing for a broader definition of abuse that does not make sexual or physical abuse a prerequisite for access to compensation.

As I have previously said, the Greens are fully supportive of Victoria's leadership in abolishing the Ellis defence and increasing the accountability of

religious institutions for historic abuse. On that note, I commend this bill to the House.

Mr DIMOPOULOS (Oakleigh) (17:07) — It gives me great pleasure to speak on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. This bill is about justice, it is about accountability and it is about changing culture. As we heard from the member for Northcote, it is about power. It is about equalising the relationship between institutions and individuals.

I think it is pretty obvious that in order to have genuine justice a victim needs redress. Redress comes in many forms, but in the experience of many survivors of child abuse, monetary compensation tries to approximate the measure of suffering and pain caused by the institution or the organisation or the individuals in those organisations that abuse children. Justice is also a pretty important concept and a construct for society at large. Even if the victim does not seek to take a matter to court I think justice has to be seen to be served for the broader public as well. That is why I think that it is important that the Parliament of Victoria is taking on the institutions and saying no more: no more can you obfuscate, no more can you hide, no more can you pretend that you cannot acquit your responsibilities in terms of compensation to victims that you have effectively created.

I think it is also about accountability. Institutions or individuals that do the wrong thing need to be held accountable, because in my view if they are not held accountable it is very difficult to affect cultural or leadership change. Without accountability I think some people have a completely blind approach to what is going on around them. Some institutions have proven themselves to be completely blind or oblivious, or maybe they could see what was going on around them but did not actually care enough or were not motivated enough — whether through loss of assets, criminal prosecution or whatever other means — to actually do something about it. So accountability is vital. This bill seeks to bring accountability to those big institutions, although it is those institutions that are characterised by exactly the set-up that we are trying to get around in terms of their avoidance of responsibility through having trusts and having organisations that are not actually incorporated and are in this context evading the law.

It is also about changing cultures, as I have said, and behaviour of both individuals and institutions. We in this government have tried to do that in a number of ways, and other speakers have talked about the child safe standards that we require of organisations across

the state. We have also tried to change culture and behaviour through removing, I think it was in 2015, the statute of limitations on historical child sex offences. They are really important matters.

This bill fundamentally allows a child abuse victim to pursue compensation and solves the problem which exists in the current common law, and I understand it is quite unique if you look at the US and England. It is quite a unique issue in terms of this country and Victoria. In the existing common law in instances where an unincorporated association conducts activities using trusts a child abuse plaintiff may not be able to identify the organisation and the defendant to sue. So what this bill seeks to do is give effect to recommendation 94 of the Royal Commission into Institutional Responses to Child Sexual Abuse by effectively saying that trustees and trust assets are an appropriate defendant for the purposes of action taken by a plaintiff in relation to child abuse matters.

The Attorney-General in his second-reading speech said a few very important things, and I want to refer to one because it absolutely relates specifically to my community. Quoting from his speech:

The Betrayal of Trust inquiry —

which obviously was the Victorian inquiry —

heard from a number of survivors that unincorporated associations have used all defences available to them, including the Ellis defence, to defeat claims. For example, Mrs Chrissie and Mr Anthony Foster explained that the Catholic Church's lawyers had strenuously defended litigation brought by them, despite having earlier accepted that the abuse had occurred. Betrayal of Trust found that the strictly legalistic approach adopted by the church failed to address the issue of genuine accountability.

Betrayal of Trust stated that survivors of institutional child abuse have a fundamental right to sue unincorporated associations for damage they have suffered at the hands of representatives of that organisation.

And that is what this bill seeks to do. I specifically read into *Hansard* the minister's speech in my contribution because it relates to a family in my community that has taught me a lot about this whole area of public policy, the absolute malaise that existed in terms of the assistance and legal avenues available to victims and the absolute torture and suffering that these people, and many thousands like them, had to go through just to achieve a semblance of justice.

To Chrissie Foster and the late Anthony Foster and other people: well done and good on you for questioning authority, well done and good on you for telling your story and well done and good on you for seeking change. I want to thank them. I want to thank

all the survivors and their families and advocates, and in fact the Fosters fit into all three categories. I want to thank all those Victorians and the political class for listening to their pleas, for what is before us today and for a fair road to come in terms of further steps we need to take. It is a very, very important road today. I commend the bill to the house.

Mr WAKELING (Ferntree Gully) (17:14) — It is certainly a great pleasure for me personally to speak on the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. The reason I say it is personally very pleasing to speak is that this piece of legislation and other bills that have been before this house, both under this current Parliament and the former Parliament, deliver on the work that was undertaken by the Family and Community Development Committee's work, which became colloquially known as the *Betrayal of Trust* report. I was honoured to serve on that committee with the members for Broadmeadows and Thomastown in this house and with Ms Crozier in the Legislative Council and former members Mr David O'Brien and Mrs Andrea Coote.

We embarked on an 18-month journey of listening to victims of crime tell us their stories, and for many it was a cathartic process as they both publicly and in private hearings shared their past, shared their anguish and felt for the first time that someone in authority actually listened to what they had to say. They actually felt as though someone in authority — namely, members of Parliament — not only listened but accepted that what they were saying was true. Unfortunately for many their stories in the past were not listened to; they were not provided with any credence by authority. Unfortunately we have learned of many that suffered pain and anguish and sadly took their lives.

For those members of the Victorian community who shared their stories with us, we had an obligation as members of this Parliament to deliver a series of recommendations that could be implemented in law — to actually make a fundamental change to the lives of Victorians for those that were abused, and for families that had suffered as a consequence of the abuse of their children or their partners, and also to set up a mechanism that helped to prevent child abuse occurring in institutional organisations into the future.

A key recommendation of our inquiry, which was 26.1, dealt with the issue of the Ellis defence. The Ellis defence related to a situation where Mr John Ellis, who had undertaken legal proceedings against the Catholic Church in New South Wales in 2007, sought redress from that organisation. But due to a whole range of

convoluted legal arguments it was deemed through the High Court that in fact there was no opportunity for Mr Ellis to seek compensation from the Catholic Church because of the structure that that organisation had in place. Now, I do not seek to cast any aspersion on the Catholic Church in terms of their legal arguments or the defence that they put forward. They obviously mounted a legal argument and were successful in that case.

But putting that to one side, there was clearly a need for victims of crime to take necessary action against organisations where that crime had been perpetrated when it was under their control. Evidence given confirmed that abuse did occur in institutions. It occurred in the Catholic Church. It occurred under the Salvation Army. It occurred under a range of other organisations. The evidence given also confirmed that the hierarchy of those organisations knew that these offences were occurring and that action was taken by those organisations to move perpetrators of crime. Horrendously those perpetrators of crime continued to perform acts on children after their movement, and in many instances there had been successive movements of paedophiles.

The damage across this state was dramatic. It was horrendous. Hearing the stories of victims who had the same story — they had never met each other, but they were all linked by a common perpetrator — many of us on the committee were shocked, stunned and horrified by what had happened to children, many of whom were just attending school. So I am very pleased to see that this government has continued the important work from the Family and Community Development Committee's *Betrayal of Trust* report. I still believe that will probably be one of the most important parts of this Parliament that I have been involved in. I am sure that the members for Broadmeadows and Thomastown would share that thought as well. We not only heard their concerns, we not only heard their stories but they put their faith in us that we, as politicians and as legislators, would listen and do something to fix this mess.

I am very honoured to see that the work we did has led to numerous pieces of legislation coming before this house. This is just one piece of the puzzle. I was also pleased to see that the work of our committee led the then Prime Minister, Julia Gillard, to announce a royal commission at a national level. Clearly the stories that were heard both in Victoria and in the other states mirrored what we had heard as a committee here in Victoria. The issue of the Ellis defence was presented and clearly recommendations have been made. Recommendation 94 of the Royal Commission into Institutional Responses to

Child Sexual Abuse has given rise to the bill before the house today.

I think that with everything that happens in this place, with the colour and movement of politics, you always want to look back and ask: as politicians, did we make a difference? As politicians, did we listen? As politicians, did we leave this place — this community — in a better position than when we first were elected? I would like to think that the work of the Family and Community Development Committee, a bipartisan committee of the Victorian Parliament, will stay as a beacon of what parliaments can achieve and of the good work that can be delivered by politicians of all colours working together for the common good. Because ultimately the work that we do is not for ourselves; we are doing it for Victorians. We were doing it for victims. We were doing it for the children of the future, to ensure that they are educated in schools and engage with sporting facilities or community organisations which are safer than the facilities their forebears were members of.

I think it is imperative that we never forget that whilst we pass legislation and whilst we deliver on the recommendations of the report, there are victims out there that are still hurting today, and their pain will never go away. When I was listening to the words of a victim who was my age, I thought to myself, only by the grace of God did I not attend his primary school. If I had attended his primary school, there was every chance that I could have been a victim. That will always stick in my mind when I think of the betrayal of trust.

We are not talking about statistics, we are not talking about numbers; we are talking about people. We are talking about Victorians. We are talking about our neighbours. I had one constituent come to me recently and just thank me for the work that we did on that committee because he was a victim. He said to me, 'For the first time, I believe I was listened to'.

Mr NARDELLA (Melton) (17:24) — I support the bill before the house, the Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. This bill is about finally bringing to account the Roman Catholic Church and its responsibility to compensate its victims, the adults who were children at the time who the church knew it was abusing. It covered for the paedophile priests, the paedophile brothers and the others who allowed this abuse of children to occur — and not only to occur but to continue to occur. The church shifted these priests and clergy around to protect them and used others in the community to protect those paedophile priests so that they could continue to abuse those children time and time again.

We have had the situation where through this manufactured, I believe, circumstance the church has covered itself through the artifice of entities that have no money and no assets and blamed the priests themselves. It has been an absolute disgrace upon the Roman Catholic Church, and you need to understand that my family, my mother's brothers and her family, were priests back in Italy. She loved the Roman Catholic Church. My father was with Padre Pio and learned with Padre Pio, and yet she was absolutely disgraced by the actions of the Roman Catholic Church here and in America and elsewhere, but certainly here in Australia.

This legislation is about bringing to account the Roman Catholic Church. Let me say this: I do not believe that this legislation will bring the Roman Catholic Church to account. They continue today to oppose and to put in place legal mechanisms to stop compensation of people that have been abused by the church. They are still protecting their assets, their money and themselves from this accountability that we are trying to put in place here through this legislation. I appreciate what other honourable members said and certainly what the honourable member for Warrandyte said, because these instances of abuse, of criminality and of destroying people's lives and destroying children's lives have to be answered for.

The Honourable Ken Smith was the chair of the Drugs and Crime Prevention Committee in 1993–94 when it investigated sexual assault against women and children. People like Monsignor Cudmore protected the paedophile priests by lying to the parliamentary committee when under oath. The Honourable Ken Smith exposed this. That was back in the days when the Catholic Church protected one thing and one thing only — and that was itself and its assets.

The *Age* has revealed that there are landholdings in Australia that are worth billions and billions of dollars. That is what they were protecting. They were not getting rid of the paedophile priests. They were not bringing them to account. Now even through Melbourne Response they continue to protect their assets from the people who have had their lives destroyed because of the actions of the priests, of the sisters and of the nuns who protected those priests, people like Monsignor Cudmore and others. They protected the likes of Ridsdale in Ballarat. He was an animal, an absolute animal who was shifted from place to place to place so he could abuse more and more and more young children. This bill is extremely important in making sure that we bring the Roman Catholic Church to heel and that we make them responsible for the suicides, for the illnesses and for the sicknesses that

people are experiencing and have been experiencing all their lives.

Honourable members have talked about Paul Tatchell. He is now the mayor of Moorabool. He is a lovely man — the absolute salt of the earth — who cares about his residents and community. But when we read about what happened to him and read about the way he was treated we read that the Roman Catholic Church and the school where he was abused put him in a cupboard, and then the next day they expelled him from the school because he was abused by a paedophile priest. This legislation is about bringing the church to account.

It sickens my heart that, after all these decades and after all these inquiries, we have to bring the Roman Catholic Church to heel and force them to put in place an entity with money to pay these people. Let me tell you: I do not believe them. I think that the Roman Catholic Church will eventually — like CSR with the asbestos compensation fund — put together an entity that will run out of money or will not have enough money and will continue to challenge, as they are challenging today, every single instance that is brought to them through Melbourne Response and through the legal system. Those challenges will continue, and unfortunately they will continue at the expense of suicides and illnesses of the people who were abused time and time again by these paedophile priests. I am not saying that everybody knew about it. I am not saying that at all. There are fantastic priests, fantastic nuns, fantastic sisters and fantastic teachers, but this legislation is about the people being held responsible and the church itself being held responsible.

I congratulate the Honourable Ken Smith and the committee at the time for the work they did when they looked at — as the honourable member for Warrandyte said — the disgusting situation with paedophiles and so forth. It has to stop. We cannot continue to protect anybody that is abusing kids in any way, shape or form. I agree with the honourable member for Northcote that it does not matter if it is priests or if it is others, we have to expose them and we have to make them and their organisations absolutely accountable for the actions that they took or did not take to protect children. I commend the bill to the house. I commend the minister and the Andrews government for bringing this bill — this important bill — to the house. I hope in my heart of hearts that this is the end of it, that we can go forward with this and that we do not need to come back to enforce and change the legislation because organisations do not do the right thing.

Debate adjourned on motion of Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Debate adjourned until later this day.

PARKS VICTORIA BILL 2018

Second reading

Debate resumed from 21 February; motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).

Government amendments circulated on motion of Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) under standing orders.

Mr WAKELING (Ferntree Gully) (17:36) — I appreciate the opportunity to speak on the Parks Victoria Bill 2018. I just wish to state at the outset that I understand the government has circulated amendments to the bill. The opposition was unaware that there were going to be amendments circulated for the bill; I state from the outset that obviously I am a little concerned that that has occurred because normally that would have been advised earlier. I must say that the minister and her office have certainly provided us with information in the past but I was unaware that there were amendments to the bill. Let me put that issue to one side for the moment.

The Parks Victoria Bill that is before the house deals with the operation of Parks Victoria, which is a statutory organisation that has been in operation since 12 December 1996 and has operated as a statutory authority to manage Victoria's diverse parks system. Over recent years the area that has been cared for by the organisation has increased to 18 per cent of the state or is now 4.11 million hectares, so this organisation covers a significant portion of the state of Victoria. So certainly it is a very important organisation. This authority was created by the former Kennett government, so Parks Victoria was —

Ms Kairouz interjected.

Mr WAKELING — I have been advised that these amendments relate to drafting errors and do not result in a fundamental change to the bill, but I would say, if I may at this juncture, that I would hope to have some discussion with the minister's office to seek some clarity on this issue because it is a little disconcerting. I will leave it at that for the moment.

The responsible organisation was established by the former Kennett government for the management of the operation of our parks across the state. Today, as I said, there are 4.1 million hectares covered by Parks Victoria, which equates to 18 per cent of the state of Victoria. This includes the coverage of 45 national parks, 26 state parks, 60 other parks, 30 metropolitan parks and 2700 natural features and conservation reserves. It also incorporates 70 per cent of Victoria's coastline, which incorporates 13 marine national parks and 11 marine sanctuaries. The assets of the organisation today represent a portfolio replacement value of upwards of \$1.8 billion, and this incorporates 46 visitor centre buildings which incorporate a range of facilities, which are the usual shelters, toilets, viewing lookouts, playgrounds, roads, and pedestrian and vehicle bridges, as well as 3700 kilometres of track, 124 sporting facilities, 202 piers, 130 water access points and 1181 navigation aids.

Importantly, Parks Victoria sees visitation of 106 million visits every year and 42.3 million of those visits are to national and state parks, 39 million are to piers and jetties, and 24.7 million are visits to metropolitan parks. Can I say from the outset that the operation of Parks Victoria and the assets for which they are responsible are not only significant in size — as I said, 18 per cent of the state — but they are very much cherished assets that are heavily, heavily accessed by the Victorian community.

Parks Victoria was, as I said, created by the former Kennett government. Back when it was introduced in 1998 it was said during the second-reading speech that the bill was to establish Parks Victoria as a public authority, and in doing so it would create a world-class organisation able to deliver park management services for the state's parks, reserves and open space and other related management functions. The focus would be on sound environmental management, which would be a feature of Parks Victoria's role as a leading park management agency, while providing compatible services for recreation and tourism.

The creation of Parks Victoria would occur in the broader context of the government's public sector management reform and the establishment of organisations with a clear service delivery focus — and I will come back to this in a moment. It went on to say that it would be a government service delivery organisation and that Parks Victoria would be managed under an agreement with the Department of Natural Resources and Environment, which was the precursor to the Department of Environment, Land, Water and Planning (DELWP). So it was clear from the second-reading speech back in 1998 that Parks Victoria

would be operating under a service provider model with the relevant state department, and they would effectively be delivering services, and that was in line with then government policy.

In regard to the bill before the house, there is very clearly work that was undertaken by the former coalition government led by the former minister, the member for Warrandyte, where it was identified that there were challenges in terms of the operation of Parks Victoria with respect to governance. The challenges that they faced were outlined in clause 8 of the 1998 legislation, which said, and I quote:

For the purpose of carrying out its functions, Parks Victoria—

- (a) may enter into agreements and arrangements for the provision of services;
- (b) may act as a committee of management under the Crown Land (Reserves) Act 1978;
- (c) may do anything necessary or convenient to be done for or in connection with, or as incidental to, the performance of its functions.

The reason I highlight that is because one of the main challenges of Parks Victoria was, given that it was mentioned in the second-reading speech — its principal function — to be the deliverer of services that were effectively being determined by the department. In a practical sense, what did this mean? This was something that was identified by the former minister working with the then board of Parks Victoria. It was effectively identified that, unlike other statutory authorities for which a board is appointed by the state, under this model the board could in effect make decisions or make determinations as a consequence of direct or indirect direction by the minister but that board did not have the power to automatically enact the policies which it had developed.

It then had to effectively seek approval from the secretary of the department to enact the policies for which it as a board had just made decisions for the operations of its organisation. In effect what that meant was that the board would write to the secretary, and in some instances the secretary would refer that matter to a departmental secretary. That departmental secretary may refer it off to another member within the department, and at some point in time in the future a representative from the department would in fact write to the CEO or the board chair of Parks Victoria, confirming that they could deliver what was agreed to or what was proposed by the board of Parks Victoria.

That is very different to the operation of other statutory authorities which operate within the state, where

effectively the government of the day appoints the board, the board seeks direction from a minister and the board then makes decisions and delivers those decisions through their respective organisations. Whether it is an environment portfolio organisation such as the zoological boards or whether it is relating to the Royal Botanic Gardens or other organisations, these organisations do not have to go through this process.

As I said, this is an issue that was identified by the former government through the former minister, and that work was undertaken through the then board. With the change of government that work continued, and now we see the act before us today. In this context that is what we have presented, which effectively continues the work that was done by the former government.

When you look at the issues under the current act that I indicated with clause 8 and you compare that with what is proposed by these new changes, it clearly changes the functions of this organisation. It takes it from being an organisation which can enter into agreements for the provision of services to one which clause 8(1) states has the following functions:

- (a) to control and manage Parks Victoria managed land, in a manner that protects, conserves and enhances the land and in a manner which provides for the land to be appropriately used, enjoyed and appreciated, including doing all or any of the following—
 - (i) developing management and other plans and strategies for Parks Victoria managed land in consultation with the community;
 - (ii) supporting the involvement of a specified Aboriginal party for an area of land that is Parks Victoria managed land in the management of the land;
 - (iii) undertaking works, improvements and other activities on Parks Victoria managed land ...

It also indicates that there are a range of other activities in terms of what the functions of Parks Victoria will be. It is clearly a different approach under this piece of legislation than what was formerly provided for under the previous role of Parks Victoria. This will effectively overcome the problem that has previously applied where the board has to seek approval from the department in order to undertake activities within its own organisation.

The bill specifies in its objectives what the role of Parks Victoria will be. It says in clause 7:

- (1) The objects of Parks Victoria are to—
 - (a) protect, conserve and enhance Parks Victoria managed land, including its natural and cultural values ...

- (b) recognise and support traditional owner knowledge ...
- (c) provide for and encourage the community's enjoyment of and involvement in Parks Victoria managed land; and
- (d) improve the community's knowledge and appreciation of Parks Victoria managed land; and
- (e) contribute to the wellbeing of the community through the effective protection and management of Parks Victoria managed land; and
- (f) contribute to the achievement of State and regional land management outcomes as far as is consistent with the effective protection and management of Parks Victoria managed land.

Clearly it is now stated that Parks Victoria will have a much greater role in terms of the protection and the promotion of the land for which it is controlling. It will also now incorporate support from traditional owners in terms of land that is managed by Parks Victoria. It is important that Parks Victoria is operating at a level that is meeting the needs of the Victorian community and is best placed to protect the land it controls.

Parks Victoria, as specified under the legislation before the house, can enter into an agreement with the secretary for carrying out services with regard to suppression or recovery from fire, but it is important to note that this will still principally be work that is going to be undertaken by the department and the department will still have control of this. It is imperative that there is strong involvement by DELWP with regard to fire suppression both in terms of when there is an outbreak of fire and in terms of cool burnings as part of a fuel reduction program.

We only need to look at what has happened over the last two weeks to see what the impact can be on communities when we have a fire. A fire that nobody was expecting flares up out of the blue, and now we have got property lost and the death of significant numbers of cattle and other animals. This is something that communities are very concerned about, and again it highlights the issues that Victorians have regarding fuel reduction and the appropriate management of our state resources to ensure that all necessary action is being taken by the government to reduce the impact of potential fires on Victorian communities.

Under division 2 of part 2 of the bill, clause 14 specifies that the minister will be able to give directions to Parks Victoria. Clearly under this process the minister will be able to direct the board of Parks Victoria in relation to its performance and functions in terms of exercising its powers. Again, it is important that the minister will still play a role in terms of setting a direction for how Parks

Victoria should operate. Clause 14(3) says that Parks Victoria must comply with any direction that is given in accordance with this clause. Again, it is important that the board is operating in concert with the direction that has been provided by the minister.

In terms of membership of the board of Parks Victoria, it will have a board consisting of not less than five and not more than nine members appointed by the Governor in Council. It is interesting to note that the original structure of the board was eight board members that were appointed, but now that has changed so that there can be a variance from five to nine, and the members of the board collectively must have skills, knowledge and expertise relevant to the objects and functions of Parks Victoria. It provides for one person who has skills and experience in conservation and one person who has experience in financial management.

It is imperative that we actually do have board members that understand how to run an organisation. Yes, it is important that we have people who have an understanding of conservation and the environment, but it is equally important that we have people on the board who actually understand what it means to be financially prudent in terms of the operation of organisations such as Parks Victoria. Given that parks cover over 4 million hectares of the state of Victoria and with the problems that we have with feral species, both plant and animal, it is imperative that money is used prudently within the Parks Victoria budget to deal with these issues that are common complaints across the state of Victoria.

In division 4 in part 2 with respect to committees the bill provides that Parks Victoria may establish committees that will consist of members of Parks Victoria for purposes that can deal with a range of issues that are determined by the board, and there is also the opportunity at clause 26 to establish advisory committees. They will be able to appoint members to deal with and to provide specific advice to Parks Victoria with respect to the operation of the organisation and more specifically in terms of the management of land that is under their control.

Clause 29 deals with the issue of corporate planning. It talks about the obligation of the board to create a corporate plan for Parks Victoria and prepare a planning document that will be provided to the minister. This effectively will set out their future vision for the organisation and will spell out how this organisation will seek to operate in terms of its overall direction for the future.

In addition to that, the minister at clause 31 has the power to create a statement of obligations that will spell

out obligations that Parks Victoria has to meet in terms of performing its functions and exercising its power. Again this is important. It is not only about the board setting its plans, but also the minister can set a range of specific targets and obligations that the board is expected to meet in terms of its delivery of outcomes to be delivered by their staff across the state of Victoria.

The statement of obligations can deal with issues such as governance and guiding principles, performance standards, land management strategies, management priorities and the implementation of government policies and strategies, innovation, compliance and collaboration with other government departments, traditional owners and non-government bodies. It is quite broad in terms of the obligation that the minister can place upon the operation of Parks Victoria.

The bill provides at clause 38 for a land management strategy and that Parks Victoria must prepare a strategy that will provide for its general long-term direction strategies and priorities for the protection, management and use of land that it manages and for other land that it has under delegation. Once they have prepared this strategy Parks Victoria will then be obliged to review the strategy at least every 10 years to ensure that the strategy that they have developed for the operation of land more broadly or more specifically for specific aspects of the state is actually meeting the needs of the Victorian community.

Once they have these strategies, under clause 46 Parks Victoria will be able to develop plans that will determine how they will in fact manage the delivery of strategies, the protection and the management of the land is under its control. So the bill will provide for a strategy to be developed and then plans will need to be developed on how Parks Victoria is going to deliver on the protection and the management of land across the state of Victoria. Those plans will be reviewed. It is indicated that the plans are to be reviewed by Parks Victoria for each period of 15 years.

Victorians love their parks, be they marine, be they coastal, be they local reserves or be they state or national parks. However, having said that, I want to indicate that there is great work undertaken by the staff, and I want to place on record my congratulations to the staff of Parks Victoria and the staff of DELWP more broadly on the work that they do. However, there are a range of concerns that many Victorians raise about services within our parks, whether it is some of the parks that many Victorians visit, the state of those parks or the health of those parks. The parks are often under pressure and many Victorians have raised concerns. I know I have received concerns as the local member of

Parliament, and I know other members of Parliament have raised concerns about the quality of those parks and the maintenance of the parks they visit across the state of Victoria.

When you go further into state and national parks we then get into the broader issue of pest control, both animal and plant. A common complaint is the high level of pest species that cover vast sections of our state and national parks and also the problems we face in terms of animals, particularly with deer, wild dogs, rabbits and a whole range of other vermin.

As someone who has regularly visited parks and as someone who through my sport of orienteering, which involves running through many of the state parks across Victoria, I have seen firsthand the state of our parks. I am not talking about the state of our parks at the lookouts or at the barbecue areas, but about the state of our parks off-track, to see what the health of our parks is like. I have seen firsthand the proliferation of weed species and the concerns that many argue about, including whether or not Parks Victoria has been an adequate land manager. I understand the concerns that have been raised, particularly given the fact that this government has been in control of Parks Victoria for such a long period of time. Many people say that there has not been a long-term, sustained approach by this government and former Labor governments to deal with this important issue.

One also only needs to look at what happened in regard to the operation of Parks Victoria with its botched management of the Albert Park Lake, particularly with its master plan. There was a plan developed by Parks Victoria. I do not know how much of it was developed by Parks Victoria and how much of it was developed by the local member and whether or not there was any discussion between the two, but effectively there was a plan put out by Parks Victoria to which local community organisations did not have input. They certainly did not believe that they had had their views sought and they were effectively handed a fait accompli.

It included the removal of the 18-hole golf course that currently operates on the northern side of the lake at Albert Park. It has been there for many, many years and is heavily patronised. This government saw fit through Parks Victoria to wind that back to a nine-hole pitch and putt course. Nobody asked for it and nobody wanted it. I pay tribute to Margaret Fitzherbert, a member for Southern Metropolitan Region in the upper house, who went out and consulted with that community. She went out and spoke to the golfing fraternity and got an understanding directly from that community that they did not want this. I was very

pleased to join her and the Leader of the Opposition to announce that a future coalition government would retain the 18-hole golf course.

Funnily enough, the government then sprang into action and scrapped its plans for the nine-hole golf course. All of a sudden it turned on a dime and announced that it was going to listen to the community and back the 18-hole golf course. Let me tell you that only occurred because the opposition made an announcement that we would deliver what the residents in the community wanted, which was the retention of an 18-hole golf course. That is just one example of the problems that we have faced with the Albert Park project and the operation of Parks Victoria.

As I said, I give credit to the staff, but when Parks Victoria is making decisions like the one it made at Albert Park with the golf course, it just demonstrates that you are there to work with your community and engage with your community. If you do not listen to the Victorian community, then the Victorian community will very clearly tell you that you have got it wrong, and that was a perfect example of where this government got it wrong through Parks Victoria.

I will wait to have further discussions with the minister through her office in regard to the amendments that have been presented to the house, but with that I will leave my comments at this point.

Mr CARBINES (Ivanhoe) (18:05) — I am pleased to contribute to the Parks Victoria Bill 2018. I want to pick up on some of the remarks made by the member for Ferntree Gully. I have spoken to the minister's office, and I know that her staff have made contact or are making contact with the member for Ferntree Gully's office to clarify that the house amendments relate to some drafting errors. He can be assured that they will provide any comfort and advice in relation to those matters that have arisen at short notice. I add that to the record for the peace of mind of the member for Ferntree Gully and those opposite.

Further to that I want to start by setting some context. I will keep my contribution a little limited so that other members on the government side in the remaining time can make a contribution on this matter. When you talk about the catchcry on which we base our values and our core aim for Parks Victoria, it is about healthy parks and healthy people. We need Victorians and we need those interstate and internationally to visit our parks, because when you have been there and seen the great value and the beauty in our parks, you become one of their great advocates. So 'healthy parks, healthy people' is about engaging our communities in our natural assets

in Victoria and making sure that one generation after another become advocates for those parks to affirm, protect and advance the interests of the natural environment.

I will touch further on the December 2016 Strengthening Parks Victoria work that we did, which is about engaging stakeholders and engaging those advocates across the community and our other partners across government. There is a very high expectation that the community puts on Parks Victoria and a very high expectation in the standards of what they think its role is. The Strengthening Parks Victoria work, particularly as it comes around the time of 20 years of the operation of Parks Victoria, was about going back to the community and asking: is Parks Victoria meeting your expectations and standards? What are your key priorities for our parks, whether it is assets and amenities, whether it is about keeping the weeds out and feral pests? What are your priorities? Is it providing a research and scientific base into the community? Is it engaging you about private public sector partnerships? Is it engaging people in the community and landowners of a private nature? What are your expectations of Parks Victoria? We want to understand your engagement with it on a day-to-day level. Are you part of Landcare or somebody else in the community or a tourism operator?

Then we want to say: what does the act look like? What are the policies and parameters set? What does the budget look like? Are we providing Parks Victoria — and the very dedicated staff who commit their working lives in many instances to working in Parks Victoria year on year — as a government and as a Parliament with the public policy tools and with the financial capacity to do the job and setting a legislative framework in which they can operate effectively? Are we doing that? The Strengthening Parks Victoria work certainly identified the work we need to do. That is further work that will come to this place.

I think in giving a further example that we set the tone when we came to government, the former environment minister, and I quote from the *Age* of 2 April 2015, under the headline ‘Basic camping fee axed in national parks’, said:

Campers have been handed an early Easter gift with the state government dumping camping fees for more than 500 basic camp sites.

...

On Thursday environment minister Lisa Neville said the fee for 536 camp sites at 70 campgrounds had been axed. People who have already paid for Easter camping will be entitled to a refund.

And here we are, a couple of years on. The article continues:

Ms Neville said the basic camp fee had turned away some campers. The new fee was forecast to raise \$600 000.

It might sound like a lot of money, but in the grand scheme of government it is a pretty paltry figure. When you talk about ‘healthy parks, healthy people’ it is about getting people into our parks so that they are the advocates for standing up for our parks, but when it is those opposite who decide to fine Victorian taxpayers for visiting their parks, it says a lot about what they want to do. They want to keep you out of our parks. They want to charge Victorians to use our parks because they do not want you there. They do not want you to be an advocate. They do not want to allow you into our parks. So their plan was to tax and fine you for visiting parks with your families — parks that are the entitlement of every Victorian in the state.

The appointment of the chief conservation scientist, Dr Mark Norman, is further evidence of the government’s commitment to support the research and scientific projects that Parks Victoria is engaged in. Can I say also that some of the further work we have done relates to Labor’s platform in opposition, which was to strengthen Parks Victoria, consistent with the commitments of Victorian Labor in 2014, to ensure the separation of the roles of the overseer of the department and of the management of parks.

Mr Watt interjected.

The ACTING SPEAKER (Mr McGuire) — The member for Burwood is out of his seat and out of order.

Mr CARBINES — It was to build a stronger park management agency and ensure direct reporting to the Minister for Energy, Environment and Climate Change. That is exactly what this bill does.

I say again that the current Parks Victoria Act 1998 says that the service agreement between the secretary and Parks Victoria enables Parks Victoria to manage land. We are not going to have service agreements under this legislation. Parks Victoria will have direct control and management of the land it manages. Under the current act land management powers are delegated from the secretary to Parks Victoria to support the service agreements — for example, the National Parks Act 1975. What we have done here in this legislation is give Parks Victoria line management powers in its own right.

These are critical reforms that relate directly to the platform that we took to the election in 2014, affirmed by the Victorian voters, to unshackle Parks Victoria

from the malaise of red tape and histrionics in our legislative programs that sit on the statute books. We are making the changes that are needed so that Parks Victoria can be an effective and nimble operator for the 21st century. After two decades of operation, and as an organisation that has great respect in the community, now is the time to make sure that that work is done.

We have not only done that, but we have also protected our national parks, people and jobs by making sure that we have scrapped the plans that those opposite had for 99-year leases in our national parks. Again, they are always about development on the other side of this place, not about investing in our parks. We have also seen under those opposite cuts to the budgets of Parks Victoria. We saw funding for park management areas outside the metropolitan areas decline dramatically. We saw one in 10 Parks Victoria staff sacked or not reappointed by those opposite. One in 10 — can you believe it? This is an organisation doing great work in the community. It is an organisation that has also had to suffer from sustained and deep budget cuts under the coalition. Appropriations for Parks Victoria fell from \$122.1 million in 2011–12 to \$76.8 million in 2014–15. Can you believe it?

What is important here is that Parks Victoria is managing some 4.1 million hectares. That is 18 per cent of the state of Victoria. They are managing assets that have a value of some \$1.8 billion. We have an increasing Victorian population, with planning pressures across the state, meaning that our open spaces are under more pressure and more demand for use by Victorians than ever before, let alone those outside the state. We see those opposite seeking to cut the budget, cut the number of park rangers, cut resourcing and then fine and tax people for wanting to visit their own national parks and their own public spaces.

Can I say also that places of historic conservation managed by Parks Victoria include the Viewbank silos, which is a historic institution and landmark in my electorate. Thanks to the work of Heritage Victoria providing grants to those iconic Viewbank silos, managed on Parks Victoria land, we have seen a collaboration of nearly \$150 000 in works to restore the Viewbank silos — an iconic landmark in my community — through the partnership of Parks Victoria and Heritage Victoria. I tell you what, if you can find some other Heritage Victoria registered projects in my electorate, we want to work with Parks Victoria to come back to Heritage Victoria again, such is the success of their work. I thank the minister, the member for Richmond, for understanding the value of heritage in our community not only in electorates like

his own and across the state but certainly in Viewbank, which is a very significant project.

I also touch on the fact that when we look at tourism \$1.4 billion a year is associated with visits to parks, generating \$1 billion of growth value, adding some 14 000 jobs to the state economy. These are huge contributions that Parks Victoria make. Do not forget our forest firefighters; they are there too making a huge contribution. To do the strengthening parks work, on the 20th anniversary of Parks Victoria, we are making sure that this very respected organisation in our community has also got the tools to do the job, and that it is able to meet the expectations that the community has. That is why we are resourcing them more appropriately. That is why we are making reforms to the government's arrangements. There will be further changes and supports for Parks Victoria under the Labor government led by the Premier.

Mr McCURDY (Ovens Valley) (18:15) — I rise to make a contribution to the Parks Victoria Bill 2018. As you found out from our lead speaker, we will not be opposing this bill, but what we have certainly found out is that this government has just told us it is drafting some amendments. So it is interesting that the lead speaker on our side has already finished, and we will find out what the devil in that detail is. At this stage we are certainly not opposing the bill. As one of the members in this place who has got considerable —

Honourable members interjecting.

The ACTING SPEAKER (Mr McGuire) — Order! The member for Hastings, there is too much audible discussion across the chamber, and you are cutting across the time of a coalition partner. The member for Hastings will desist. We want no more audible dissent across the chamber while somebody on your side of the house wants to make his contribution.

Mr McCURDY — This bill will continue the reforms the coalition put in place last term. Certainly for those who live in places like the Ovens Valley we have got great concerns around that governance of our parks. The Ovens Valley takes in some of the parks through Cobram, Myrtleford, Bright and Mount Hotham. This is primarily due to the fact that decisions are being made by a city-centric government in Melbourne that have demonstrated that when needed they will try to out-green the Greens, and they tried to do that in Northcote, as we all saw. When it comes to Parks Victoria and bills in relation to regional Victoria, we need to be very, very careful about the way this government manages these bills.

This bill repeals and partially re-enacts the Parks Victoria Act 1998 to establish Parks Victoria as a statutory authority, with the direct control and management of Victoria's national parks and other reserves. Although this model can have its benefits, I have concerns about departments that tend to confuse management with ownership and make decisions based around departmental priorities rather than in the best interests of the environment and the local communities.

In the Ovens Valley we have many national and state parks. The Warby-Ovens National Park, which is based just north-west of Wangaratta, overlooks the Ovens River and takes in Killawarra, Peechelba and those regions. It is just over 14 000 hectares and is a mix of box, ironbark and red gum forest. I know many who live in and around Wangaratta use the Warby Ranges for bushwalking and birdwatching, and training in fact. I used it myself when I was training for Kokoda last year. I must have overdone it and I must have worn out some of those hills during that time.

The iconic Mount Buffalo National Park is home to 31 hectares of national park and the Mount Buffalo Chalet, which has been neglected by this government and will probably eventually die a natural death. It will be death by neglect. The Mount Buffalo Chalet community group has worked hard to maintain what is there, but it is difficult when you have a government that is city-centric and refuses to look at supporting some of our projects like the Mount Buffalo Chalet. The chalet group are also trying to advance some of the other gorge walks and some other strategies that will promote tourism in that region, and I will work with that action group which has done a wonderful job keeping Lake Buffalo as a national park on the agenda.

There is also the Murray River state forest that is part of the great Murray River from Bundalong, Yarrawonga, Cobram and beyond. It is a well-used and well-kept section of our beautiful region. This government continues to discuss charging fees for camping in this region, which would really kill the tourism industry in our Murray River towns, towns that have already been hit hard by the many megalitres of water that have been taken out of the commercial irrigation system to be given to the environment. I want to flag that if we are talking about national parks and management of our national parks and state parks, charging campers in and around our regions will make life difficult for the economic drivers in our communities. Agriculture and tourism are the main drivers, and we need to ensure that both of those remain very healthy or our communities will die. When there are more than 100 000 people coming to Victoria each year, we should be

encouraging them to come to regional Victoria, not discouraging them.

The Alpine National Park takes up a fair portion of the Ovens Valley and is the largest in the north-east of Victoria. It is home to the *Man from Snowy River* and the High Country cattlemen. For people like Simon and Rowena Turner, Charlie Lovick and many, many others, it is their home, it is their heritage and it is their history, so when we talk about any facet of managing national parks, I hope that this government ensures that these people are included in any decisions that are being made because it is their home, their heritage and their history.

If you want to talk about cattle in the High Country, there were 400 cattle in the High Country. There is in excess of 1.6 million sambar deer roaming around the High Country at the moment. That was at the last count taken about two or three years ago, so that number could have doubled by now. People in the communities of Harrierville, Bright, Eurobin and Wandiligong continue to say that the damage that is being done by the sambar deer and the safety on roads as a result are really out of control. Again I urge this government to get out of the city to try to understand what is going on in our communities, rather than just trying to out-green the Greens.

During the past long weekend I was fortunate to go to Wonnangatta Station in the Alpine National Park. The story of the station is a wonderful story in its own right. I was there to commemorate 100 years since the murder of Jim Barclay at the station in 1918. I want to encourage and thank the volunteers who spent time over that whole weekend giving roadside talks and homestead talks about the station and the valley. The celebration attracted many, many people — in excess of 1000 people — to an area that is only accessible by four-wheel drive. It was a terrific weekend and a great way to showcase some of the areas up in the Wonnangatta Station and the Wonnangatta Valley. I think the volunteers should get a pat on the back for their work, and I thank them very much.

There are some significant changes in the bill. The bill allows the minister to issue a statement of obligation to Parks Victoria that sets out expectations relating to the performance of functions and the exercising of powers. It enables Parks Victoria to establish advisory committees in relation to land managers and practical outcomes. Again I want to be sure that these advisory committees are not just based out of Melbourne and that they have some understanding of the High Country or the parks or the area that we are dealing with, rather than people being appointed who might be friendly to

one side of politics but who do not actually understand the issues of the communities in relation to those parks.

The bill also requires Parks Victoria to prepare a statewide land management strategy for the protection, management and uses of the land it manages. Furthermore, it simplifies requirements for preparing corporate planning documents, including corporate and business plans. As we have heard from others in this place, the bill also makes related amendments to the Conservation, Forests and Lands Act 1987, Crown Lands (Reserves) Act 1978, the Forests Act 1958 and other acts.

As I was saying a moment ago, when it comes to the management of parks, whether they are state or national parks, the sambar deer in our community are simply out of control. You only have to go to those communities to see them yourselves. Ten years ago you would rarely see sambar deer anywhere in our community, and now they are just destroying our communities, the environment, people's backyards and the farming land that people go to so much trouble to protect and look after. Somebody told me at a function I was at just last week that they could double the number of stock they run on their property if the sambar deer were not eating all the grass on their property. The deer are having a significant effect.

This city-centric government needs to stop out-greening the Greens and manage some of the issues in our communities. Those who are farming and looking after the environment should be the ones who are supported. They are the people from Eurobin, Harrierville, Myrtleford, Bright and all through those regions, because they are the ones who are feeling firsthand the mismanagement that has been going on in our parks under this government. It is time to make those changes.

Mr HOWARD (Buninyong) (18:25) — I love being a Labor Party MP and I love being on the government side of the house. In my time in this house I have been excited by so many of the achievements of this Labor government and of previous Labor governments, whether that be in education, whether that be in health or whether that be in road and rail infrastructure or in many other areas. The Labor government has acted with this bill, and I am especially keen to talk about it because it reminds me of how much we have done and how strongly focused we are in protecting our environment and not destroying our environment.

It is always great to follow a National Party MP when speaking on a bill to do with Parks Victoria, because they hate parks. The fact is Labor has created many

parks over the years, and on every single occasion Labor has proposed that we should create a new park to protect an area, The Nationals jump up and say, 'No. We can't destroy our cow paddocks'. They hate parks, so it is always amazing to get up and speak on progressive politics, on creating parks, on supporting our parks after a National Party MP, when you know how much they just hate what Labor has done in trying to protect our environment and to protect areas for future and current generations to appreciate. As far as they are concerned, all they know is that their cow paddocks are being spoiled.

Let me just go over some of Labor's record in regard to parks, because in the 1980s in particular we did a great deal. It was obviously ahead of my time here, but we expanded our parks system in the East Gippsland area, in the alps and in the Mallee. We prohibited mineral exploration in parks in the 1980s. Then in the 1990s and in the time that I have been in this house we have done so much more.

We heard the shadow spokesperson speaking on this bill and talking about our wonderful marine park system. How do we have a wonderful marine park system? Because Labor created it. We have our box ironbark areas preserved and we have our Great Otway National Park created and preserved. We have stopped cattle grazing in the Alpine National Park. Of course we have stopped that twice, because in the four years when we were not in government one of the first things the coalition did — well, one of the only things they did — was to put the cattle back into the Alpine National Park. We know what damage that continued to do.

Since then, though, we have created the Cobboboonee National Park, we have expanded the river red gum parks and the protection area and done so much more. Of course I cannot go on much longer as the member for Buninyong without talking about the Woowookarung Regional Park that we have recently established in my electorate, protecting what was state forest, which we were concerned about. If the other side had been in government for another term, when the forest leases were given up on some of that area they would have seen that that land went off for residential or some other use. But Labor said ahead of the last election, 'We think this land needs to be saved and protected for the people of the Ballarat region and others to come and visit'. We saved the park area now called Woowookarung — what was originally the Canadian state forest or state park — and that has excited so many people in my region. They now have a park that they can be excited about.

The people who have advocated for this, so many groups that live in the vicinity, have been excited about working with Parks Victoria over the last year and a half to develop a plan, a strategy, for the enhancement and protection of the park, and we know there is much to do to ensure that that park is more accessible and will be protected into the future. I am certainly excited to talk about parks, and I cannot go on talking about parks without talking about Woookarung and what this government has done to create it.

We know that overall there are now 4.1 million hectares of parkland across the state which this government is responsible for managing. Again, I remember, prior to my election to this place, how many cuts were made to the staff of Parks Victoria under the Kennett government and how frustrated those hardworking people who were so committed to their work at Parks Victoria at the time were. They were so pleased, when Labor was elected, to see that not only did Labor do what Labor promised to do but it continued to support and to fund Parks Victoria.

Let us have a look at the record over recent years. In the 2015–16 budget Labor allocated an additional \$56 million to the parks budget and an additional \$38.7 million in 2016–17. In 2017–18 the budget provided an additional \$31.8 million, which resulted in us now having 53 new rangers to support our parks areas and ensure that the management is working in a positive direction. We know that the parks not only provide a great opportunity for the people who live near them but they also provide a great tourism opportunity for those regions. They attract people from other countries as well as other parts of Victoria and Australia to explore and to appreciate them, and we have such a diversity of parks across the state. It is wonderful that we bring in those tourists.

But we know that it is also good for the health of local people using the parks. Certainly as a former teacher who taught environmental studies I enjoyed taking my students out to the parks. I love taking my kids out to some of our parks so they can appreciate our natural heritage and environment and see birds and animals in those parks as well as the natural vegetation and to just appreciate them.

It is fantastic that this government continues to be progressive in the way it wants to manage the parks. This bill will establish a strengthened Parks Victoria that will be a more independent management body which can be efficient and effective and ensure that as we move forward as a well-supported body it can work to address both our and community aspirations for the protection of our parks. As other members have

commented, we know we have problems with invasive weeds and invasive animals in our parks that need to be managed in addition to the overall park management and enabling people, whether they be day walkers, campers or whoever wants to visit, to come in and appreciate those parks.

I certainly commend this bill. It is evidence that Labor continues to be supportive of our environment and our parks system to ensure that it can be there for people today and into the future. This bill, through its restructure of Parks Victoria, will ensure a well-managed body can protect and enhance our parks into the future.

Ms SANDELL (Melbourne) (18:33) — I am pleased to rise to speak on this bill. Our national parks are precious, precious places. Parks Victoria is entrusted with the care of these places for now but also for future generations. The national parks do not just sit there locked up. They actually require management, and this is done by a dedicated bunch of people who care deeply about our environment. These are the park rangers, the scientists, the managers and the guides, among many others. Parks Victoria are the people who build the walking tracks and toilets and who work to eliminate weeds to protect our native plants and animals from pests. They are the people who fight and manage fires in our parks, who work with landholders surrounding our parks and who teach our kids about the natural environment.

I spent a lot of my childhood in our national parks. In fact my dad was one of those who worked for Parks Victoria. I spent school holidays and weekends camping under the stars in the Wyperfeld, Murray-Sunset and Hattah-Kulkyne national parks. I spent afternoons searching for lizards, parrots and echidnas. I am lucky enough that I now get to make new memories of my baby daughter in the same wild places where I grew up.

But I have also seen what happens when our parks are not properly managed or when our parks system is under-resourced. Due to funding cuts over the last few years in many of our national parks today weeds and feral animals run rampant, infrastructure is run down or simply not provided at all and biodiversity is suffering. This is why we have been calling for an immediate injection of funds in the upcoming budget to replace the funding that has been cut from Parks Victoria. Victorians treasure our national parks, and it is time that our Treasury did as well.

My love for national parks means I have taken a very keen interest in this bill. I am truly glad to see some

positive changes in the governance and powers of Parks Victoria contained within this bill. Many of these changes are great. Separating Parks Victoria from the Department of Environment, Land, Water and Planning is really good from a management perspective. It will bring it closer to functioning properly as a dedicated parks service. This is also good in terms of transparency.

Currently it is very difficult to understand budget allocations for Parks Victoria, how much money they are actually allocated and for what, because it is hidden in opaque annual reports and not reported properly in the budget papers. This new system will, hopefully, make it clearer and the department will not be able to scrape anything off the top for non-parks related things as the money passes through — hopefully.

Parks Victoria will also, hopefully, now be more accountable to the minister. Currently the director of the Department of Environment, Land, Water and Planning is in charge of Parks Victoria, so they do not have as much of a direct line to the minister. Now the Parks Victoria director will be the real director, reporting directly to the minister. It makes sense, it makes reporting and management easier and it elevates park management to the importance that it deserves. The other main issue that we support in the bill is that it gives Parks Victoria the ability to make and enforce regulations relating to the land they manage. Currently the agency has limited regulatory powers, which hamper land management and hamper good conservation.

These are all good changes, and the Greens are happy to support them. We note some amendments were circulated just before the first speaker on this bill, so we will need to look at those amendments. As the opposition also noted, the government said that the amendments are to fix drafting errors, but we have had no communication with or from the government about these amendments, so we will be seeking to talk to them about that in making an assessment of those amendments.

As I mentioned before, we have some ongoing concerns about the funding of Parks Victoria and whether it has got the ability to do the job that it needs to do due to funding cuts. We are also extremely concerned by the lack of conservation experience held by members on the Parks Victoria board. There is a very heavy focus on tourism in the experience of most of the board members, with only one board member having some conservation experience. This raises real questions about how well the board is able to prioritise conservation, which should be its main task, especially

when conservation outcomes might conflict or compete with tourism aims.

While our national parks bring in their fair share of tourism dollars, they do not exist solely as money-making machines or as tourism attractions, and nor should they be treated as such. Our national parks are national treasures. They are often the last remaining habitat for threatened and endangered native species. They should not exist just for our enjoyment, but so that nature can survive and thrive. Parks Victoria must have conservation at its core. If they do not have a board that reflects this aim, how can they possibly do that well? This is why I also need to highlight again that the changes in the bill do nothing to address the lack of core operational funding for Parks Victoria.

In 2014 funding for Parks Victoria was slashed, under the rationale of maintaining a budget surplus. This was despite the budget being nowhere near in danger at the time. Since then no government, including the current Labor government, has seen fit to restore this funding to where it should have been. Over the years Parks Victoria have been receiving on average about \$50 million less per year than they would have received had their funding been kept at the level it should have been before the cuts. This means Parks Victoria is about \$168 million behind. Making up this shortfall requires an urgent injection of funds as well as an increase to annual funding amounts in upcoming budgets, and it must start this year.

Parks Victoria is the last line of defence for our national parks and our native species. Without Parks Victoria beautiful places like Wilsons Promontory, the Grampians, the Otways and so many more of our treasured national parks would not be protected or conserved for future generations. Parks Victoria's scientists measure and study and take actions to ensure the safekeeping of these places for generations to come. Their rangers show visitors how to unlock the beauty and the secrets of these places. They teach our kids about the environment, and they also keep us safe. Parks Victoria facilities, like toilets and walking tracks, make our national parks accessible for all Victorians to enjoy. When we do not adequately resource Parks Victoria to do their job, the consequences can be severe. Right now invasive and feral plants and animals are exploding. They are killing, crowding out and destroying our native flora and fauna. Our natural environment is facing an onslaught of threats from feral deer, feral horses, weedy plants, pigs, goats, cats, rabbits and more.

Rangers also play a crucial role in helping visitors and tourists experience our national parks safely.

MacKenzie Falls in the Grampians National Park has seen several drownings, to name just one example of what can happen if we do not resource our parks service properly. The importance of having enough core operational funds to maintain clear and adequate signage, park guides and rangers on the job simply cannot be underestimated. That is why we have called for an immediate increase in funds for Parks Victoria in this budget, so that these beautiful places can be enjoyed for generations to come.

In conclusion, we are pleased to support this bill. We will take a look at the amendments and hope we hear some communication from the government on them. We are very glad to see some modernisation of Parks Victoria, but please, we implore this Labor government to properly fund our national parks service, particularly in the upcoming budget.

Ms COUZENS (Geelong) (18:43) — I am pleased to rise to speak on the Parks Victoria Bill 2018. I congratulate the minister for her work and her commitment to ensure that Parks Victoria is a strong and sustainable park management agency. Coming from the Barwon south-west region, we have the magnificent Otway parks and ranges. We consider Geelong to be the gateway to the Otway Ranges, and to the Great Ocean Road of course. We want visitors, but we also want parks and management all covered for future generations. We have heard a lot about feral animals and weeds in this debate, but I remind the house that it was the Labor government that put the ban on fracking, which would have been shocking for our waterways, for our forests, for our food production and for our farming land in the Otway Ranges. There were many concerns about that, and it was a Labor government that put that ban in place.

Mr Burgess — No, it didn't.

Ms COUZENS — Yes, it did put that ban in place, and I am very proud that we did that. There was great concern from people, from not just Geelong but right through the Otway Ranges. We saw that campaign go on for quite some time. We put that ban on fracking, and I am really pleased that we did that.

I also want to thank the staff at Parks Victoria for all that they do. They have a mighty job in ensuring that our parks are managed and looked after the way they should be for future generations. So a big call-out to them for the work that they do.

This bill establishes clear objectives and functions for Parks Victoria. It modernises governance arrangements. It gives Parks Victoria direct control and management

of Victoria's national parks and reserves, instead of providing management services to the secretary under an agreement, and it gives Parks Victoria land management powers under several acts relating to the land it manages. It introduces other improvements and efficiencies for Parks Victoria, which include enabling the minister to issue a statement of obligations and requiring Parks Victoria to provide a statewide land management strategy for the land it manages, prescribing a process for Parks Victoria to develop management plans for the land it manages, enabling Parks Victoria to establish subcommittees and advisory committees to give advice in relation to any land it manages and any of its functions, enabling regulations to be made where current regulation-making powers are adequate, and enabling Parks Victoria to appoint authorised officers for the land it manages.

I am really proud of the environmental credentials that this Labor government has. The Andrews Labor government provided a \$56.5 million funding package to Parks Victoria in the 2015–16 budget and \$38.7 million in the 2016–17 budget. We built on this in the 2017–18 budget by committing an additional \$31.8 million over four years, with \$1.5 million going to Parks Victoria for the 'Unlocking the benefits of parks for all Victorians' initiative.

The Great Ocean Road runs through the Otway Ranges and parks, and the tourism benefit for our region is really significant. The region covers rugged coastland, beaches and the mountains of the Otway Ranges. The waterfalls that dot the park include Triplet Falls, a magic walk through the Otway Forest Park, and of course the Hopeton Falls and Beauchamp Falls sit nicely within the park. There are many boardwalks that lead through rainforest, including at Maits Rest. The 1848 Cape Otway lighthouse on the cliffs overlooks Bass Strait. The Great Ocean Walk leads through the park to the Twelve Apostles rock formation. The Otway Fly is the world's highest treetop walk, suspended up to 30 metres above the forest floor, and it attracts many, many tourists to our Otway Ranges. Of course walkers have lots of opportunities as well; the Otway Ranges are accessible for really all people to walk through.

We have also invested in more park rangers, which has created more jobs and of course enhances the park. Those rangers are taking care of those parks and managing them the way they need to be. We have also improved education programs. Our visitations are growing, and that is a great thing for tourism, particularly through the Otways. Tourism numbers are at great heights now, which is fantastic for those providers in the region.

This bill will also introduce several improvements and efficiencies to assist Parks Victoria in its management of our parks and reserves. It will enable the minister to issue a statement of obligations to Parks Victoria that will set out the broad expectations of the minister in relation to Parks Victoria performing its functions and exercising its powers. It will require Parks Victoria to prepare a statewide land management strategy that will set out the general long-term directions, strategies and priorities for the protection, management and use of the land it manages. It will give Parks Victoria an overarching power to prepare land management plans for the land it manages, which may cover more than one park or reserve. It will enable Parks Victoria to formally establish advisory committees to give advice and information in relation to any of the land it manages or any of its functions. This is a really important bill. I think it is important particularly for areas of the Otway Ranges, and I commend the bill to the house.

Mr SOUTHWICK (Caulfield) (18:50) — I rise to make some comments about the Parks Victoria Bill 2018. If we have ever seen a shonky, shady government, we have just seen it again today. What we have with the bill, which the government had much time to get right — in fact the former environment minister, the member for Warrandyte, did a fantastic job, having some sensible reform in parks — is that today at the 24th hour we were handed a whole series of amendments saying, ‘This is what we’re now going to do. This is what we’re now going to change’. What is this government hiding? Why can’t this government get its act together? This bill is symbolic of a shambolic government that we have come to see and that we have learned about in a four-year period.

It started as a rorting government, and we have certainly heard about that today and we have read about it and heard about it over the last week. We had a government come into power with 21 of its members rorting the system. No wonder we have the kind of situation we have got today: at the 24th hour a bill with a whole lot of amendments. Again, the government is trying to hide something from the taxpayer and the public. This is what we have become used to from the Premier and his government — a rorting government, a bad government, a rotten government, and quite frankly one which will be judged in November by the kinds of actions they have continued to take. We have seen them time and time again.

Our parks are great parks. Many people — certainly on this side but on all sides of the house — have given great examples of experiences in the parks during their contributions. But there have been in this term of

government again some dodgy actions by this government, and none can be seen better than the way the Albert Park Golf Course was managed. I was watching the Melbourne grand prix on the weekend at a house of a friend of mine that overlooks the grand prix. We were looking at this beautiful and magnificent golf course, and they said, ‘Whereabouts in any country in the world do you have a beautiful green golf course in the city?’. But what was this government up to? They were secretly planning to carve it up and turn a beautiful golf course into a putt putt for development. I mean, crikey, seriously, it is a government that just cannot be trusted at every single turn.

They have the gall to stand up here and say, ‘I’m proud to be Labor. I’m proud to be part of a party that has done so much for the people’. Well, do you know what? We have seen time and time again a party and its members that are all about self-entitlement. That is what it is. They are all about self-entitlement and what they can rip out of the system. We have seen that, and we are going to prosecute this every single day in this house. We are going to make sure between now and November that every single member that rorted the system is reminded of what they have done. One can question every single bill that comes into this house, because when a government started toxic, when a government started bad and when a government did whatever they could possibly sink to to get elected, then who can trust them with anything that they put up — any bill, any change? This is a government that will say anything, will do anything, with no values, no ethics and no morals.

As I said, the now Premier while in opposition masterminded, under the report we have seen by the Ombudsman, a scheme to get them elected, and they have been acting dodgy ever since. We have seen the sacking of a Speaker, the sacking of a Deputy Speaker and Dog-gate, where ministers were schlepping their dogs around the state. Seriously, we have a dodgy government that is toxic at its core. Should we believe them enough to trust them about this bill, the Parks Victoria Bill? Should we trust them about this bill? I do not think so. With a whole lot of amendments thrown at us at the last minute, I do not think so.

We have some great workers at Parks Victoria. I had the great opportunity to be part of the 100-kilometre Oxfam Trailwalker with many rangers from Parks Victoria. We got to actually take somebody with us in a Trailwalker wheelchair. I got to experience and discuss with those rangers the important work that they do, the great work that they do. But I will tell you what, would you trust this government? Would you trust them? Would you trust anything that this government put in

front of you? I do not think so. Every single bill that we have should be put under scrutiny because this is a government that is simply rotten to the core, that cannot be trusted and that does deals with anybody.

To put amendments to the shadow minister for the environment, the member for Ferntree Gully, while the bill is being debated and to offer him a bill briefing tomorrow, after he has spoken in the debate, makes me wonder. Is he going to get another chance to speak? He has had one contribution, is he going to get another one? This is a rotting, shocking government that cannot be trusted with anything they put up or with anything they say, and every single member has blood on their hands from what they did. Twenty-one of the red shirts were all involved in this.

Ms Halfpenny — On a point of order, Speaker, could you please direct the member for Caulfield back to the bill? He obviously does not know anything about the bill so he is unable to talk to it, but I ask if you could direct him back to the bill.

The SPEAKER — Order! I have only been in the chair for the tail end of the member for Caulfield's comments. He did not seem to be on the bill, but I will give him the benefit of the doubt and ask him to speak to the bill.

Mr SOUTHWICK — Thank you, Speaker. I was absolutely on the bill. I was just questioning whether the member was in the book.

Honourable members interjecting.

Mr SOUTHWICK — Did not respond? Okay, not in the book.

Mr Wakeling interjected.

The SPEAKER — Order! The member for Ferntree Gully will resume his seat if he wishes to interject. The member for Caulfield will speak on the bill.

Mr SOUTHWICK — As I said, it is very important to have transparency in everything that we do. I am absolutely disgusted with a government that again tries to cover up by throwing up a whole lot of last-minute amendments on this bill. They said, 'Here you go, member for Ferntree Gully. You are about to speak on this bill. Here are a whole lot of amendments on this bill. We have had four years to put the bill together but at the last minute here are a whole lot of amendments'. Can this government be trusted? No. They have rotted the system. The red shirts have rotted the system. They have done it from opposition. They have done it from

day one and they continue to do it now. This is a government that cannot be trusted to the core.

Ms WARD (Eltham) (18:58) — I tell you what, it is pretty funny to hear those opposite talk about trust, especially when they are talking about green spaces in our communities and when they are talking about parklands in our communities. I tell you what, the Liberal mayor of Nillumbik certainly cannot be trusted with our green spaces — he is trying to flog off 17 blocks of land in my area.

Honourable members interjecting.

The SPEAKER — Order! Just before calling the member for Caulfield on a point of order, it is not usual to have this level of shouting on a bill, so I would ask members to calm down. Otherwise we will have the extraordinary situation where members are removed from the chamber during debate on a bill.

Mr Southwick — On a point of order, Speaker, I would just ask you to bring the member back to the bill or whatever she was on about, because we have stuck to the bill on this side. I would hope that the members on that side would also speak to the bill.

The SPEAKER — The member for Eltham had only just begun her contribution.

Ms WARD — I would like to speak to the bill in a similar fashion to what the member for Caulfield did, which is to say you cannot trust the Liberals with the green wedge, you cannot trust them with green spaces and you cannot trust them with our parks. I take the member up on his suggestion that the Liberals started the green wedge. They did, and did Richard Hamer's daughters not stand up in 2013 and disgrace you lot for flogging off green wedges in our outer suburbs? Richard Hamer's daughters hung their heads in shame at your action.

Honourable members interjecting.

Ms WARD — Rupert — Rupert Hamer! It was a disgrace then and it is a disgrace now. All they are after is flogging off green spaces just like their Liberal mate Peter Clarke, who they threw out of Places Victoria and who is now trying to flog off land in Nillumbik because he does not know how to get —

The SPEAKER — The time appointed by sessional orders for me to interrupt business has now arrived. The honourable member for Eltham may continue her speech when the matter is next before the Chair.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — The question is:

That the house now adjourns.

Bus route 679

Ms VICTORIA (Bayswater) (19:00) — (14 177) I rise to ask the Minister for Public Transport to conduct a review on the performance of and potential improvements to bus route 679. A vision-impaired constituent who relies on the bus service to get her child to and from school contacted me in regard to bus route 679, primarily along Canterbury Road around Heathmont. She has had issues with the bus company and Public Transport Victoria and described the 679 bus service as a mess. It is often late or early and rarely has air conditioning. Most of the buses do not have opening windows, and on some that do the windows are too high to reach without standing on the seats, which is not permitted.

This constituent's son goes to a local primary school on the bus. The school service is haphazard, and there is overcrowding around school times. One bus arrives at the school at 8.37 a.m. Children need before-school care at that time, as the Department of Education and Training insurance apparently does not cover children if they arrive that early. If the children catch the bus that arrives at 8.56 a.m., then of course they miss a bit of school because school actually starts at 8.55 a.m. If that bus does not show up, then they arrive at 9.25 a.m. I note that these times do not directly correlate with the printed timetables, but that seems to be because the services are rarely on time.

Students from six schools, both high schools and primary schools, share the bus. Some days they all end up being late. The afternoon service was meant to depart the school at 3.50 p.m. but was always late so they changed it to 3.57 p.m. back in November. It is still arriving well after that, leaving the primary school-aged students unsupervised at the bus stop for well over 30 minutes each night. This rightfully concerned mother wants the service assessed and fixed. It follows a convoluted route that means it unnecessarily goes through four sets of lights in a loop around Ringwood, which frequently costs 8 or more minutes.

This issue seems to have been exacerbated with recent changes around the station and the Eastland precinct. It might just be as simple as updating the timetable, taking into consideration the changes to the situation at Ringwood, but it seems there are far more extensive issues than that. The bus runs throughout the day, but it

seems the additional patronage around school times causes particular problems in the afternoon peak.

Specifically, the review could consider the performance of the service compared to the timetable, the overcrowding of the service at school times, the desirable arrival times given that students from so many schools use the service, the changed circumstances in Ringwood, whether the route needs to go through all the traffic lights and the need to cool the buses on hot days. I ask the Minister for Public Transport to conduct a review on the performance of and potential improvements to bus route 679.

Lalor North Secondary College

Ms HALFPENNY (Thomastown) (19:03) — (14 178) I raise a matter for the attention of the Minister for Education regarding Lalor North Secondary College. The action I seek is that the minister commit funding for the installation of two additional flagpoles at the school in order to be able to fly both the Aboriginal and Torres Strait Islander flags. I recently attended Lalor North Secondary College and met with acting principal Chris Peake and acting assistant principal Melissa Lozanovski. They are both part of a new leadership team at the school.

They advised me that since the start of this year there has been an increasing number of enrolments. The 2018 year 7 enrolments alone rose from 55 to 95 students, bringing the school to a total of 430 students, a much higher number than they have had for some years. Many of the students at the school now are of Aboriginal and Torres Strait Islander backgrounds, so raising these two flags alongside the Australian flag is an important part of acknowledging the traditional owners of the land, the importance of Aboriginal culture and of course the important and great role that these Aboriginal students and all Aboriginal people play in Victorian society.

Flags are an important national symbol, and the school needs these extra flagpoles to ensure that they can proudly fly all the flags of Australia. Lalor North Secondary College celebrates the rich cultural diversity that exists throughout its school, and it is working to foster a more culturally inclusive school community. These flags of course are just a token and a symbol but a very important one to show that all Australians are important.

Neighbourhood houses

Mr McCURDY (Ovens Valley) (19:05) — (14 179) My adjournment matter is for the attention of the

Minister for Families and Children in the other place. The action I seek is that the minister urgently deliver on the election commitment of 2014 to support neighbourhood houses throughout Victoria but more importantly, or specifically, within Ovens Valley. Last week I met with Pangerang Community House and Open Door Neighbourhood House in Wangaratta. They operate with very small budgets but deliver major benefits to our region. Their funding from the state government has been reduced in real terms since the Andrews government was elected. The minor increases in funding have not kept pace with the CPI, which has now put many services at risk within our community.

Pangerang Community House offers courses for kids, plus computer, health and wellbeing, art and craft, general interest and parenting skills courses, all of which are vital to our young parents, who may not necessarily have a tertiary education behind them or a trade and who desperately want to improve their and their family's welfare and future opportunities. Open Door Neighbourhood House offers classes on the topics of technology, creative craft, recipes for life, fun and fitness, and community learning.

The Andrews government has shown no respect for the volunteers within our community who support these neighbourhood houses. This is further evidence of all talk and little action for our small community groups who are doing the best they can with the little resources they have to improve the wellbeing of people from in and around Wangaratta. I ask the minister to deliver on the election commitment of further funding for neighbourhood houses immediately.

Romsey infrastructure projects

Ms THOMAS (Macedon) (19:06) — (14 180) The matter I wish to raise is for the attention of the Minister for Regional Development in the other place. The action I seek is that the minister join me in Romsey to inspect the streetscape and other infrastructure projects that are underway, projects which are breathing new life into this growing town. Last year the minister joined me in Romsey to announce \$400 000 for the streetscape project. The upgrades are improving pedestrian and cyclist safety and amenity and visitor experiences and creating an environment where existing and new businesses can thrive. It has been fantastic to see the impact these upgrades are having in the heart of the Romsey township.

Another exciting project taking place is the redevelopment of the old Romsey Primary School site, with Cobaw Community Health Services redeveloping the school and a community-led development of an

eco-therapy all-abilities park. The park, which is in its initial stages of construction, is the brainchild of the Greater Romsey All Abilities Park group, a passionate community group that has been working for many years to design a park that will cater for people of all ages and abilities and create a real attraction and focal point for visitors to Romsey from across the shire and neighbouring towns.

Finally, improving road safety for the people of Romsey has been a particular focus of mine over the time that I have been in this place. I have been pleased to deliver pedestrian-operated signals to improve road safety for Romsey residents and a \$20 million safety upgrade to Melbourne-Lancefield Road. Right now I am petitioning the Minister for Roads and Road Safety for funding to fix the notorious Barry Street intersection.

These projects are transforming this great little town, having a positive economic impact and boosting civic pride. Projects like these in regional Victoria are vital to ensuring our smaller towns are safe and prosperous places to live, work and do business. I look forward to showing the minister firsthand the impact these projects are having in Romsey.

Graffiti

Mr THOMPSON (Sandringham) (19:08) — (14 181) The matter I wish to raise tonight is for the attention of the Minister for Public Transport. The action I seek is that the minister and/or her delegate, together with representatives of Metro Trains Melbourne and VicTrack, meet in Hampton with keen-minded constituent Mr Terry Reynolds and a number of locals from between Hampton and Mentone who have taken an active interest in the elimination of graffiti in the cities of Bayside and Kingston and also in the removal of graffiti from public asset infrastructure within the district. The action I seek is that the minister meet with Mr Reynolds in particular to consider his idea of establishing a 'Railway Botanica' along the metropolitan railway network.

Mr Reynolds has done outstanding work in cleaning the foreshore and in maintaining an area of the railway line by removing graffiti at his own expense and planting plants along the railway corridor. Mr Reynolds has a vision of making our railway network the best in the world for both residents and tourists. There is the outstanding work that has previously been undertaken by Dorothy Booth and the Friends of Mentone Station and Gardens in beautifying the Mentone railway station precinct, which in 2002 was planned as a bus

interchange, an area that is now occupied by a historic garden and station precinct heritage area.

The work of keen-minded citizens who have taken responsibility to make their corner of the world a better place has achieved much. A local group in the City of Bayside and City of Kingston districts has been working very hard to remove graffiti from infrastructure, and there are a number of groups that are collaborating to achieve a good outcome. I commend the work of United Energy in cleaning numbers of electricity poles that were cleaned along Bluff Road.

There was once an American political figure who noted that some people see things as they are and say, 'Why?'; others see things as they could be and say, 'Why not?'. Mr Reynolds is in the latter category and has been actively engaged in making Hampton a much better place for the railway commuter and for residents who use the walkway alongside the railway line. I pay tribute to those citizens of Bayside and Kingston who have stepped up to the plate, and I seek the support of the minister, Metro and VicTrack to improve the amenity of railway corridors in the southern region of Melbourne.

South Road traffic study

Mr STAIKOS (Bentleigh) (19:11) — (14 182) My adjournment matter is for the attention of the Minister for Roads and Road Safety and concerns South Road in my electorate. The action I seek from the minister is that he release the findings of the South Road study conducted by VicRoads. As a lifelong local of our area, I use South Road each and every day, and like other locals I have noticed an increase in traffic since the opening of the Dingley bypass in 2016. Now, I of course support the Dingley bypass. It has made a real difference in getting to Dandenong and to the Mornington Peninsula Freeway, but it is now important that we address the traffic issues on South Road.

South Road carries more than 40 000 vehicles each and every day. The South Road study, which was funded by the Andrews Labor government, was aimed at identifying operational issues along the corridor and investigating possible measures to improve the flow of traffic and also road safety. It is not just about traffic flow, though that is very, very important and central to what we are doing. It is also about safe pedestrian access, and a number of local residents have raised with me, for example, the difficulty of crossing South Road near the Bignell Road intersection.

I am keen that we get this right so that we can ease congestion and improve safety, not just in response to changes in traffic following the opening of the Dingley

bypass but also in anticipation of the opening of the Mordialloc bypass in 2021, of which the member for Mordialloc is a very big supporter. So I ask that the minister release the findings of the South Road study.

Buln Buln Primary School

Mr BLACKWOOD (Narracan) (19:13) — (14 183) I wish to raise a matter for the Minister for Education, and the action I seek is that he provide funding in the coming state budget for the provision of new playground equipment and shade sails at Buln Buln Primary School. Buln Buln primary is a medium-sized rural primary school on the outskirts of Warragul. It was initially built to service the local farming community but now also attracts students from the growing local residential areas, as well as satisfying the needs of further afield families who prefer a smaller school environment for their children.

The quality of education provided at Buln Buln is second to none and underpinned by the dedication of the teachers and staff and support of parents. Around 53 families travel from Warragul and Drouin to have their children educated at Buln Buln primary, which is close to 50 per cent of the 122 families who attend the school. The current school population is over 180 and growing, but sadly the students are forced to continue to use playground equipment that is more than 50 years old, is very unsafe and is not conducive to a modern education environment.

Recently I visited Buln Buln primary and met with senior school students to discuss my role as an MP, courtesy of an invitation from the year 5/6 classroom teacher, Nadia Fowler, and the acting principal, Jane King. The students took the opportunity to give me a tour of their playground, pointing out the condition of the equipment and also explaining the risks it posed to safe activity. A number of students gave me a verbal presentation calling for a new playground and explaining the benefits this would provide for all students at the school. I was truly amazed at the quality of each of these presentations, and every student put their case in a way that was very compelling and impossible to ignore. Buln Buln Primary School is very well supported by the parent body, and the school committee is constantly raising money for a range of needs that are not funded by the education department.

The cost of replacing the playground equipment is well over \$200 000. This amount is well beyond what would normally be expected to be raised by the committee and parents, so I call on the Minister for Education to provide funding in this year's budget for new playground equipment and shade sails for Buln Buln

Primary School. The students, teachers, staff and parents have been very patient but now deserve to be supported.

Craigieburn South secondary college

Ms SPENCE (Yuroke) (19:15) — (14 184) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to fund the construction of Craigieburn South secondary college. The Andrews Labor government provided funds to acquire land for this important future school in the 2017–18 budget, which will complement our great existing government secondary schools, build on the government's outstanding record of new local schools in my community and provide access to secondary education close to home for young people in the growing areas in the south of Craigieburn. With the process of land acquisition now well underway, this is the ideal time to begin work on building this new school and further improve access to quality education for residents of my electorate. I hope the minister will favourably consider this request.

Renewable energy transmission lines

Mr RIORDAN (Polwarth) (19:16) — (14 185) My adjournment matter is for the Minister for Planning. The action I seek from the minister is an immediate review of the consultation requirements for renewable energy transmission line developments, including the routing options for the line, design, standards compliance, setback distances from residences and consolidation of capacity. It is also important to ensure the planning scheme takes into account proximity to roadways, visual amenity and bushfire safety.

The Mortlake, Noorat and Terang communities came out in force last week, despite the devastating St Patrick's Day fires, to rally about the abuse of process and complete disregard for the community and landscape by renewable energy companies. Meeting in Noorat, the 100-odd people from the community heard that a 50-kilometre-long massive transmission line that has been constructed can just be built in front of people's homes, farms, airfields and backyards with no consultation, with no local government oversight and without any connection or relationship to similar or like developments.

Community members like Geraldine Conheady, owner and operator of one of the region's finest dairy farms, spoke of the concern she, her husband and her family have about the destruction of the beautiful Noorat landscape. The community was told by developers and the Corangamite shire that all approvals sit with the

planning minister and all local control and context is now stripped from the process. If Western District communities are to bear the cost of this state's drive for renewable energy, then more must be done to ensure considerate and well-managed projects. Massive million-dollar infrastructure cannot be let to just lob on people's doorsteps without notice, warning or planning. It would not be allowed on the St Kilda foreshore, and it certainly would not be allowed in the gentrified, inner-city, green suburbs of Melbourne. The people of Mortlake, Terang and Noorat and the rest of western Victoria deserve good planning too.

Banyule Primary School

Mr CARBINES (Ivanhoe) (19:18) — (14 186) The action I seek is from the Treasurer. I ask that the Treasurer visit Banyule Primary School for a discussion about its priorities for redevelopment or to be briefed on that project. Just recently the Premier took some time out in the Ivanhoe electorate, and we visited Viewbank College, which is my old school, where of course we are completing an \$11.5 million redevelopment of a new performing arts centre and also some new classrooms.

At Banyule Primary School last year in the budget we funded \$1 million for a master plan. That is a school of some 700 students that is also a feeder school for Viewbank College and is certainly a place that could do with some new facilities. I worked hard with the community there to make sure that we funded that master plan and some early works in relation to stage 1 of what is an \$11 million master plan that has been completed. The Premier was pleased to accept a petition signed by over 500 students and 500 parents at Banyule Primary School during a visit to inspect the school to review the master plan that has been completed and understand the first stage of that project, which is a new gym and associated canteen and works. Some of the \$1 million of course is already in that early works package.

I want to thank the college committee, the Banyule Primary School community, the school council and the principal, Sharon Marmo, and her team not only for the work they do every day in providing a great education for students across Banyule but also for the work they have done with us on the master plan and the continued work that they do to ensure our students are prepared for the next step, which is their secondary school years. Very many of the students there go on to Viewbank College, a school our government is investing in. It is on top of some \$30 million that we are investing in schools across the Ivanhoe electorate. There is also

\$2 million for Ivanhoe Primary School, which is currently under construction.

At the school my daughter attends now, Rosanna Golf Links Primary School, we are completing a \$6.28 million redevelopment. Stage 2 of the early years classrooms will open in term 2. I am very pleased to hear about that. There is \$3 million in partnership with Catholic Education Melbourne at St Martin of Tours Primary School, another school with some 550 students that is receiving funds from our government. The commitment to rebuild Olympic Village Primary School in West Heidelberg is another contribution. I know our government is continuing to demonstrate its track record in investing in local schools in the Ivanhoe electorate. There are many more, including as you would know, Speaker, the reopening of Greensborough TAFE, the Banyule-Nillumbik Tech School and many other redevelopments that our government is committed to delivering.

Responses

Ms ALLAN (Minister for Public Transport) (19:21) — The member for Bayswater raised a matter regarding, if I heard her correctly, bus route 679 in her local area and some complaints that have been raised by the mother of a vision-impaired student who raised a range of concerns about the bus services in that area. I will ask Public Transport Victoria to investigate and get back to me so I can respond in more detail to the member for Bayswater.

I had hoped the member for Sandringham was going to talk to me about the level crossing removal program, but, no, we are talking about —

Mr Thompson interjected.

Ms ALLAN — Isn't it great that we are removing level crossings in your electorate? The member for Sandringham raised a matter regarding graffiti removal, if I heard him correctly, in the Hampton-Mentone area and particularly referred to some work that is being done by a group of volunteers. It is really interesting. We have great groups of volunteers around a whole bunch of our train stations who take great pride in the facilities. I am not as familiar with Hampton as I am with Mentone and the great work that goes on in maintaining the gardens, in particular around Mentone station. The member for Mordialloc has been very keen to ensure that I am well acquainted with the Mentone station as we remove the level crossing in that community.

When it comes to graffiti, we just do not tolerate this sort of reckless behaviour from vandals who put their

own lives at risk by vandalising and graffitiing public transport, not just public transport assets but also many of the assets around the public transport network. Yes, they are the responsibility of VicTrack. They are also in many instances the responsibility of local council or private property that abuts the area. It is an issue that we are working very hard on. That is why as part of the new contract arrangements that we have in place with the metropolitan train operator we have cracked down on the removal of graffiti and set stronger targets for the removal of graffiti and higher penalties if those targets are not met. There is a lot of work that goes on by Metro Trains Melbourne (MTM) to remove graffiti in our rail corridors. However, the member for Sandringham has raised a particular matter and has asked for MTM and VicTrack to meet with Terry Reynolds. I will ensure that is followed up as the member has requested.

The remaining eight members raised matters for a range of various ministers, and they will be referred to those ministers for their action and response.

The SPEAKER — Order! The house now stands adjourned.

House adjourned 7.25 p.m.