The Governor
The Honourable LINDA DESSAU, AC

The Lieutenant-Governor
The Honourable KEN LAY, AO, APM

The ministry

Premier .............................................................. The Hon. DM Andrews, MP
Deputy Premier and Minister for Education ..................... The Hon. JA Merlino, MP
Treasurer, Minister for Economic Development and Minister for Industrial Relations ......................... The Hon. TH Pallas, MP
Minister for Transport Infrastructure ............................ The Hon. JM Allan, MP
Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support ............... The Hon. BA Carroll, MP
Minister for Energy, Environment and Climate Change, and Minister for Solar Homes .......................... The Hon. L D’Ambrosio, MP
Minister for Child Protection and Minister for Disability, Ageing and Carers ....................................... The Hon. LA Donnellan, MP
Minister for Mental Health, Minister for Equality and Minister for Creative Industries ......................... The Hon. MP Foley, MP
Attorney-General and Minister for Workplace Safety .......... The Hon. J Hennessy, MP
Minister for Public Transport and Minister for Ports and Freight .... The Hon. MM Horne, MP
Special Minister of State, Minister for Priority Precincts and Minister for Aboriginal Affairs ....................... The Hon. GW Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Suburban Development ..................... The Hon. M Kairouz, MP
Minister for Health and Minister for Ambulance Services ........ The Hon. J Mikakos, MLC
Minister for Water and Minister for Police and Emergency Services . The Hon. LM Neville, MP
Minister for Jobs, Innovation and Trade, Minister for Tourism, Sport and Major Events, and Minister for Racing .................... The Hon. MP Pakula, MP
Minister for Roads, Minister for Road Safety and the TAC, and Minister for Fishing and Boating ...................... The Hon. JL Pulford, MLC
Assistant Treasurer and Minister for Veterans .................. The Hon. RD Scott, MP
Minister for Local Government and Minister for Small Business The Hon. A Somyurek, MLC
Minister for Regional Development, Minister for Agriculture and Minister for Resources ...................... The Hon. J Symes, MLC
Minister for Training and Skills, and Minister for Higher Education .... The Hon. GA Tierney, MLC
Minister for Prevention of Family Violence, Minister for Women and Minister for Youth ......................... The Hon. G Williams, MP
Minister for Planning, Minister for Housing and Minister for Multicultural Affairs ............................................. The Hon. RW Wynne, MP
Cabinet Secretary .......................................................... Ms M Thomas, MP
OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT—FIRST SESSION

Speaker
The Hon. CW BROOKS

Deputy Speaker
Ms JM EDWARDS

Acting Speakers
Ms Blandthorn, Mr J Bull, Mr Carbines, Ms Couzens, Mr Dimopoulos, Mr Edbrooke, Ms Kilkenny, Mr McGuire, Mr Richardson, Ms Spence, Ms Suleyman and Ms Ward

Leader of the Parliamentary Labor Party and Premier
The Hon. DM ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier
The Hon. JA MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition
The Hon. MA O’BRIEN

Deputy Leader of the Parliamentary Liberal Party
The Hon. LG McLEISH

Leader of The Nationals and Deputy Leader of the Opposition
The Hon. PL WALSH

Deputy Leader of The Nationals
Ms SM RYAN

Leader of the House
Ms JM ALLAN

Manager of Opposition Business
Mr KA WELLS

Heads of parliamentary departments
Assembly: Clerk of the Legislative Assembly: Ms B Noonan
Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young
Parliamentary Services: Secretary: Mr P Lochert
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### Party Abbreviations

- **ALP**—Labor Party
- **Greens**—The Greens
- **Ind**—Independent
- **LP**—Liberal Party
- **Nats**—The Nationals

**Note:** The use of abbreviations may differ slightly from the original document to ensure clarity and easy understanding.
Legislative Assembly committees

Economy and Infrastructure Standing Committee
Ms Addison, Mr Blackwood, Ms Connolly, Mr Eren, Mr Rowswell, Ms Ryan and Ms Theophanous.

Environment and Planning Standing Committee
Mr Cheeseman, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Mr T Smith.

Legal and Social Issues Standing Committee
Ms Couzens, Ms Kealy, Mr Newbury, Ms Settle, Ms Suleyman, Mr Tak and Mr Tilley.

Privileges Committee
Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells.

Standing Orders Committee
The Speaker, Ms Allan, Ms Edwards, Ms Halfpenny, Ms McLeish, Ms Sheed, Mr Staikos, Ms Staley and Mr Walsh.

Joint committees

Dispute Resolution Committee
Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.
Council: Mr Bourman, Mr Davis, Mr Jennings, Ms Symes and Ms Wooldridge.

House Committee
Assembly: The Speaker (ex officio), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.
Council: The President (ex officio), Mr Bourman, Mr Davis, Ms Lovell, Ms Pulford and Ms Stitt.

Integrity and Oversight Committee
Assembly: Mr Halse, Mr McGhie, Mr Rowswell, Mr Taylor and Mr Wells.
Council: Mr Grimley and Ms Shing.

Public Accounts and Estimates Committee
Assembly: Mr Hibbins, Mr Maas, Mr D O’Brien, Ms Richards, Mr Richardson, Mr Riordan and Ms Vallence.
Council: Mr Dalidakis and Ms Stitt.

Scrutiny of Acts and Regulations Committee
Assembly: Mr Burgess, Ms Connolly and Ms Kilkenny.
Council: Mr Gepp, Mrs McArthur, Ms Patten and Ms Taylor.
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Wednesday, 6 March 2019

The Clerk reported that the Speaker is unavoidably absent for part of today’s sitting.

The DEPUTY SPEAKER (Ms Edwards) took the chair at 9.33 a.m. and read the prayer.

Petitions

Following petition presented to house by Clerk:

**BAXTER–MORNINGTON RAIL SERVICE**

To the Legislative Assembly of Victoria

We the undersigned Citizens of Victoria draw to the attention of the House, community concerns about the need to re-establish the rail connection between Baxter and Mornington to meet the needs of the Mornington Peninsula’s growing population and tourism and to address increasing traffic congestion.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria calls on the Victorian Government to re-establish the rail connection between Baxter and Mornington.

By Mr BURGESS (Hastings) (405 signatures).

Tabled.

Documents

**ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

*Victorian Government Annual Report 2018*


Committees

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**

*Report on the Statute Law Revision Bill 2018*

Ms KILKENNY (Carrum) (09:35): I have the honour to present to the house the report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2018, together with an appendix.

Ordered to be published.

Documents

**DOCUMENTS**

Tabled by the Clerk:


**Bills**

**PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019**

*Council’s amendments*

The DEPUTY SPEAKER: I have received a message from the Legislative Council agreeing to the Parliamentary Committees Amendment Bill 2019 with an amendment. The question is:
That the amendment be taken into consideration later this day.

Motion agreed to.

Members statements

BENDIGO–SYDNEY PASSENGER FLIGHTS

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (09:37): I am delighted to advise colleagues in this chamber of a big transport boost for Bendigo. In a significant coup for our city, from 31 March—in just 25 days time—Qantas will launch its first ever regular direct passenger flights between Bendigo and Sydney.

A huge amount of work has been undertaken by Bendigo’s civic and business leaders in making the case to Qantas that it made good business sense to add Bendigo to its network. The Andrews Labor government has been very pleased to support Bendigo to secure this great opportunity to connect our wonderful regional city to Sydney and indeed to the world beyond.

There is great business and tourism demand coming out of Bendigo that helped make a really strong case to Qantas. But as you know very well, Deputy Speaker, it is not just one-way traffic. There are many, many good reasons why people will travel from Sydney, be it to visit our world-class art gallery, to see our unique box ironbark forest, to experience our food and wine culture, to study at our local university or TAFE or to work in our big, beautiful new Bendigo Hospital.

This will bring Bendigo and indeed the surrounding regions of central and northern Victorian closer to interstate and international links. It will provide significant savings in travel time for regional people to connect to Sydney via Bendigo.

I would like to commend the City of Greater Bendigo for vigorously pursuing this opportunity, and as part of the Andrews Labor government I am proud to have supported the city and our region again.

ECHUCA HOSPITAL WELLNESS CENTRE

Mr WALSH (Murray Plains) (09:38): Very generous benefactors Geoff and Alex Kent in my electorate were prepared to donate $3 million to help achieve the vision of a wellness centre at the Echuca hospital, particularly to treat cancer patients. They have had protracted discussions with the Victorian Department of Health and Human Services about this donation and project. The Kents have raised this issue with me because they are so frustrated and disillusioned with the Victorian department, which has constantly put obstacles in the way of this donation and vision being achieved.

Last year I made a number of approaches to Mark Gepp, a member for Northern Victoria Region in the other place, for his help with this donation and this project, but nothing came of those requests. It is out of sheer frustration on behalf of Geoff and Alex Kent and the people of Echuca, who will be beneficiaries of this project, that I ask the Minister for Health and/or the Premier to personally intervene and get the department to engage in a constructive way with the Kents so this project can happen. It defies logic that any government could be so dismissive of an offer of a $3 million donation to help achieve a positive outcome for the community, and I urge the Minister for Health and/or the Premier to, as I said, personally intervene and make sure this project happens and actually accept what is a very, very generous donation from a couple who want to help the wellness of our community.

MAUREEN MOHR

Mr McGHIE (Melton) (09:40): Today I would like to highlight the achievements of Maureen Mohr, a local constituent of mine. She has been a resident since 1975 and has always been involved and volunteered her time with local kindergartens and schools. Maureen is a life member of the Willows Quilting Group and has been involved with making and displaying pieces during local events. She has been involved with an arts and culture committee with the local council. Maureen is one of two leaders of a Nordic walking group. She is the ageing well ambassador for the City of Melton, and
she received the Citizen of the Year award for her willingness to step in where needed, whether to help women escape domestic violence or volunteer at the Melton Botanic Garden. Maureen has been quoted saying that:

I think that everybody needs help at some time and I have a very understanding husband who supports me when I bring home boxes of things that need to be sorted and distributed to different organisations and charity causes.

I want to acknowledge Maureen for the dedication, commitment and valuable time she has selflessly given to help improve our community.

**ST PAT’S RACE CLUB, YEA**

Ms McLEISH (Eildon) (09:41): I had the great pleasure of attending the final race meeting for St Pat’s Race Club in Yea. For the past 60–odd years St Pat’s have hosted an annual picnic race meeting, attracting people from all over Victoria to the beautiful setting of the Yea racecourse. True to form, they put on another great day. A highlight for me was the Helen and Pat Quinlan memorial trophy, dedicated by their children in their memory in recognition of their love for the club and racing—a fitting tribute to their long-term involvement. Both Helen and Pat were dear to my heart. It was also great to have Australia’s only female race caller, Victoria Shaw, call the day’s races. Life as a female race caller is not easy, and I wish Victoria the best in her pursuits.

As a wholly volunteer organisation the sole purpose of St Pat’s has been to raise funds for local and national not-for-profit organisations such as the Sacred Heart Primary School, Yea sporting clubs and the men’s shed, to name a few. St Pat’s was judged by Picnic Racing Victoria to be the best conducted one-meeting club of the year for 2016–17. St Pat’s will now merge with Yea Racing Club, but fortunately the St Pat’s Cup will remain a highlight on Victoria’s country racing calendar.

The race meeting was a wonderful celebration for the club and its achievements. It was, however, a sad reminder that the Labor government has not supported our small country racing clubs. More than 20 country racing clubs, many in my community, have missed out on support from Labor’s racing industry fund. The clubs at Alexandra, Healesville, Mansfield, Merton and Yea all run great events on a shoestring. They support the small towns’ economies, but they need financial support to make appropriate improvements.

**DEBORAH CHAMBERLAIN**

Ms RICHARDS (Cranbourne) (09:42): I rise today to congratulate one of the many hardworking people that enhance our Cranbourne community, Deborah Chamberlain. Deborah will be receiving the Good Service Award for her longstanding work with Girl Guides Australia, which works to empower young Cranbourne girls and young women across the electorate. Just like Girl Guides Australia, Debbi—or Possum as she is affectionately known by her friends and colleagues—has been helping young girls and young women to grow into confident, self-respecting, responsible community members. I personally find great comfort in knowing that people like Debbi exist in our community. As the mother of three young girls, I like to think of Debbi’s work as being invaluable for the thousands of young women across Cranbourne.

Debbi is currently the leader of three Girl Guides Australia units in Casey: Paw Prints, Dolphins and Yartuwe/Moonlight guides. Deborah’s history is a long and well-achieved one. She first started as a brownie leader in Tooradin in 1982, later transferring to their Cranbourne division, where she played an active role in local events. Since joining the Cranbourne division Debbi’s journey has been an inspiring one. Apart from holding down a full-time job and leading three guide units in Cranbourne, she supports other new leaders to mentor and follow in her footsteps, creating a new wave of women leaders in the community. At every opportunity Debbi promotes the girl guides, whether it be at Bunnings barbecues, a local craft day with community groups or simply over a casual coffee. Debbi is constantly working towards growing girl guides. I am inspired by such commitment to a cause to
help our community grow for the better, because when young women are empowered our community grows stronger together.

MANNINGHAM PUBLIC TRANSPORT

Mr GUY (Bulleen) (09:44): Can I begin by thanking the people of the electorate of Bulleen, who again elected me to be their local member of Parliament. I love my electorate. I am grateful to be the local member of Parliament for it, to represent the people of Doncaster, Lower Templestowe, Bulleen and Templestowe. I am grateful for the strong primary vote I obtained and the many well wishes and comments I have had right around the community over the Christmas period.

When Metro Trains have bus replacements, there are times when Manningham buses from Transdev are removed indiscriminately and services simply do not show up. This has happened a number of times over the summer break, with apparent weather disruptions to the network seeing many Manningham services being cancelled without warning. Manningham has no trains or trams. Cancelling our only form of public transport when there is no alternative seems grossly unfair when other municipalities in Melbourne have alternatives that we do not.

CYCLIST SAFETY

Mr GUY: As a long-time avid cyclist now sometimes riding to work again, can I lend my support to the A Metre Matters campaign, a campaign previously supported by a number of parties in this chamber, including the Liberal-Nationals. While bike lanes are exceedingly helpful in creating the break between vehicle traffic and cyclists, I can attest to the importance of enforcing a safe distance for traffic flow, safety and public transport interchange. I understand, however, that this law is hard to enforce, which is a point that has been previously raised. But I believe that adopting this law and educating new drivers about its presence when licences are obtained, as well as advising existing licence-holders, will create a change in behaviour in cyclists keeping left in bike lanes and vehicles reciprocating with some space so that there is a metre between cars and bikes.

MANNINGHAM CUBS AND SCOUTS

Mr GUY: I would like to congratulate all the cubs and scouts in the Manningham area who did an outstanding job on Clean Up Australia Day. As one small example, I can inform the Parliament that Templestowe Park looks a lot better thanks to the work of the 1st Templestowe Cubs. I want to place on record what a wonderful job our cubs and scouts did on Clean Up Australia Day.

CLIVE AND GLYNIS WINDLEY

Mr FREGON (Mount Waverley) (09:45): I would like to highlight 15 March this year as a special day for Mount Waverley's own Clive and Glynis Windley. They will be celebrating their golden wedding anniversary next Friday. Clive spent his working life at the Age newspaper, following in the footsteps of his father and grandfather. Glynis, a career nurse, was sister in charge at the Oakleigh hospital. They have spent 50 years in our community, adopting their daughter Justine and son Christopher. In the words of their loving daughter, Justine:

They are the most caring and loving parents, who have always had time for me, my son, Jake, and everyone they know. Mum will drive for 3 hours to pick a friend up for an appointment or cheer them up.

Glynis and Clive have been hardworking and dedicated members of the Combined Probus Club of Syndal for many, many years. I wish the Windley family a wonderful day and congratulate them on their golden wedding anniversary.

MOUNT WAVERLEY ELECTORATE SCHOOLS

Mr FREGON: On another matter, our school year is well and truly underway, and our preppies are off to a great start. Recently I had the pleasure of handing out library bags to the first years, including my own Sammy, at Mount Waverley North Primary School, Pinewood Primary School and Syndal South Primary School. For the first time these bags included four fantastic books to help
encourage a lifelong love of reading. The children loved their new bags and were so polite to me. A big thank you to principals Natalie Grieve, Karen Jenkin and Helen Freeman for their warm welcome. I particularly liked a comment my wife overheard at the end of the day, when one of Sammy’s friends said, ‘Sam’s daddy must have so many books at home’.

CLIMATE CHANGE

Dr READ (Brunswick) (09:47): I would like to remind members of the global School Strike 4 Climate, which is in just 10 days. It will be held outside the Old Treasury Building on Friday, 15 March. After that I hope to join the students and parents of Brunswick North West Primary School and surrounding primary schools at Jacobs Reserve, Brunswick West. They are having their own little climate strike there. It is important to remember why they are doing this, so I encourage members to support it, to turn up and to engage with the issue. I know quite a number of members have signed declarations to declare a climate emergency or have referred to the climate emergency in their speeches, particularly in their inaugural speeches.

We should remember why the students will be out there. The students will be demonstrating outside this place for climate action because of climate inaction in here. It is no coincidence that it is Victoria that is important, because Victoria has one of the world’s most polluting brown coal-fired electricity systems. Just a few minutes ago we were getting 77 per cent of our electricity from brown coal, and in the 90 seconds it has taken for me to make this statement one of the world’s most polluting power stations, Yallourn, will have burnt through about 60 tonnes of coal.

AUSTRALIAN INTERNATIONAL AIRSHOW

Mr EREN (Lara) (09:48): Last weekend my electorate once again played host to the amazing Australian International Airshow. Despite the hot weather, tens of thousands of people flocked to Avalon over the weekend for this spectacular show. The Avalon International Airshow does a wonderful job of showcasing the aerospace, aviation and defence industries’ multifaceted capabilities, as well as being a major tourism drawcard for the region. A huge congratulations to the organisers, who continue to put in a great effort in conducting this event in such a professional manner while also demonstrating a wonderful showcase for our region.

A-LEAGUE GRAND FINAL REMATCH

Mr EREN: A-League returned to GMHBA Stadium last Saturday night, with a thrilling grand final rematch between Melbourne Victory and the Newcastle Jets. This is the second time that the Victory and the Jets have gone head-to-head on the hallowed turf of my hometown’s GMHBA Stadium. Despite the heat, it was an entertaining match that had the crowd on its feet. While the scores might not have been in Victory’s favour, losing 2-0, this match was Newcastle’s first win outside of New South Wales since March 2018. This match was yet another great drawcard for the GMHBA Stadium and the wider Geelong region.

GEELONG ELECTORATE MAJOR EVENTS

Mr EREN: These two events rounded out a stellar weekend of activity across Geelong. Other events across the weekend included Avalon Raceway, A Day on the Green with the Red Hot Chili Peppers and an All Holden Day as well. In the 2017–18 financial year Geelong’s exciting calendar of major events injected $64.6 million into the region’s economy, and that is a great boost for our Geelong— (Time expired)

WESTERN VICTORIA ENERGY SUPPLY

Mr RIORDAN (Polwarth) (09:50): I wish to thank federal energy minister Angus Taylor and Wannon federal MP Dan Tehan for taking time to come to Terang last week to listen and see firsthand the consequences of this Labor government’s lack of strategic direction and understanding of the power networks in regional Victoria. Despite repeated requests and invitations, the Victorian Minister
for Energy, Environment and Climate Change will not come to western Victoria to meet with local people about the devastating consequences of this government’s refusal to take issues around power poles and transmission lines seriously.

Dangerous fires, destroyed landscapes and an inadequate and unreliable power supply are seeing many western Victorian farms and businesses having to operate as if they are in the Third World. There is no gold plating in western Victoria. Despite a commitment yesterday by the Minister for Planning to at least consider planning permits for the construction of multimillion-dollar wind farms and transmission lines, these still will not apply to the already hundreds of wind farm turbines currently not built in western Victoria.

In draft investment documents released this week by Powercor there is no evidence that enough resources will be put into replacing and maintaining the fragile electrical transmission network in western Victoria. In excess of 10 000 poles a year will be required to be replaced, but less than 20 per cent of this figure is being allowed for into the future. This lack of investment also means that the hundreds of people who still do not have access to three-phase power in western Victoria can hold little hope of being able to have access to the power supply they need. In a time when millions can be found to rebuild and rejig Federation Square again—  (Time expired)

NARA WALKER

Ms HUTCHINS (Sydenham) (09:51): I rise to bring to the house’s attention the situation of Nara Walker. Nara is a young artist from Queensland and a family friend. Unfortunately she is also a survivor of family violence. Nara spent years living overseas with her husband travelling around the world, and she became disconnected from communities and support services useful for a woman in her situation.

In 2017 while living in Iceland Nara was attacked by her then husband, who forced his tongue into her mouth. Ms Walker bit down on her husband’s tongue, severing part of it. Australian media have reported that on that night Ms Walker was subjected to a medical assessment where she was reported to have suffered broken ribs, internal bruising, a sprained vertebra, chest injuries and bruising on her upper arms and legs. Her former partner has been accused of physical assault, sexual assault, drugging someone without their knowledge and depriving another human of their freedom.

Australian media have also reported that they have seen messages between the couple that appear to show her ex-husband admitting to physical assault and raping her. However, the situation now is that Nara has been found guilty of assaulting her husband and is in jail in Iceland. Surprisingly, the Icelandic police issued a press release stating they were not investigating the alleged attacks by her husband. I call on the federal government to stand up for Nara and do more.

SHEPPARTON EDUCATION PLAN

Ms SHEED (Shepparton) (09:53): The recently released Brotherhood of St Laurence report labelled the wider Shepparton region as having the second-highest youth unemployment rate in Victoria. While these figures have fluctuated over the years, it remains a serious concern to our local community that we have many young unemployed people. There are many initiatives underway within our community to address disadvantage and try to tackle the problem of intergenerational unemployment.

I have spoken on the issue of educational disadvantage in rural areas a number of times since being in this place, pointing to the falling enrolment rates across our local secondary colleges and the fact that enrolments in the local private schools have increased significantly. In early 2017 the Minister for Education announced there would be a Shepparton education plan, and this has now started and is underway. A site has been selected. Nine schools will be built on the site of the Shepparton High School. Each school will have 300 students in it. There will be a performing arts centre and STEM. All these opportunities are now underway, but this will require continuing major commitment from the
government. Only $20.5 million has been allocated so far. So, Treasurer, while your own election promises are front of mind, I call on you to not forget the Shepparton education plan when preparing the forthcoming budget. Funding to proceed with the plan and provide great opportunities for young people in our region must not fall off the radar and will be dependent upon your generous consideration.

VICTORIAN BUSHFIRES

Mr TAYLOR (Bayswater) (09:54): I rise today to thank all the brave people who for the last few days have been battling the fires across our state, where the focus has been on the major fires at Bunyip, Licola, Dargo and Yinnar South. It has been an awful time for the community in those affected areas, with some having lost their homes and their livelihoods due to the unforgiving blaze which has now swept through thousands of hectares. It has been an extremely difficult blaze to fight in many areas due to the terrain and the fire being so large and intense. It even created its own weather system.

From where I live in Knox, I could see the smoke clouds billowing over the foothills. I have seen some of the footage online from those on the ground and in the air, and I just think to myself how lucky we are to have such an amazing firefighting force and emergency services personnel that are willing to do what they do to keep us safe. There are more than 2000 firefighters from CFA, Forest Fire Management Victoria and the Metropolitan Fire Brigade working to quell these fires, which are still burning today, and there are numerous SES, Victoria Police and Agriculture Victoria personnel who are doing a phenomenal job.

I also called the captain of the Bayswater CFA brigade, Diana; the captain of The Basin CFA brigade, Corey; and the operations officer at the Boronia CFA, Gary, to personally thank them for the tireless efforts of their brigades within our community in the Bayswater electorate. It is no easy task walking into some of the conditions which our brave emergency service workers have put themselves in, and we, the community, can never say thank you enough.

While there have, sadly, been homes lost that people will never be able to come back to again and will need to rebuild, and with much of the landscape scorched, there has and always will be an amazing sense of community. Victorians in all communities band together. Whether it is the local pizza shop in Bayswater providing pizza to the brigade to say thanks, a neighbour offering a helping hand or strangers offering a safe place to stay, that has been a heartwarming thing to arise from this sad event.

CHINESE WOMEN’S ASSOCIATION OF VICTORIA

Mr ANGUS (Forest Hill) (09:56): I was delighted to attend the Chinese Women’s Association of Victoria International Women’s Day dinner recently. I congratulate the committee president, Jennifer Yeung, the committee members and all involved in putting on this terrific event, which was enjoyed by all.

PARKMORE PRIMARY SCHOOL

Mr ANGUS: It was a great pleasure last Monday to attend the assembly at Parkmore Primary School in Forest Hill to present the school leadership badges, including to the school captains, house captains and other school leaders. I congratulate all the student leaders on their appointments and wish them and their fellow students, the school staff and the wider school community well for the 2019 year. I also welcome Isobel McLennan as the school principal and wish her every success in her new role.

FOREST HILL COLLEGE

Mr ANGUS: Last week I had the great pleasure of attending Forest Hill College to observe the operation of their school parliament. This important student forum has been operating at the college for the last couple of years and provides a vital forum for students to raise issues they wish to have addressed by the school. While I was there, many interesting issues were raised and taken on board by the leadership team. I was also very pleased to speak to the students about my journey in politics and also answer their questions. I congratulate all the students involved in this very important student
leadership forum as well as the supervising teacher, Amelia Ghirardello, and the school principal, David Rogers, and I wish them all well for the year ahead.

CLEAN UP AUSTRALIA DAY

Mr ANGUS: Last Sunday I was pleased to again organise a local site for Clean Up Australia Day. For the 10th consecutive year, our team cleaned up at the Lookout Trail Park in Vermont South. Despite the very hot conditions, it was once again a successful morning resulting in lots of assorted rubbish being collected, including some unusual items such as a very large set of bolt cutters. The area was again left in pristine condition, ready to be enjoyed by all. Several local residents attended and worked hard to improve our local environment and have a direct positive impact. My sincere thanks go to all the volunteers who came along and helped out in this very worthwhile exercise.

INTERNATIONAL MOTHER LANGUAGE DAY

Mr MAAS (Narre Warren South) (09:58): On 23 February I was pleased to attend the International Mother Language Day celebration event held in PB Ronald Park, Pakenham. The event marked the 64th anniversary of International Mother Language Day, an initiative of Bangladesh and a worldwide day dedicated to promoting the preservation and protection of all languages and culture. This event promoted cultural inclusivity through song, dance and celebration, with over 18 local community groups participating and coming together to support and celebrate diversity. Over 500 attendees enjoyed a range of cultural activities, including folk songs, dances and theatrical performances. There was an exhibition of letters and words in various languages drafted by children, a book fair, food stalls, children’s entertainment activities and a national dress parade by each participating community. There was also a traditional floral tribute to those that had lost their lives while asserting their right to officially use their mother language around the world.

A special mention goes out to Shoheli Sunjida and her volunteers for the successful organisation of this event. It was fantastic to see so many people come together to celebrate their language, culture and heritage. Multiculturalism is something we should always celebrate, and events like this display how inclusivity and diversity make our community stronger. I look forward to attending many future events that celebrate our proud, rich and multicultural community.

LUNAR NEW YEAR

Mr TAK (Clarinda) (09:59): I would like to congratulate the Springvale Asian Business Association, known as SABA, on yet another successful Springvale Lunar New Year. This year, the year of the pig, marks the 27th year of celebration, which is to be commended.

SABA is a business community group that was set up in Springvale in 1989 to assist in the promotion of the Springvale central activity district and Springvale businesses in general. They never fail to put on a fantastic show, and the festival has become a prominent community event, with vibrant traditional lion dancing, games, rides and non-stop entertainment throughout the day. This year the mercury reached 38 degrees. As an afternoon breeze swept through at around 5.00 p.m. tens of thousands of community members flooded into the streets to enjoy the festivities. Despite the gruelling heat there were a record 100 stalls, and the attendance is estimated to have reached some 70 000 to 75 000 people. Congratulations to the committee—the president, Daniel Cheng, and his dedicated committee members, from the founder, Mr Hoang Tran, to the first president, Martin Lee—and to the local government, the City of Greater Dandenong, and the many sponsors.

KURDISH DEMOCRATIC COMMUNITY CENTRE OF VICTORIA

Ms BLANDTHORN (Pascoe Vale) (10:00): Last week I again met with representatives from the Kurdish Democratic Community Centre of Victoria, which is based in Pascoe Vale, to discuss local issues and state, federal and international issues that are of importance to their community. It is always such a pleasure to meet with this group, who represent a strong and united voice for their people in Australia and internationally and are fighting unswervingly for their human rights, particularly their
rights to enjoy, express and celebrate their culture. Co-presidents Süleyman Ateş and Hilal Canpolat spoke about the future of their organisation and their ongoing development. The group have aspirations to boost engagement and capacity, particularly for Kurdish young people, who they see as representing the future of their culture and their organisation. They are, however, concerned for the welfare of children in some local schools where they are fearful that the children are subjected to bullying because of their Kurdish heritage. This is obviously totally unacceptable. They are keen to engage senior members of the Kurdish community more fulsomely as well as boosting training capacities for Kurdish women. It has always struck me with the Kurdish community that they are an extremely equal and equitable group of people.

They also raised with me the situation in relation to Kurdish activist and politician Leyla Güven, who has been on a hunger strike since 7 November 2018. They are obviously very concerned for her welfare. They also raised with me the ongoing need for support services—(Time expired)

JENNY MACKLIN, MP

Mr CARBINES (Ivanhoe) (10:02): I would like to pay tribute today to the Honourable Jenny Macklin, MP, federal member for Jagajaga. The apology, paid parental leave, the national disability insurance scheme, pension rises—she did say in her valedictory speech just the other week that there is no finish line for us progressives; it is a perpetual task. To her Jagajaga constituents she said it was a ‘privilege to support you, stand with you and serve you’.

Can I say that it was a career that spanned over 23 years, 11 of those in a significant leadership group within the parliamentary Labor Party. Can I say also that she was about the 36th woman in the federal Parliament at the time back in 1996 and one of only six, I think, at the time that she entered Parliament. She has seen significant change and she has been part of significant change in our community. As a local MP I think it says a lot that just the other Thursday night, coming back from Canberra, she was there at ViewBank College to acknowledge the retirement of Judith Craze, the principal of ViewBank College. I think to do that on her way home after a significant week just again shows that she prioritises the local community—she always has. We would not have saved the Austin and we would not have been able to invest in it in the way we have—another way in which Jenny has been able to show that great leadership. We will miss her contribution, and the opportunity last week for people to get together in our community with federal opposition leader Bill Shorten, with deputy leader Tanya Plibersek and with Wayne Swan was very significant. We wish her well.

CAULFIELD BEARS FOOTBALL CLUB

Mr DIMOPOULOS (Oakleigh) (10:03): It was a real pleasure to be at the season launch of the Caulfield Bears football club in Carnegie last weekend. They are an amazing, amazing club and they have made me very, very welcome and have also helped me advocate for support for their facilities. Both the current president, Peter Bremner, and last season’s president, Louise Nelson, are outstanding people—outstanding club—and I want to thank them. I want to thank the coaches, the administrators, the volunteers, the parents and of course the kids. Members in this place will remember that this government made provision for $100 000 for girls changing room facilities combined with Glen Eira council’s $300 000. The works for those are currently being undertaken. We also announced $1 million for the upgrade of the actual pavilion, which we will work together with the Glen Eira council on in the life of this Parliament. We have also made provision for $1 million for the pavilion in the neighbouring Lord Reserve.

CLAYTON FESTIVAL

Mr DIMOPOULOS: I had the pleasure of attending the Clayton Festival with my good friend the member for Clarinda. It is an incredible festival. I want to thank the traders, the performers and everybody who showed up. It is a vibrant multicultural place, and the offerings were incredible. It just reminds me of how lucky we are to be in a city that supports such a vibrant, multicultural state.
NEPEAN ELECTORATE

Mr BRAYNE (Nepean) (10:05): In the minute I have I want to give Nepean locals a quick update on what I have been up to in the last week and a half. I have visited Rye Primary School and Dromana Primary School, where both schools allowed their school captains to show me around. I have had two ministerial visits. The Parliamentary Secretary for Police and Emergency Services, Paul Edbrooke, joined me to visit the Rye CFA—

Mr Edbrooke interjected.

Mr BRAYNE: That was good. On Friday I brought the Minister for Roads, Jaala Pulford, to Jetty Road to show her the issue I have been banging on about for so long.

Cam and Maayan from Save Tootgarook Swamp showed me around the beautiful Tootgarook wetlands. For some reason, though, this was scheduled on a 39-degree day. I visited Rye cemetery, and let me tell you: there are some characters at Rye cemetery, some of whom work there and some of whom are buried there. To top it off, we got some Chris Brayne MP shopping bags, so if you would like to stop by the office and grab your free bag, please do. Also, if you would like me to come and visit your group at any time, please get in touch with my office or email me.

KLABB GHANNEJJA MALTIN

Ms SULEYMAN (St Albans) (10:06): I am delighted to congratulate Klabb Ghannejja Maltin of St Albans. They have been quite successful over the weekend in hosting a multicultural day celebration, under the leadership of George Aquilina and his committee. I would like to thank the volunteers and everybody for organising yet again a successful event.

I was also delighted to meet the newly appointed Consul General for Malta, Mr Mario Farrugia Borg, and I thank him for the inspirational speech that he delivered to the Maltese community of St Albans.

I am extremely proud of the diverse, dynamic community that I represent in St Albans, where, as I said, I had a number of events over the weekend that celebrated multiculturalism and diversity. Again, I would like to thank Klabb Ghannejja and the volunteers for organising a very successful event.

Business of the house

NOTICES OF MOTION

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (10:07): I advise that the government does not wish to proceed with notices of motion 1 and 2 today, and I request that they remain on the notice paper.

Bills

PROFESSIONAL ENGINEERS REGISTRATION BILL 2019

Statement of compatibility


In my opinion, the Professional Engineers Registration Bill 2019 (the Bill), as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

This Bill establishes a single registration scheme for engineers to promote professional development within the engineering profession; reduce the risk of loss and harm to the public; and give consumers more confidence in procuring professional engineering services.
The Bill will require individuals to be registered in one or more areas of engineering to be able to lawfully provide professional engineering services in Victoria. It is intended that over time, other areas of engineering will be included in the scheme. A register of engineers will be established under the Act.

The Bill ensures consistent eligibility criteria across Victoria for engineers, establishes minimum continuous professional development requirements and provides a three year registration for professional engineers. The registration scheme will be jointly administered by the Business Licensing Authority (BLA), Consumer Affairs Victoria (CAV) and, in relation to engineers engaged in the building industry, the Victorian Building Authority (VBA), with assessment undertaken by approved assessment entities. Among other things, the Bill will confer on CAV a range of entry and inspection powers to enable CAV the ability to effectively enforce the provisions of the Bill.

The Bill contains provisions to transition engineers currently registered under the Building Act 1993 into the Engineers Registration Scheme when their current registration renewals fall due. The Bill also makes consequential amendments to a range of other Acts.

Human rights issues

Human rights protected by the Charter that are relevant to the Bill

In my opinion, the human rights under the Charter that are relevant to the Bill are:

a. the right to equality as protected by section 8 of the Charter;
b. the right to privacy and reputation as protected by section 13 of the Charter;
c. the right to freedom of expression as protected by section 15 of the Charter;
d. property rights as protected by section 20 of the Charter;
e. rights in criminal proceedings as protected by section 25 of the Charter; and
f. the right not to be punished more than once as protected by section 26 of the Charter.

For the reasons outlined below, I am of the view that the Bill is compatible with each of these human rights.

Equality

Section 8(3) of the Charter provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

Clause 12(2)(c) of the Bill disqualifies a person from obtaining or renewing a registration on the grounds that they are a represented person within the meaning of the Guardianship and Administration Act 1986 (Guardianship Act). A represented person is a person subject to a guardianship or administration order under the Guardianship Act. Persons subject to such orders are persons with disabilities who are unable to make reasonable judgements about certain matters because of intellectual impairment, mental disorder, brain injury, physical disability or dementia.

A represented person is disqualified under clause 12(2)(c) of the Bill because of his or her inability to make reasonable judgements about certain matters, rather than because of his or her disability.

In my view, these disqualification criteria do not limit the right to equality. To the extent that the provision may be considered to discriminate against represented persons, such discrimination is reasonable and justified because the provisions recognise the fact that a represented person cannot effectively carry out the functions of a professional engineer providing professional engineering services.

Right to Privacy and Reputation

Section 13 of the Charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

Several clauses of the Bill provide the BLA and VBA with broad powers to access the private information of individuals in order to determine applications for registration, registration renewal, endorsement and endorsement renewal; determine applications for approvals of assessment schemes; and regulate registrations and assessment schemes. Additionally, the Bill provides CAV inspectors with powers of entry, search and seizure that may interfere with the privacy of individuals.

Obtaining, using and sharing the personal information of applicants and registered professional engineers

Division 1 of Part 2 of the Bill sets out the application processes for obtaining registration as an engineer, as well as for the renewal of a registration. An application for a registration or renewal must be accompanied by prescribed information.
It also sets out the process by which the BLA and VBA may conduct inquiries concerning an application to enable it to be satisfied that the applicant is suitable to be granted a registration or have a registration renewed, including in the case of an applicant who wishes to be engaged in the building industry, whether they are a ‘fit and proper person’ within the meaning of the Building Act 1993 to hold an endorsement.

Division 1 of Part 3 sets out the process by which assessment entities may seek to have their assessment schemes approved. As assessment entities can be natural persons, the information sought may also engage the right to privacy.

Although the right to privacy is relevant to the provisions governing registration, endorsement, approval schemes and renewal applications, applicants who are seeking to participate in a regulated industry have a diminished expectation of privacy. The information that will be initially sought by the BLA and VBA is only information that is necessary for or relevant to the determination of the applications, and any subsequent exercise of the information-gathering powers are a direct consequence of their application.

Given that there is a reduced expectation of privacy in this context, and the applicants and relevant persons will have given their consent for their information to be checked or verified, in my opinion there will be no limitation on the right to privacy or reputation where the relevant information is obtained, reviewed and shared within the confines of the relevant provisions.

The Register

Clause 28 requires the Licensing Registrar to establish and keep a Register of Professional Engineers that contains certain prescribed particulars. Clause 29 requires that certain information from the register must also be published on the BLA’s website. The information to be listed on both the register and the website will include not only information relating to current registered professional engineers but also matters relating to discipline of those engineers.

The purposes of the register include recording necessary information to monitor compliance with the registration scheme and to allow the BLA, CAV and VBA to fulfil their obligations. The register will also make information about registered professional engineers, or engineers who were previously registered, available to the public. This serves the important purpose of promoting transparency, which will in turn assist consumers to make informed decisions about whether to engage a particular professional engineer.

Clause 28 sets out when the BLA is able to record the information on the register, and provides that the information about a disciplinary or criminal sanction is to remain on the register until the expiry of five years after the sanction ceases to have effect.

Not all of the information disclosed in the register will be of a private nature. Nevertheless, to the extent that the right to privacy is relevant to the information required to be listed on the register, I believe that any interference with that right is lawful and not arbitrary. The particulars which are to be listed on the register and the website are clearly set out in clauses 28 and 29, and their listing is therefore a known condition of any person seeking to be registered as an engineer. The collection and publication of information on the register is necessary for and tailored to ensuring compliance with the registration scheme and promoting transparency, and accordingly does not constitute an arbitrary interference with privacy.

Compliance and enforcement powers of inspectors

Part 6 of the Bill provides for the powers of CAV inspectors to monitor compliance and investigate potential contraventions of the Bill.

Clause 71 requires a registered professional engineer or their employer to keep all documents relating to their practice as a professional engineer and make them available for inspection at all reasonable times. Former registered professional engineers or their employers must also make documents available for inspection in a form and at a place where they can be readily inspected.

Under clauses 71 to 76, registered professional engineers, their employers and certain third parties who have possession, custody or control of documents relating to an engineer’s practice as a professional engineer, can be required to produce documents and answer questions relating to the engineer’s practice as a professional engineer. The Bill also provides for specified public bodies, certain other specified persons or bodies, and authorised deposit-taking institutions to produce information upon request of an inspector for the purpose of monitoring compliance with the Bill or regulations.

Clause 77 permits an inspector, with the written approval of the Director of CAV, to apply to the Magistrates’ Court for an order requiring a person to answer questions or supply information relating to a registered professional engineer’s practice as a professional engineer. Following consideration of evidence, if a magistrate is satisfied that such an order is necessary for the purpose of monitoring compliance with the regime, the magistrate may grant an order requiring supply of information and answers.
The Bill also provides for the entry, search and seizure powers of CAV inspectors. Inspectors may exercise powers of entry to any premises with the consent of the occupier, or where entry to the premises is open to the public. In the case of premises at which a registered professional engineer or their employer is conducting a business of providing professional engineering services, inspectors may, for the purpose of monitoring compliance and only during ordinary business hours, enter and search those premises without consent and seize items and inspect or make copies of documents. For premises that are not those at which a registered professional engineer or their employer is conducting the business, where an inspector believes on reasonable grounds that there is evidence on those premises of a contravention of the Bill or regulations, CAV inspectors may apply to the Magistrates’ Court for a search warrant.

In my view, while the exercise of these compliance and enforcement powers may interfere with the privacy of an individual in some cases, any such interference will be lawful and not arbitrary. As noted above, the purpose of the inspection powers is to enforce compliance with the Bill and relevant registration conditions, to ensure professional engineering services are provided in a competent manner. Engineers and others engaged in providing professional engineering services have a diminished expectation of privacy in the regulatory context, and it is reasonable that they can be required to produce information and permit entry to business premises for compliance purposes. In the case of persons who are not involved in providing professional engineering services, inspectors’ powers to require third parties to answer questions or provide information are limited to those individuals who have control over relevant documents and information, or bodies that are likely to hold relevant information, and only for the purpose of monitoring compliance. If it becomes necessary for enforcement purposes to require any other third party to answer questions or produce information, the Bill only provides inspectors with these powers where a magistrate has first made an order.

**Right to freedom of expression**

Section 15(2) of the Charter provides that every person has the right to freedom of expression. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons or for the protection of national security, public order, public health or public morality.

**Offence to make certain representations**

Clause 68 of the Bill provides that it is a criminal offence for a person who is not registered as an engineer in a particular area of engineering to represent that they are registered to provide professional engineering services in that area of engineering. Further, the clause also restricts representations that they are an endorsed building engineer, that they are a professional engineer or that they are registered.

It may be that the right to freedom of expression extends to certain kinds of commercial expression. However, commercial expression is generally afforded a lesser degree of protection under the right compared with political or artistic expression. Restrictions on commercial expression are likely to be subject to less scrutiny generally on the basis that commercial expression serves a private, rather than a public, interest. Also, as with other forms of expression, commercial expression is subject to section 15(3) of the Charter. In these cases, the provision aims to protect consumers from being misled and so is necessary for the protection of the public interest.

In light of the fact that these new sections serve to protect consumers from being misled by persons who are providing professional engineering services but who are not appropriately registered or qualified, these provisions do not in my view limit the right to freedom of expression. They do not fall within the protected scope of section 15(2) of the Charter, or in the alternative, they fall within the exceptions to the right in section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons and for the protection of public order and public health.

**Provision of assistance when search warrant executed**

Clause 84 will enable an inspector to be authorised by warrant to require a person to provide reasonable and necessary assistance or information to enable information in electronic or digital format to be accessed from the premises the subject of the warrant.

These provisions enable appropriate oversight and monitoring of compliance with the Bill. They only allow an inspector or the Director to require information, documents or assistance to the extent that it is reasonably necessary to determine compliance or non-compliance with the Bill. A warrant issued under clause 84 compelling the provision of information or assistance can only be issued if a magistrate is satisfied that an inspector has reasonable grounds to believe a contravention has occurred and after consideration of the rights and interests of the parties to be affected by the warrant.

The assistance of the persons to whom these provisions relate is necessary to conduct investigations into whether the regulatory obligations of the Bill are being complied with.
Although an engineer or other person at premises from which professional engineering services are being provided may not wish to offer information in respect of the provision of those services, their cooperation is essential to ensuring the effectiveness of the regulatory scheme. The assistance of those responsible for, and familiar with, the processes and operations of the engineer’s practice is necessary to enable investigations into regulatory compliance.

**Right to property**

A number of provisions in the Bill provide for the seizure of documents and things and may therefore interfere with the right to property. Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

**Search and seizure powers of inspectors**

The Bill provides that CAV inspectors may, for the purpose of monitoring compliance, enter any premises with consent and examine and seize anything found on the premises believed to be connected with a contravention of the Bill or regulations, provided the occupier consents to the seizure. The Bill also provides, in the case of premises at which a registered professional engineer or their employer is conducting a business of providing professional engineering services, that an inspector may enter and seize or secure against interference anything believed to be connected with a contravention of the Bill or regulations. In addition, seizure of items may occur in accordance with a search warrant issued by a magistrate where there are reasonable grounds to believe that there is a thing connected with the contravention of the Bill or regulations on any premises.

In each provision that permits inspectors to seize or take items or documents, the powers of inspectors are strictly confined. For example, before items are seized with consent, inspectors must first inform the occupier that they may refuse to give consent and that anything that is seized may be used in evidence. Where a magistrate issues a search warrant, only things named or described in the warrant, or things that are of a kind which could have been included in the search warrant, are permitted to be seized, and the rules in the Magistrates’ Court Act 1989 that govern the use of search warrants will apply. Entry and seizure without consent or warrant is only permitted at premises at which an engineer or their employer is conducting a business providing professional engineering services, and the powers of inspectors are appropriately circumscribed to only permit seizure of, or secure against interference, material necessary to investigate breaches of the Bill.

**Embargo notices**

Where a search warrant authorises the seizure of a thing that cannot, or cannot readily, be physically removed, clause 87 of the Bill provides for an inspector to issue an embargo notice prohibiting a person from selling, leasing, transferring, moving, disposing of or otherwise dealing with the thing or any part of the thing. Performing a prohibited act in relation to a thing, where a person knows that an embargo notice relates to the thing, is an offence. Further, the Bill renders any sale, lease, transfer or other dealing with a thing in contravention of clause 87 void.

The Bill enables an inspector, for the purpose of monitoring compliance with an embargo notice, to apply to the Magistrates’ Court for an order requiring the owner of the thing, or the owner of the premises where it is kept, to answer questions or produce documents, or any other order incidental to or necessary for monitoring compliance with the embargo notice or clause 87. An inspector may also, with the written approval of the Director of CAV, apply to a magistrate for an order permitting entry to the embargoed thing is kept for the purposes of monitoring compliance with an embargo notice.

To the extent that the restriction on selling, leasing, transferring, moving, disposing of or otherwise dealing with the thing that is subject to an embargo notice constitutes a deprivation of property, any such deprivation is for the purposes of ensuring that enforcement action under the Bill is not frustrated due to disposal of evidence. These restrictions can only occur in clearly circumscribed circumstances, and monitoring of compliance with embargo notices is subject to the supervision of the Magistrates’ Court. Any such deprivation will therefore be lawful and will not limit section 20 of the Charter.

**Requirements for retention and return of seized documents or things**

Clause 90 of the Bill imposes a number of requirements that inspectors must comply with where they have retained possession of a document or item in accordance with any of the seizure or retention powers conferred by the Bill. These requirements will ensure that a person is provided with a certified copy of any documents seized or taken from them, and that inspectors take reasonable steps to return documents or things to the person from whom it was seized either if the reason for their seizure no longer exists, or in any event return them within three months unless an extension is granted by a magistrate.
In my opinion, for the reasons outlined above, any interference with property occasioned by the Bill is in accordance with law and is therefore compatible with the Charter.

Rights in criminal proceedings

Presumption of innocence—reverse onus

The right in section 25(1) of the Charter is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that he or she is not guilty of an offence.

Clause 67, which makes it an offence to provide professional engineering services without registration, could be perceived as creating a reverse onus in that it provides two exceptions to the operation of the main body of the offence. However, clause 67 does not require a defendant to raise evidence in support of their defence in relation to any aspect of the offence, but instead requires the prosecution to prove all elements of the offence, including that:

- a person provided professional engineering services in an area of engineering; and
- that person was not registered in that area of engineering; and
- that person did not provide the professional engineering services in accordance with a prescriptive standard; and
- that person did not provide the professional engineering services under direct supervision.

Clause 80(3), which makes it an offence not to comply with a requirement of an inspector when entry is effected into premises without consent or a warrant (other than the permanent place of residence of a person), enables a person to raise a defence of ‘reasonable excuse’ in response to a requirement to produce documents or answer questions under clause 80(1), relating to entries without consent or warrant.

Clause 92(2) of the Bill makes it an offence for the occupier of a premises where an inspector is exercising a right of entry for compliance enforcement purposes, or an agent or employee of the occupier, to, without reasonable excuse, refuse to comply with a requirement of the inspector. These requirements include giving oral or written information to the inspector, producing documents to the inspector, and giving reasonable assistance to the inspector.

Clause 94 enables a person to raise a defence of ‘reasonable excuse’ in response to a requirement by an inspector more broadly under Part 6 of the Bill dealing with enforcement.

By creating a ‘reasonable excuse’ exception, the offences in clauses 80, 92 and 94 may be viewed as placing an evidential burden on the accused, in that it requires the accused to raise evidence as to a reasonable excuse. However, in doing so, these offences do not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution who must prove the essential elements of the offence. I do not consider that an evidential onus such as this provision limits the right to be presumed innocent, and courts in other jurisdictions have taken this approach.

For these reasons, in my opinion, clauses 67, 80, 92 and 94 do not limit the right to be presumed innocent.

Right to protection against self-incrimination and the right to a fair hearing

Section 24 of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. It also addresses the ability to exclude persons from hearings if permitted by law, and requires hearings to be public unless the best interests of a child otherwise requires or a law other than this Charter otherwise permits.

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against himself or herself or to confess guilt. This right is at least as broad as the common-law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

These rights are relevant to clauses 84, 93 and 98, which applies to the enforcement powers of CAV inspectors provided by Part 6 of the Bill.

Clause 84 of the Bill will enable a warrant issued by a Magistrate under clause 77 of the Bill to authorise an inspector to require a person to provide reasonable and necessary information or assistance. Clause 84 of the Bill provides that it is not a reasonable excuse for a natural person to refuse or fail to provide information or
The purpose of issuing a search warrant under clause 84 is to enable a search to be undertaken of specified premises for information or a thing connected with a contravention of the Act. The process is predicated upon evidence of a contravention not yet being in the possession of an inspector, and in the ordinary course of investigative action, a request for assistance made by an inspector under clause 84 would precede any decision to charge or not to charge a person with an offence under the Act.

This clause of the Bill is directed to addressing the increasing prevalence of storage of business documents and information in digital or electronic format, including “off-site” storage in cloud networks. Commonly, access to such information is subject to security requirements such as passwords or encryption technology. If a trader were able to refuse to provide a necessary password or de-encryption key to access business documents the regulatory scheme would increasingly become unable to be effectively administered.

The information or assistance contemplated under clause 84 is for the purpose of enabling access to information concerning an alleged contravention of the Bill. A duty to provide such information or assistance is consistent with the reasonable expectations of persons who participate in a regulated activity with associated duties and obligations. Moreover, it is necessary for regulators to have access to such information to ensure the effective administration of the scheme.

The Bill does not limit section 25(2)(k) in this respect, because the person required to assist an inspector is not a person who has been charged with a criminal offence. While there is no formal restriction on the use of the powers after a person has been charged, this reflects that, in practice, the execution of any search warrant occurs before any action for a contravention of the Bill or regulations is taken. The purpose of this action is to gather evidence in relation to the contravention. In addition, the person is not being required to testify against himself or herself because they are not giving evidence in court. Finally, the person is not being required to confess guilt. While the information the person provides may enable an inspector to obtain evidence that incriminates the person, the giving of that information, such as a computer password or similar, is not in itself a confession of guilt.

Further, it is important to recognise that the purpose of abrogating the privilege against self-incrimination in relation to the giving of assistance is to access information stored in digital or electronic format. While the Bill refers to accessing ‘information’ in clause 93(3), the information when accessed would amount to a pre-existing document. As noted below, the privilege against self-incrimination is significantly weaker for pre-existing documents, reflecting that they do not require a person to testify against themselves.

Even if the Bill could be said to limit section 25(2)(k), the limitations are reasonable and justified because of the fact that the investigation could be blocked by non-disclosure of the relevant information (such as a password to access a computer). If a person has locked hard copy business documents in a cupboard, an inspector would not need the person’s assistance in breaking into the cupboard, under warrant, to seize that evidence and the person has no right to try to block the inspector from breaking into that cupboard. If the person has also ‘locked’ business records inside a computer through encryption, the person should not, simply because of their use of more sophisticated technology, now be empowered to stymie investigations by refusing to divulge the electronic key to that evidence.

While it was held in Re an application under the Major Crime (Investigative Powers) Act 2004 [2009] VSC 381 that a derivative use immunity would apply where a person was required, under coercion, to provide an encryption key, it is important to recognise the nature of the Bill differs from that Act in that the purpose of that Act was to facilitate the investigation of serious organised crime, while the Bill has a regulatory and protective purpose. Reflecting this, the maximum penalties available under the Bill are considerably lower than the offences in relation to which the Major Crime (Investigative Powers) Act 2004 apply, with no terms of imprisonment being available for contraventions.

Further, unlike orders made under the Major Crime (Investigative Powers) Act 2004 which do not have any express requirements regarding access to encrypted data, there is also the safeguard that the magistrate issuing the search warrant will have discretion not to include such a power in the warrant where the inspector applying for the warrant has not made out an adequate case for the need for such a power.

Accordingly, the Bill does not provide a use immunity in relation to material seized as a result of the disclosure of a password. To do so would undermine the central point of the new power, to enable inspectors to access material that has been intentionally hidden or encrypted. As I have noted, a person who locked records in a cupboard cannot prevent an inspector from accessing those records under a search warrant. Where the person has simply used a more technologically sophisticated form of locking device (computer encryptions), they should not have any greater power to stymie an investigation.
There are no less restrictive means available to achieve the purpose of enabling regulators to have access to relevant digital or electronic information. To excuse the provision of information and assistance to enable access to digital or electronic records would significantly impede the regulator’s ability to investigate and enforce compliance of the scheme in the contemporary business environment.

To the extent that clause 84 of the Bill could enable a person’s right to protection against self-incrimination and a right to a fair hearing to be limited in compliance with a warrant authorising an inspector to require information, which is likely to be minimal, I consider this to be reasonable and justifiable.

Clause 93 provides that it is a reasonable excuse for a person to refuse or fail to give information or do anything that the person is required to do under Part 6, if the giving of the information or the doing of the thing would tend to incriminate the person. However, this protection does not apply to the production of a document that the person is required to produce under Part 6, and is therefore a limited abrogation of the privilege against self-incrimination.

The privilege against self-incrimination generally covers the compulsion of documents or things which might incriminate a person. However, the application of the privilege to pre-existing documents is considerably weaker than that accorded to oral testimony or documents that are required to be brought into existence to comply with a request for information. I note that some jurisdictions have regarded an order to hand over existing documents as not constituting self-incrimination.

The primary purpose of the abrogation of the privilege in relation to documents is to facilitate compliance with the scheme by assisting inspectors to access information and evidence that is difficult or impossible to ascertain by alternative evidentiary means. Taking into account the protective purpose of the Bill, there is significant public interest in ensuring that professional engineering services are being provided in compliance with the provisions of the Bill and the regulations.

There is no accompanying ‘use immunity’ that restricts the use of the produced documents to particular proceedings. However, any limitation on the right in section 25(2)(k) that is occasioned by the limited abrogation of the privilege in respect of produced documents is directly related to its purpose. The documents that an inspector can require to be produced are those connected with an engineer’s practice as a professional engineer, and for the purpose of monitoring compliance with the Bill or regulations. Importantly, the requirement to produce a document to an inspector does not extend to having to explain or account for the information contained in that document. If such an explanation would tend to incriminate, the privilege would still be available.

Further, clause 71 of the Bill creates an obligation for registered professional engineers and their employers to keep all documents relating to the practice as an engineer available for inspection, and for former registered professional engineers to make documents relating to the engineer’s practice as a professional engineer available for inspection. The duty to provide those documents is consistent with the reasonable expectations of persons who operate a business within a regulated scheme. Moreover, it is necessary for the regulator to have access to documents to ensure the effective administration of the regulatory scheme.

There are no less restrictive means available to achieve the purpose of enabling inspectors to have access to relevant documents. To excuse the production of such documents where a contravention is suspected would allow persons to circumvent the record-keeping obligations in the Bill and significantly impede inspectors’ ability to investigate and enforce compliance with the scheme. Any limitation on the right against self-incrimination is therefore appropriately tailored and the least restrictive means to achieve the regulatory purpose.

Sections 125 and 126 of the Australian Consumer Law and Fair Trading Act 2012 (ACLFTA) requires the production of information, documents or evidence. These sections are applied by clause 98 of the Bill, reflecting that both the ACLFTA and the Bill affect the regulation of the engineering profession. Inspectors administering the Bill will have been appointed under the ACLFTA and will be responsible for administering both the ACLFTA and the Bill. The approach of applying the provisions from the ACLFTA ensures that there can be a consistency of approach when investigating engineers in relation to matters under the ACLFTA and the Bill. The analysis contained in the Statement of Compatibility for the Australian Consumer Law and Fair Trading Bill 2011 (as it then was) of what are now sections 125 and 126 in relation to the protection against self-incrimination is equally applicable when considering the application of those sections to the Bill and its regulation of the engineering profession.

For the above reasons, I consider that to the extent that clauses 84, 93 and 98 may impose a limitation on the right against self-incrimination, that limitation is reasonable and justified under section 7(2) of the Charter.

Right not to be punished more than once

Section 26 of the Charter provides that a person has the right not to be tried or punished more than once for an offence in respect of which he or she has already been finally convicted or acquitted in accordance with law.
Clause 12 of the Bill sets out the eligibility criteria for applications to be registered as an engineer and renewal applications. According to these criteria, an applicant may be refused registration in circumstances including where that person has previously been convicted or found guilty of certain indictable offences. Similarly, consideration of an application for an endorsement under clause 14 may give rise to similar considerations.

The right in section 26 of the Charter has been interpreted as applying only to punishments of a criminal nature and does not preclude the imposition of civil consequences for the same conduct.

I do not consider that the consequences under these clauses are punitive so as to engage section 26. Their purpose is not to punish the convicted person, but to protect the integrity of the registration regime by ensuring that only appropriate persons are able to be registered. Disqualification is based solely upon the fact of a conviction or finding of guilt for particular kinds of offences, rather than a consideration of the individual offending of the relevant person. However, the kind of offending which is caught is either the standard criteria employed across a number of occupational licensing schemes regulated by the BLA and other laws that impose specific obligations on persons providing professional engineering services. These provisions are therefore targeted at, and consistent with, one of the purposes of establishing the registration scheme, namely to effectively regulate the engineering profession by ensuring that no unfit persons are granted registration.

Accordingly, I am of the opinion that the eligibility criteria are compatible with the right in section 26 of the Charter.

Clause 60 enables VCAT to take disciplinary action against a registered professional engineer. Such action can be taken where VCAT is satisfied that a registered professional engineer has contravened the Bill or regulations, including where a person has been convicted or found guilty of an offence. Where an action under clause 60 follows a conviction for an offence under another provision, a question arises as to whether a disciplinary action constitutes double punishment for the purposes of the right in section 26 of the Charter.

The actions that may be taken by VCAT under clause 60 are of a regulatory nature and are for the purpose of protecting the integrity of the registration scheme by ensuring there is appropriate accountability, rather than being aimed at punishing the engineer. VCAT’s powers under the Bill are supervisory and protective in nature and any such disciplinary action under the Bill does not amount to a finding of criminal guilt. Further, even if some of the actions that may be taken against a registration scheme under clause 60 amount to a sanction, those sanctions are not of a criminal nature and the right in section 26 of the Charter does not preclude imposition of civil consequences for the same conduct.

I therefore consider that clause 60 does not engage section 26 of the Charter.

Conclusion

I consider that the Bill is compatible with the Charter because, to the extent that some provisions may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society.

TIM PALLAS MP
Treasurer

Second reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (10:09): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into Hansard.

Incorporated speech as follows:

Prior to the 2014 election, the Victorian Labor Government committed to ‘work with relevant stakeholders on the introduction of a mandatory, statutory registration scheme and work with other jurisdictions to develop a nationally consistent registration scheme for engineers’. The government subsequently brought forward an Engineers Registration Bill to the last Parliament, but it lapsed when the Parliament expired. Despite this, the government remains determined to deliver on its commitment, particularly in light of the recent structural problems with the Opal Tower in Sydney which highlights the problems that can occur with poor engineering. The Bill I present today substantially replicates the 2018 Bill, while also containing some minor and technical amendments to improve terminology.

A registration scheme for engineers is an integral part of the government’s plan for infrastructure. We have already established Infrastructure Victoria and the Office of Projects Victoria, and appointed the Chief Engineer, to ensure Victoria’s infrastructure is world class. We also have many new major projects under way including the Melbourne Metro Rail Tunnel, the West Gate Tunnel and the Level Crossing Removal project.
But the Andrews Labor Government’s investment in infrastructure is bringing with it an important challenge: a need for suitably qualified and experienced engineers to develop and oversee these projects.

However, it is not just in infrastructure where engineers are critical to the state’s future economic development. Engineers are central to driving greater innovation and productivity growth across the whole economy, from manufacturing to new energy technologies.

This was brought home in the recent Victorian State of Engineering Report, released in October 2018. That report found that engineering-enabled industries are responsible for more than 600,000 jobs and contribute nearly a quarter of Victoria’s gross state product.

Despite the fundamental role in the economy that engineers have, the often complex nature of their work and the importance of their work in ensuring public safety, most engineers are not required to hold any kind of formal registration or licence. This stands in contrast to almost all other professionals in Victoria, including lawyers, doctors, nurses, architects and teachers.

At the moment in Victoria, only engineers engaged in the building industry need to be registered, and even then, coverage is limited to civil, electrical, mechanical and fire safety engineering. Such limited coverage means that only a small proportion of engineers in Victoria has had their qualifications and experience scrutinised.

Further, the engineering profession is increasingly globalised. Many of Australia’s trading partners have recognised this and have begun to establish engineering registration schemes as an important tool to help promote exports of their engineers’ services. A government-backed registration scheme will help give Victorian engineers the edge they need to compete in this global marketplace by giving prospective purchasers of their services the assurance that the engineer they engage is suitably qualified and experienced, and will comply with well-recognised and internationally understood professional benchmarks.

The government has undertaken extensive consultation with stakeholders, and I would like to thank those stakeholders for their input into the Bill. The professional associations representing engineers have expressed strong support for the introduction of a registration scheme, and many of those same associations have also expressed an interest in becoming assessment entities as the registration scheme rolls out to their areas of engineering.

This brings me to the key features of the Bill.

The Bill in detail

The engineers registration scheme that the Bill proposes will at its onset regulate five areas of engineering including civil engineer, structural engineer, mechanical engineer, electrical engineer and fire-safety engineer. A separate endorsement will apply for professional engineers who are ‘engaged in the building industry’.

Feedback from stakeholders indicates that these areas of engineering cover most of the engineers operating in Victoria. Further, these areas cover about 80 per cent of engineers registered under the Queensland Professional Engineers Act 2002. Registration in these specified areas will be rolled out progressively, with the regulations able to specify when professional engineers in an area of engineering require registration through the use of the exemption power. However, the Bill enables other areas of engineering to be prescribed by regulation. Over time, it is expected that the scheme will expand to cover other areas of engineering.

Once rolled out to a particular area of engineering, the registration scheme established by the Bill will prohibit any person from providing professional engineering services in that particular area of engineering unless they are either registered in the area, working under the direct supervision of a professional engineer registered in the area, or working in accordance with a prescriptive standard such as an Australian standard.

The Bill will also prohibit unregistered people from representing that they are a registered professional engineer, can provide professional engineering services or are an endorsed building engineer.

The registration scheme is based on a co-regulatory registration model which will be managed by the Business Licensing Authority (BLA), with support from Consumer Affairs Victoria (CAV), approved assessment entities, and the Victorian Building Authority (VBA). Reflecting its important new role, membership of the BLA will be expanded to include a person who has qualifications and experience in the field of engineering.

The Victorian scheme is modelled closely on the Queensland scheme. However, some differences exist due to differences in legislative requirements in the two jurisdictions. For example, engineers engaged in the building industry in Victoria must hold professional indemnity insurance to underpin certification requirements under section 238 of the Building Act 1993.

Under the co-regulatory model, the BLA will approve assessment entities. Before doing so, the BLA will be able to seek the advice of the Chief Engineer. Assessment entities will have to satisfy the BLA that they will be capable of undertaking a range of different matters related to the assessment of an applicant for registration, including assessing qualifications and competencies, ensuring audits of continuing professional development
and providing independent and authoritative assessments in a timely fashion. The Bill also sets out the process for revoking an assessment entity’s approval if they fail to meet these requirements.

After an engineer is approved by the assessment entity, they may then apply to the BLA to be registered. The BLA will also take over registration functions for engineers engaged in the building industry from the VBA once the scheme comes into effect.

Before deciding to register an applicant, as well as considering the report of the assessment entity, the BLA will assess whether the engineer meets a number of other eligibility criteria. In addition, the BLA will be able to check a range of probity matters. Where an engineer wishes to be engaged in the building industry, the Bill establishes a process where the VBA can check a range of building-related probity matters in relation to applicants for building industry endorsements, including whether the engineer has the required insurance under the Building Act 1993. The VBA will then report their assessment to the BLA.

If satisfied that a person is eligible for registration, the BLA will add the person to the Register of Professional Engineers. This register will enable consumers to check details of the registered professional engineer, including conditions on the registration, as well details of disciplinary matters up to five years old. This will further assist consumers to choose high quality engineering services.

Registration will be valid for a period of three years, and the BLA may impose conditions on the registration. After three years, an engineer may renew their registration by applying to the BLA and paying a registration fee. It is expected that a condition for renewal is completion of continuous professional development of 150 hours over the last three years. In addition, it is expected that assessment entities will also have to conduct regular audits of CPD.

If an application for a registration or registration renewal is refused by the BLA, or a condition is imposed, the applicant will be able to seek review of the decision by the Victorian Civil and Administrative Tribunal (VCAT). Engineers who are already registered under the Building Act will have those registrations recognised under the new scheme. Further, because engineers who have been registered under the Building Act in the past may not have the necessary qualifications to meet assessment scheme standards, they will be given up to 5 years to complete any necessary training.

The Bill also sets up a disciplinary system that will see CAV or the VBA taking the lead, depending on whether an engineer has an endorsement. Where an engineer has been engaged in both building-related and non-building related engineering, if the engineer is an endorsed building engineer, the VBA will take the lead on investigating and disciplining the engineer in relation to the endorsement.

This dual regulator approach has been proposed to ensure that the VBA can continue to carry out ‘end to end’ investigations of non-compliant building work. Endorsed building engineers will be subject to the disciplinary grounds of the Building Act in relation to their endorsement. They will be subject to the grounds in the Professional Engineers Registration Act in relation to their registration. Disciplinary sanctions for engineers under the Bill will be similar to those available under the Building Act to ensure that engineers face consistent outcomes regardless of whether their misconduct was building-related or not.

Disciplinary procedures will be slightly different. It is expected that CAV will generally apply directly to VCAT for disciplinary action in relation to a registration, while the VBA will use the show cause process in the Building Act 1993 in relation to an endorsement. In practice, outcomes from these processes are likely to be consistent, because engineers who are dissatisfied with a proposed sanction imposed by the VBA may apply to VCAT for a review of that sanction.

The Bill also sets out a range of entry powers available to the Director of Consumer Affairs Victoria. It also applies a range of powers under the Australian Consumer Law and Fair Trading Act 2012 to ensure courts can order redress or make a range of other orders consistent with other consumer Acts administered by CAV. The VBA will rely on entry powers under the Building Act 1993 in relation to engineers who have a building industry endorsement.

The engineers registration scheme proposed by the Bill will: help to promote professional development within the engineering profession; reduce the risk of loss and harm to the public; and give consumers more confidence in procuring engineering services. It will also improve opportunities for the export of engineering services by Victorian engineers.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:09): I move:

That the debate be now adjourned.
Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 20 March.

MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019

Statement of compatibility

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (10:11):
In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Major Transport Projects Facilitation Amendment Bill 2019 (the bill).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this Statement.

Overview

The Bill amends the Major Transport Projects Facilitation Act 2009 (Act) to improve the operation and efficiency of the regime established in Part 7 of the Act relating to the identification of interfaces between declared major transport projects and utility infrastructure to align the provisions with best practices, including the development and procurement phasing of major transport projects. Part 7 is to identify utility infrastructure that may interface with a declared project under the Act and facilitate the project authority for the declared project and affected utilities reaching agreement on how the utility infrastructure will be removed, relocated or protected to enable the declared project to proceed.

Utility is defined in section 3 of the Act to mean an entity (whether publicly or privately owned) that provides, or intends to provide, water, sewerage, drainage, gas, electricity or other like services under the authority of Victorian legislation.

Human Rights Issues

No Charter rights are engaged by the Bill. The amendments to the utility regime under Part 7 of the Act relates only to utility entities, which are not individuals. In any event, the amendments made by the Bill relate to how interactions with utility infrastructure are dealt with in the context of major transport projects, and the provisions relating to that property are clearly and precisely formulated.

Hon Jacinta Allan MP
Transport Infrastructure

Second reading

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (10:12):
I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into Hansard.

Incorporated speech as follows:

Victoria is the fastest growing economy in the country, has created more jobs than anywhere in the nation, and has an infrastructure pipeline never seen before in this state.

At the election last year, Victorians voted for the Andrews Government to keep getting on with building the transport infrastructure our growing state needs.

As we all know, our Government is not wasting a single day and while we have accomplished so much in the major transport infrastructure projects arena over the past four years—there is still much to do.

But, to have a modern transport infrastructure program, we must have a modern legislative regime to ensure we can best deliver the projects Victorians have entrusted us to build.

For nearly the past decade, the Major Transport Projects Facilitation Act 2009 has provided a one-stop shop for project assessment and approval, as well as delivery powers for State project authorities.

As part of the Act, the Premier assesses the economic, social or environmental significance of a project to the State or a region within it. The assessment is made having regard to the project declaration guidelines and the Premier may declare a transport project to be a declared project to which either the whole Act applies or only the delivery powers apply.
The Act has been used on a wide range of projects, including the Melbourne Metro Tunnel, various Level Crossing Removal Projects, and the West Gate Tunnel project.

A key precursor to major project delivery is reaching agreement with utility companies on how utility infrastructure will be removed, relocated or protected. Part 7 of the Act facilitates the project authority and affected utilities reaching agreement on how utility infrastructure will be managed. It sets out a process for the negotiation of agreements between project authorities and utility companies and provides a dispute resolution process if agreement cannot be reached.

The aim is to enable the project to proceed in a timely and cost-effective way, while minimising the impact on the utility companies and their customers.

An approach to managing interfaces with utilities has been to transfer responsibility for utility relocation to the firm or consortium contracted to design and construct the project. Construction firms were expected to identify utility infrastructure, engage with utility companies and reach agreement on how best to remove, relocate or protect utility infrastructure during construction.

During the construction phase there is limited scope to devise solutions that minimise construction costs or avoid disruptions to services (or delays to the undertaking of the project). Accordingly, trying to address interfaces with utilities in the construction phase is high risk for the construction firms and the utility companies.

Due to the size of the potential costs of addressing interfaces between major transport projects and utilities, it was foreseen that a regime for engaging and reaching agreement with utilities before the construction phase would be needed.

In 2009, utilities agreed and supported the establishment of a specific regime. However, utility companies were concerned about the resources needed to engage with project authorities on a wide variety of project options. For this reason, the regime was designed so that it would come into effect after project approvals have been granted and the project area is determined, limiting the options that need to be considered.

Best practice approaches have changed significantly since 2009. Project authorities aim to identify interfaces with utility infrastructure in the planning phase for major transport projects. The object of doing so is to identify options to minimise the cost and impact of interfaces with utility infrastructure when decisions are being made about the proposed alignment of the major transport project.

To facilitate early engagement, project authorities now aid utility companies to identify and locate utility infrastructure in circumstances where there are uncertainties. The Bill reflects current practices, where State delivery agencies dedicate significant attention and resources to upfront planning and early engagement with utilities. This regularly includes partnership and resourcing agreements with utilities during the development of projects, to enable both the project authority and utility to resource this upfront planning.

*Earlier notification and negotiation*

The Bill amends Part 7 of the Act to bring forward when the regime can commence. The current utilities regime formally comes into effect after the planning phase, when project approvals have been granted and the project area is determined.

The amendment removes the requirement for the project area to be determined and instead enables the use of the utility regime when the project is declared to be a major transport project under the Act.

*More efficient administration*

The Bill also improves the efficiency of the negotiation process by reducing the prescription around notification and negotiation timeframes.

Currently the project authority or the utility may only give written notice of the intention to commence negotiations 30 business days after the project authority first provides notice of the potential effects of the project on utility infrastructure.
The Bill enables the negotiation period to be triggered once a utility responds to the notice provided and supplies the information requested by the project authority. The full 30 days does not have to elapse if it is not needed.

Reducing the risk of unnotified infrastructure

Currently, if the utility companies fail to respond to a notice issued by the project authority within 30 business days then the utility infrastructure is deemed to be unnotified infrastructure. There is no option for the project authority to provide more time. The amendments will give the project authority discretion to provide more time for utilities to comply.

Unnotified infrastructure could result in significant costs to utility providers and their customers. This Bill aims to ensure that there are no surprises for all parties.

Earlier dispute resolution if agreement cannot be reached

The Act currently provides for a 50-business day negotiation period. If the parties have not reached agreement by the fiftieth day, then either party may inform the other that a dispute exists.

The Bill enables either party to trigger the dispute resolution process within this period by notifying the other party that a dispute exists. This will avoid unnecessary delays in circumstances where all reasonable endeavours to negotiate resolutions acceptable to both parties have been undertaken, but agreement still cannot be reached. Negotiated agreement is always preferable to a determination by a third party, but if a stalemate is reached then there is no reason for the parties to wait for the clock to run down.

Conclusion

This Bill recognises changes in major transport project delivery over time, particularly in relation to project planning. The measures in this Bill are practical and will deliver tangible benefits for major transport projects, utility companies and their customers.

I commend the Bill to the House.

Ms McLEISH (Eildon) (10:12): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 20 March.

PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019

Statement of compatibility

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (10:13):
In accordance with the Charter of Human Rights and Responsibilities Act 2006 (the charter) I table a statement of compatibility in relation to the Primary Industries Legislation Amendment Bill 2019.

In my opinion, the Primary Industries Legislation Amendment Bill 2019, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill is an omnibus Bill that makes minor amendments to a number of Acts relating to primary industries.

Human Rights Issues

Extension of coverage of the Dairy Act 2000

Clause 5 of the Bill substitutes a new definition of dairy farm and milk into the Dairy Act 2000. The effect of this amendment is to extend coverage of the Dairy Act, which currently only regulates the production for sale or profit of cow, goat, sheep or buffalo milk, to apply to the production for sale or profit of all animal milk including camel, horse and donkey milk. Currently, production of milk that does not come under these definitions is regulated under the Food Act 1984.

The main effect of this amendment is that certain milk processors who are not currently subject to the Dairy Act will now be subject to the responsibilities and obligations relating to the licensing regime for the dairy industry and the provisions for dairy food safety, including the compliance and enforcement powers of authorised officers under the Dairy Act. This includes being subject to the general powers of authorised officers under Part 5 of the Dairy Act, which are relevant to the following Charter rights:
of freedom of movement (by way of powers of officers to stop and detain vehicles);
• of privacy (by way of powers of officers to enter dairy premises and conduct searches);
• of property (by way of powers of officers to seize certain items and destroy dairy food); and
• not to be compelled to testify against oneself or confess guilt (by way of the power of officers to
require information from persons on dairy premises).

In terms of considering the practical effects on human rights of these amendments, it is important to note that
milk processors who will be affected by this expanded coverage of the Dairy Act are already subject to similar
compliance and enforcement powers under the Food Act 1984. This includes being subject to similar
enforcement powers by authorised officers under Part IV of the Food Act, which include powers of entry and
inspection, and powers to stop and detain vehicles, seize property, destroy seized food, and require provision
of certain information. The purpose of the amendment is to better ensure dairy food safety by ensuring that
the appropriate regulator with the necessary expertise is responsible for regulating all milk production and
processing in the State and carrying out enforcement measures necessary to ensure public safety of milk
products. The amendment will also facilitate camel milk producers to gain export certification as the
Commonwealth Government already has an arrangement with Victoria to accept food safety audits
undertaken under the Dairy Act for the purposes of export certification.

Accordingly, while this amendment will result in new persons being subject to various powers under the
Dairy Act that affect human rights, in my view it will not result in the imposition of any new limitations on
human rights due to such persons already being subject to similar regulatory powers under the Food Act.

However, should an alternative view be taken that the enforcement provisions in the Dairy Act are more
onerous than the Food Act, it is my view that these existing enforcement powers in the Dairy Act are
compatible with the Charter. I note that it is common for Parliament to provide regulatory authorities with
broad powers to enter industry premises to monitor compliance with a regulatory scheme on the basis that
such powers should not be broader than necessary to allow authorised officers to carry out their duties. The
entry and search powers in the Dairy Act are limited to dairy premises or vehicles used to transport dairy food
and are limited to being exercised at a reasonable time and for the purpose of the administration of the Dairy
Act. The powers are exercisable in relation to persons on dairy premises or in charge of a dairy transportation
vehicle, meaning they affect persons who have chosen to participate in a regulated industry and adopt roles
in relation to persons on dairy premises or in charge of a dairy transportation
vehicle, meaning they affect persons who have chosen to participate in a regulated industry and adopt roles

Amending reverse onus defence in the Fisheries Act 1995
Clause 14 of the Bill amends the defence in section 53(3) of the Act for consistency with broader reforms to
complicity provisions in other Victorian legislation that are designed to simplify a complex area of law and
remove confusing distinctions and inconsistencies.

Section 53 of the Fisheries Act 1995 provides for an offence of failing to comply with licence or permit
conditions and deems that a holder of a fisheries licence or permit commits the offence if another person fails
to comply with a condition on the holder’s behalf.

Section 53(2) provides that this deeming provision does not apply if the holder of the licence or permit can
prove the following matters:
• that, at the time the offence was committed, there was in force a written agreement in which the
person who was acting on behalf of the holder agreed to comply with all relevant conditions and
requirements of the Dairy Act and the regulations; and
• that the holder did everything reasonably practicable to ensure that the person would comply with
the relevant condition; and
• that the holder did not in any way aid, abet, counsel or procure the person to fail to comply with
the relevant condition.

Clause 14 of the Bill substitutes the final element of the defence (i.e. ‘the holder did not in any way aid, abet,
counsel, or procure’) with the words ‘the holder did not in any way assist, encourage or direct the person to
fail to comply with the condition’.

In my view, this amendment (which changes the terminology in relation to the law of complicity) does not
materially alter the existing reverse on an accused to prove the available defence, however, I discuss this
offence provision’s overall compatibility with the Charter given the Committee’s interest in such provisions and the fact that this provision has not previously been discussed in a Statement of Compatibility.

Section 53 of the Fisheries Act makes a licence holder liable for the actions of persons who act on the licence holder’s behalf. Section 53(2) provides the licence holder with a defence if he or she can establish certain matters. The section shifts the normal burden of proof on to an accused to prove certain matters in order to avoid liability for the actions of another person. This is relevant to section 25(1) of the Charter that provides that a person who is charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

While the imposition of a legal burden on an accused will limit an accused’s right to the presumption of innocence, I consider that the limit is reasonably justified under s 7(2) of the Charter.

The offence in question applies only to holders of a fishery licence or permit, persons who have voluntarily applied for permission to operate in a specified role within a regulated fisheries industry. The grant of a fishery licence or permit is subject to special responsibilities, obligations and conditions, which are stated clearly in the Fisheries Act, regulations and any specific licence conditions. This includes a holder assuming responsibility for the actions of persons who act on their behalf. This deeming provision is necessary to ensure accountability of holders to the duties and obligations imposed on them by the scheme, which are designed to protect and conserve fisheries resources for the greater public interest.

This responsibility is subject to the exception that a holder will not be held liable for the compliance failures of others if they can prove that they undertook the necessary due diligence (implementing a written agreement to, and doing everything reasonably practicable to, ensure the other person’s compliance with conditions) and were not complicit in the other person’s failure to comply with conditions. Accordingly, in undertaking a role as a licence or permit holder and engaging other persons to act on their behalf, a holder accepts that they will be subject to this responsibility under the scheme and be expected to demonstrate compliance with this responsibility. The matters required to be proven are within the knowledge of the holder, who is best placed to lead this evidence.

Conversely, it would be very difficult for the prosecution to prove these matters in the negative. Due diligence can be practically demonstrated by producing the required written agreement and detailing the reasonable steps taken to ensure compliance with conditions. The third element of the defence requires the accused to prove that they did not assist, encourage or direct the person to fail to comply with the condition. This can be established by reference to the individual circumstances of a case, which, on the balance of probabilities, prove that an accused was not involved in the commission of the offence.

In my view, a less restrictive measure (such as imposing only an evidential onus on an accused to establish the exception) would not be appropriate in light of the strong public interest in ensuring that holders comply with their responsibilities under the scheme, are accountable for the actions of persons acting on their behalf; and, in order to escape liability for any compliance failure of persons acting on their behalf, be expected to demonstrate to a legal standard that they have taken all measures required by the Act to discharge this responsibility.

Powers of entry and inspection and forfeiture or return of things seized or retained in the Fisheries Act 1995

Clause 23 of the Bill will require persons to produce on demand, any fish or fishing equipment in that person’s possession for inspection by an authorised officer. This is relevant to the right to privacy in s 13 of the Charter, which provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with. In my view, this amendment does not limit this right, as it does not increase the extent of the existing interference with privacy provided under the Fisheries Act.

An authorised officer or police officer, under s 102 of the Fisheries Act, has the power to enter upon any land, protected water or premises for the purpose of inspecting or searching for any fishing equipment or fish, in order to ascertain whether or not the provisions of the Fisheries Act, the regulations or a fisheries notice are being observed. I note my earlier observation that Parliament commonly provides regulatory authorities with broad powers to monitor compliance with a regulatory scheme on the basis that such powers should not be broader than necessary to allow authorised officers to carry out their duties. This power of search and inspection is considered necessary to enforce the scheme, as it is not possible to determine compliance with fish minimum or maximum size limits or bag limits without officers physically inspecting the fish. The power cannot be exercised to enter and search a dwelling house.

Clause 23 provides for a new tool to facilitate the conduct of these inspections by allowing officers to require a person to produce such items in their possession for inspection. There are occasions, for example, when exercising powers in relation to boats, when it is safer to ask someone to produce fish or equipment for inspection rather than to, for example, board a vessel and search for such items. As officers already have the power to search fishing equipment or fish in this scenario, the power to require persons to produce such items for inspection will not constitute any additional interference with privacy.
I also note for completeness that, by way of section 111(e) of the Fisheries Act, the requirement to produce fish and fishing equipment to an officer is subject to a right to refuse to comply on the grounds of self-incrimination. Accordingly, I am satisfied that clause 23 is compatible with the Charter.

The Hon Lily D’Ambrosio MP
Energy, Environment and Climate Change

Second reading

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (10:13):

I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into Hansard.

Incorporated speech as follows:

The Bill will repeal the Broiler Chicken Industry Act 1978 and make amendments to a number of acts to improve efficiency workability, administration and enforcement.

**Broiler Chicken Industry Act 1978 repeal**

The Bill will repeal the *Broiler Chicken Industry Act 1978*. Victoria is the only state whose broiler industry collective bargaining legislation has not been repealed, and the Broiler Industry Negotiation Committee established under the Act has not been in place for over 15 years.

This Act was originally conceived to counter the imbalance in market power between individual broiler farmers and large vertically-integrated processing companies. However, over time, the industry has transitioned to collective bargaining arrangements under authorisation by the Australian Competition and Consumer Commission (ACCC).

The ACCC authorisations allow current and future broiler farmers to collectively bargain with a processor to which they provide services. Most recently, on 16 June 2016, the ACCC granted authorisation for Victorian broiler farmers to collectively bargain with processors for the next 10 years.

**Amendments to the Catchment and Land Protection Act 1994**

Under provisions of the *Catchment and Land Protection Act 1994*, the relevant Secretary exercises responsibility in relation to a number of the noxious weeds and pest animals. This includes serving land owners with a land management notice where the Secretary is satisfied there has been a failure to comply with relevant provisions of the Act or measures need to be taken by the land owner to meet their obligations.

In practice, these powers are delegated to Agriculture Victoria within the Department of Jobs, Precincts and Regions (DJPR).

The Secretary may do anything necessary to carry out a land management notice if the Secretary believes on reasonable grounds that the notice has not been complied with and may then recover expenses necessarily incurred in carrying out this work.

Currently DJPR expends significant time and effort to recover outstanding debt through civil proceedings. These proposed changes will enable costs to be recovered during the sentencing phase of criminal proceedings for offences for non-compliance, resulting in more direct and efficient cost recovery.

**Amendments to the Dairy Act 2000**

The *Dairy Act 2000* provides for Victoria’s specialist dairy regulator, Dairy Food Safety Victoria, to licence and have regulatory oversight for the production and processing of dairy products. Currently the Act only applies to the production and processing of dairy from cows, sheep, goats and buffalo. Regulation of the processing of milk from other animals is undertaken by local governments.

A number of businesses have shown interest in establishing a camel milk industry in Victoria. Camel milk businesses that are already operating are being regulated by local government but have expressed an interest in being regulated by Victoria’s specialist dairy regulator.

Amendments to the Dairy Act will bring the regulation of camel milk production under Dairy Food Safety Victoria. This will ensure a more fit-for-purpose regulatory model for these producers and facilitate future access to export markets.

**Amendments to the Drugs, Poisons and Controlled Substances Act 1981**

Part 4A of the *Drugs, Poisons and Controlled Substances Act 1981* provides an authority scheme for the cultivation and processing of low-THC cannabis (industrial hemp) for non-therapeutic purposes. The
authority scheme is administered by DJPR. Industrial hemp is grown in Victoria mainly for the production of fibre and hemp seed.

The Bill introduces a delegation power for the Secretary of the Department to delegate some or all of his or her powers under Part 4A to suitable departmental officials.

The Bill also expands the definition of a serious offence, to include indictable offences involving assault or a serious offence committed in another jurisdiction. This amendment would make persons who have committed such offences ineligible for an authority.

**Amendments to the Fisheries Act 1995**

Speaker, I now turn to the provisions of the Bill as they relate to *Fisheries Act 1995*.

The Andrews’ Government acknowledges the importance of fishing in Victoria and the significant contribution it makes to our economy and jobs. We are committed to careful management of this precious resource and are proud to note that we have invested over $46 million into fishing under the Government’s Target One Million initiative; the largest allocation of funds to fisheries in 30 years. We are committed to getting more people fishing more often by encouraging participation in what is a great pastime and outdoor activity.

This Bill provides an opportunity to amend the Fisheries Act to deal with a number of emerging fisheries issues that are hindering compliance efforts, to provide appropriate sanctions to deter illegal activity, and to make a number of technical amendments to remedy administrative inefficiencies and improve existing processes.

In total, 22 fisheries-related changes are proposed to ensure the Fisheries Act remains an effective and relevant management tool. Key changes I draw your attention to include:

- allowing early surrender of netting entitlements by eligible Port Phillip Bay commercial fishers, which will allow any of the eight commercial fishers who are legally entitled to continue using nets until 2022 to voluntarily cease netting prior to that date, in exchange for early payment of compensation. This will help fast track removal of netting from the bay, consistent with the Target One Million commitment.
- transferring the powers and functions of the fisheries Licensing Appeals Tribunal to VCAT, creating administrative efficiencies and ensuring commercial fishing licence appeals are consistent with other licensing processes throughout the State.
- amending the *Conservation Forests and Lands Act 1987* to enable a tiered system of infringement penalties that better reflect the circumstances of particular offences relevant to undersized fish, breaches of bag limits and noxious aquatic species.

A large number of minor technical and administrative amendments to the Fisheries Act are also being made, including an option to include harvest strategies in fishery management plans. Harvest strategies can be used to set and adjust levels of harvest from a fishery. They help ensure our fisheries are sustainable. They also provide management certainty by defining what happens when a fish stock reaches pre-determined levels. However, this does not mean recreational fishing will be managed by quotas. Recreational fishing will continue to be managed by tools such as closed seasons, bag and size limits.

**Amendments to the Game Management Authority Act 2014**

The Bill updates the Act for consistency with recent changes to *Public Administration Act 2004*.

It also makes a number of amendments to clarify and streamline operation of the GMA Board. This includes: explicitly stating that the GMA Deputy Chair can fill the Chair position during a vacancy; clarifying that, following the resignation of a director from the GMA Board, the position may be filled for up to three years, regardless of the remaining term of the departing director’s position; and introducing a set of guiding principles to provide the GMA Board with a clear set of objectives and a framework within which decisions should be made that balance a range of competing interests.

The Bill will introduce changes requiring the GMA to act consistently with any agreed governance framework. This modern governance arrangement, that was also embedded into legislation for the new Victorian Fisheries Authority, clarifies accountabilities and reinforces a collaborative approach.

To resolve legal uncertainty as to what enforcement activities officers authorised under the *Game Management Authority Act 2014* can undertake, the Bill amends the definition of ‘authorised officer’ in the *Conservation, Forests and Lands Act 1987*, *Crown Land (Reserves) Act 1978*, *Land Act 1958* and *Firearms Act 1996*, and ‘litter enforcement officer’ in the *Environment Protection Act 1970*.

This clearly allows authorised officer to enforce associated offences with hunting when in the field.
Amendments to the Livestock Disease Control Act 1994

This Bill makes a number of amendments to the Livestock Disease Control Act 1994. The restriction on spending from the Cattle Compensation Fund and the Sheep and Goat Compensation Fund are being removed to enable the capital in these funds (rather than only the interest earned on capital) to be spent on projects and programmes benefiting the respective industries.

The power of inspectors to issue infringement notices is being extended to the offence of failing to provide specified information when sending samples to laboratories for disease testing and offences relating to vendor declarations. These additional enforcement options for inspectors will assist in earlier disease detection and improved livestock disease traceability.

Minor changes are also proposed to processes relating to the quarantine and treatment of livestock during disease outbreaks. Inspectors will have increased discretion as to the measures imposed on the owners of diseased livestock. This will increase response capability and boost the effectiveness of managing animal disease events.

Amendments to the Melbourne Market Authority Act 1977

Amendments to the Melbourne Market Authority Act 1977 are proposed to address governance limitations and administrative burdens for the Melbourne Market Authority and reflect the current operating environment.

The definition of ‘market land’ will be updated to reflect the relocation of the market from West Melbourne to Epping.

Currently the Act requires the Authority to meet on a monthly basis regardless of need and seek my approval for expenditure exceeding $250,000. These requirements create unnecessary burden on the Authority and DJPR staff and are inconsistent with best practice governance arrangements. Proposed amendments provide greater autonomy to the Melbourne Market Authority Board by allowing it to determine its own meeting frequency and raise the threshold for ministerial approval on expenditure to $750,000. This figure is consistent with the maximum amount prescribed for other DJPR executives. Various administrative updates are also proposed. These include inserting ‘flowers’ into the market’s title, applying gender-neutral language and removing references to repealed legislation.

Amendments to the Meat Industry Act 1993

The Meat Industry Act 1993 sets up a licensing system that enables the adoption of national food safety standards for the hygienic production and processing of meat for human consumption and for pet food. The Act does not currently provide for the slaughter and processing of meat to be undertaken in vehicles, even where these activities can be undertaken in compliance with national food safety standards.

Consolidation in the meat processing sector has led to a significant decrease in abattoir numbers across Victoria and has created barriers to small producers gaining access to abattoir services. Small producers are increasingly calling for a regulatory framework that supports the operation of micro or mobile abattoirs to facilitate small-scale processing in accessible locations.

More broadly, mobile businesses are a growing trend but are not supported by the existing legislative framework for the meat industry. Amendments to the Meat Industry Act 1993 have been made in recognition of the industry development opportunity that mobile operators provide for producers and butchers across Victoria.

Amendments to the Meat Industry Act 1993 are also being made to support the Government’s implementation of the Sustainable Action Hunting Plan. Hunters have been calling for the removal of barriers that prevent the use of game harvest, including the processing of meat for the hunter’s personal consumption. These amendments will ensure that the processing of wild deer that is not intended for sale is not captured by the licensing requirements of the Act.

Amendments to the Plant Biosecurity Act 2010

Amendments to the Plant Biosecurity Act 2010 will provide additional support for the potato and viticulture industries in controlling two insect pests known as grape phylloxera and potato cyst nematode.

The Bill provides for a definition to be revised to specify certain grape products to enable these products to be effectively regulated; a modified definition for an assurance certificate to align with certification offences; and a regulation making power to specify treatments or conditions for the entry of grape and potato host plant material into Victoria. It also provides an inspector to have the option to issue a written direction in a declared control area for pest or disease control and clarifies the general procedure for taking plant samples to reflect current inspection and survey procedures.
Amendments to the Veterinary Practice Act 1997

The Veterinary Practice Act 1997 is also being amended, improving the functionality of the Veterinary Practitioners’ Registration Board of Victoria to hear cases of unprofessional conduct. The amendments provide further discretion to the Board to appoint legal practitioners to sit on a hearing panel and make minor changes to the procedures of hearings conducted by the Board. The maximum penalty for serious professional misconduct is increased to bring it into line with other professional standards bodies and interstate veterinary registration boards, and a provision for the issuing of infringement notices for minor offences is inserted. The changes will result in more effective and efficient functioning of the Board and will support increased community awareness and expectations regarding animal welfare and the veterinary profession.

Amendments to the Wildlife Act 1975

The Bill amends the Wildlife Act 1975 to include the offence of hunting, taking or destroying game during an open season as a relevant offence in relation to which a controlled operation may be conducted. This will enable the GMA to undertake a key regulatory function.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:13): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 20 March.

ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019

Second reading

Debate resumed on motion of Ms D’AMBROSIO:

That this bill be now read a second time.

Mr R SMITH (Warrandyte) (10:15): It is my pleasure to lead the debate on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019 for the Liberal-National parties in coalition. From the outset can I say that while the minister and I may differ on ideological and policy direction, I appreciate that she always make sure that her staff give good briefings and are available. I give my appreciation to her for that and to her chief of staff, Ian Porter, for facilitating the briefing.

I will just start out with a brief precis of the bill. This bill facilitates the introduction of a default offer for Victorian energy users. It ensures that energy contracts are made clearer for consumers. The Essential Services Commission will be given new powers to report on the fairness of pricing, and the bill gives the minister in particular significant powers in relation to directing the Essential Services Commission to set the default offer at a specific level.

Why are we here debating this bill? One of the reasons is—and it is the main reason—that energy consumers have been bending under the weight of rising prices in recent times. Energy users are certainly noticing that their power bills have gone up significantly. Indeed not just the Victorian government but indeed the federal government have recognised that there is a need to take some of the pressure off these energy prices and do something for consumers.

I am sure—I am almost positive—that we will hear those opposite talk about energy generation and privatisation in the 1990s, how it was all the Liberals’ fault and how Jeff Kennett sold off everything. We have heard the Premier ad nauseam say that if it was not for the privatisation of our generators, we would not be in this position now. That is the line that the government has delivered. In a press release of 26 October last year the minister said, in words attributable to her:

We’re putting power back in the hands of Victorians—who’ve put up for too long with big corporations ripping consumers off ever since the Liberals privatised our electricity.

That is the line of the government, and it is nothing but spin, because certainly privatisation has been the issue, but not the privatisation of generation but indeed the privatisation of the retail sector. That is evident if you just take a moment to look at the documents surrounding this particular issue. The
discussion paper which marked the beginning of the review into the electricity and gas retail markets in Victoria says very clearly in its introduction, and I quote:

Full retail contestability was introduced for Victorian small customers in the electricity and gas markets in January 2002.

In January 2009, the Victorian—

Labor—

Government removed retail price regulation with the intention that consumers could fully benefit from the competitive market.

The introduction goes on to say that:

... retail competition in electricity and gas markets in Victoria is not delivering benefits to consumers as expected.

It was Labor policy to introduce full retail contestability in 2002, and the removal of retail price regulation in 2009 by the Brumby government has not delivered the sorts of outcomes that both the Labor governments at those times said they would deliver. You only have to look through some of the documents, such as the Independent Review into the Electricity and Gas Retail Markets in Victoria by John Thwaites and Terry Mulder. They make the same discoveries. It says here on page 1:

The review was prompted by concerns that the deregulation of Victoria’s energy markets is not delivering the anticipated benefits to consumers.

Competition was introduced to Victoria’s energy markets in 2002, with full deregulation of retail prices in 2009.

It was expected that competition would reduce energy costs for consumers and that retail companies would innovate and improve the products and services they offered.

But clearly that has not happened. In the same report it also says:

The Jacobs analysis—
the Jacobs analysis is the analysis that was done to support this review—

showed that fixed charges have increased substantially for Victorian electricity customers since—

not the privatisation of generators in the 1990s but since—

deregulation in 2009.

It was under the Labor government’s watch that we saw those prices spike, and the reason is evident in these documents. It goes on to say:

Since prices were deregulated in 2009, the existence of standing offers … may have contributed to some of the issues in the current market.

So the deregulation in 2009 certainly contributed to the problems that we are seeing now.

We go on to see an article that was in the Australian in February of this year. It states that Tony Wood of the Grattan Institute told the Australian that:

… there was no doubt there was a need for action in a retail market which was ‘clearly not delivering’ what had been promised when it was privatised …

I make the point again that anyone who has had even a cursory look at this topic will tell you that it was the privatisation of the retail market that has caused the problems. If there is any doubt from those opposite that it is indeed the case, there is an article from 2015 that is headlined ‘Victorians “duded” on electricity’ that says:

John Thwaites, who was deputy to former premier Steve Bracks in 2002 when the government deregulated the retail electricity market, told Fairfax Media the reform had failed to deliver lower prices for households.

This is what Mr Thwaites said:
Clearly, that part of the policy has not worked... the retail component has increased very substantially.

He went on to say that in developing the policy to deregulate energy retailers:

… everyone expected that there would be more competition and therefore a reduction in bills.

The figures show that that hasn’t happened.

So that is a former Deputy Premier, who sat around the cabinet table and indeed sat at this table during those years, saying that the Labor policies that were put forward in 2002 and indeed 2009 did not work for the consumer and in fact contributed, as we have seen with the associated documents, to the price rises that we are now experiencing and the price rises that Victorian consumers are now bending under the weight of.

It is an interesting thing. I have been here long enough to have heard the Labor Party talk about cost-of-living pressures and the things that they should do to bring down those energy prices. It seems that every time the Labor Party comes up with an idea to supposedly help Victorian consumers things just get worse. I was here when Peter Batchelor talked about the reasons for introducing smart meters, and he guaranteed everyone it would bring prices down. Introducing smart meters cost Victorian consumers $2.5 billion, and I am not sure many of those consumers would say that it has been beneficial for them.

Lastly, of course, the government’s policy to close Hazelwood has certainly added to the problems. The Independent Review into the Electricity and Gas Retail Markets in Victoria when talking about the privatisation of generators in the 1990s as an issue actually devotes a page to the closure of Hazelwood where it says:

The announcement of the Hazelwood closure has led to significant increases in forward contract prices for wholesale electricity.

…

The Jacobs analysis demonstrates that large increases in wholesale electricity prices in Victoria could be expected from the closure of Hazelwood. Since its closure, wholesale spot prices have increased significantly as anticipated …

It was anticipated by many in the sector, and indeed I think that many of the consumers would also have anticipated those price rises. It is interesting that the government of the day did not anticipate those price rises. It shows you the lack of foresight from this government and the Premier.

The following is a report of what the Premier was saying back in November 2016:

He acknowledged that a hike in electricity prices would put pressure on family budgets but dismissed estimates of a 25 per cent increase as ‘wild, inaccurate’. Any price rise would be close to 4 per cent, or an average of 85 cents a week, he said.

That was from the Premier when Hazelwood shut. The reason for the legislation we have in front of us is that indeed we have seen price rises that are far, far in excess of 4 per cent. Indeed the 25 per cent rise that was put forward at that time, which the Premier so arrogantly dismissed as ‘wild’ and ‘inaccurate’, has actually come to pass. If you are a business, a dairy farmer or a cafe owner you will find that your price increases are in the order of maybe 100 to 200 per cent. The Premier’s comments there were certainly ones that were actually, in his words, ‘wild’ and ‘inaccurate’.

It just shows you that when the Labor Party talks about wanting to do something about price rises when we are talking about deregulating the retail sector, removing price regulation, introducing smart meters or closing down a major supplier of energy in the state, all we get in response is that prices just keep rising. As I said earlier even former Deputy Premier John Thwaites acknowledges that the policies put forward by the government that he was a part of were not to the advantage of the Victorian energy consumer. This of course has led to a record number of disconnections, which I spoke about in the media last week and which was reported in the Herald Sun. It is certainly fair to say—and it is certainly not just the opposition saying this; any commentator will tell you—that the policies of the Labor government seem to be front and centre when it comes to rising energy prices. We only saw in
the paper today that when moving from electricity to gas, which this bill also covers, the gas crisis is costing jobs. The *Herald Sun* today reports:

Australian Competition and Consumer Commission chair Rod Sims says the east coast states are in the grip of a gas “crisis” that has been compounded by governments blocking exploration and extraction.

Wholesale prices are almost triple the historical average …

That, again, is a Labor policy to continue with the moratorium on gas exploration in this state. That is causing—there is no doubt—prices to rise. As I said with Labor’s words, Labor has talked about, over the last 20 years, deregulation of the energy retail market, the deregulation of energy pricing, the pricing framework, smart meters and Hazelwood, but the prices just keep going up and up and up.

So having discussed the environment that we now find ourselves in, which is largely due to Labor policies, let us turn to the bill. And I want to just mention, before we continue on to the particulars of the bill, that while the government is introducing its default offer, the federal government is also doing its part to do likewise. I want to acknowledge the work of Angus Taylor, the federal Minister for Energy, who has done a fair bit to make sure that people are paying less than they otherwise could be.

I just want to quote a release from the Honourable Angus Taylor which says:

On 1 January, energy retailers including Origin, EnergyAustralia and AGL have lowered their standing offer prices following pressure from the Morrison Government to remove the loyalty tax for the almost one million standing offer customers who are paying too much for their electricity.

It goes on to say:

Other retailers are also offering targeted discounts for their concession customers, with EnergyAustralia and Origin also providing 10–15 per cent off usage charges.

We have seen, because of the work of the federal government, that AGL has taken 10 per cent off the whole bill for all standing offer customers, EnergyAustralia has taken 15 per cent and Origin has taken 17 per cent for the whole bill for non-concession customers and 26 per cent for concession customers.

So there is work being done at a federal level that has direct flow-through effects for the Victorian consumer, and we should acknowledge that.

The bill before us today allows, essentially, for the giving of an order by the minister to the Essential Services Commission to determine the default offer. The minister, in issuing this order, can be quite prescriptive, including—and this is slightly troubling—detailing the methodology that the ESC should use in determining the default price. I have some concerns about that, because while the industry is not entirely comfortable with the ESC being aware of how to set a default price, I think the industry would be even more concerned that the minister would probably not be across the details of how energy pricing is constructed. So there is some concern that the minister can be quite prescriptive in the manner in which she directs the ESC to set these default prices.

The bill also allows for the minister to decide that certain costs are not in the best interests of the consumer even if the retailer insists that those costs are essential, and there is no requirement for the minister to actually tell the retailers why she is not allowing certain costs. The bill allows for discounts to be regulated, and the bill also allows the minister to direct the Essential Services Commission to change the default offer at will. This may not happen, but certainly the bill allows that power to the minister to direct the ESC to change that default offer. It could be every third month; that is quite possible and the bill allows for that.

One troubling issue is that the order that the minister will issue to the ESC will override existing contracts between the retailer and the customer, and I am still unsure and concerned, despite having the briefing, as to whether the tearing up of contracts between an energy retailer and customers may expose the state to some sort of recompense. Certainly I know that this government does not mind tearing up contracts. I know they do not really care whether that costs.

*Ms Ward* interjected.
Mr R SMITH: The member for Eltham makes a point about side letters. If the member for Eltham actually took the time to read the Auditor-General’s report on the east–west link debacle, then she would know that the Auditor-General himself actually said that the side letter had nothing to do with it, so maybe you should not be arguing with me. Maybe you want to take it up with the Auditor-General. Perhaps you should take it up with the Auditor-General. The point remains that the government of the day does not mind very much—

Ms Thomas interjected.

Mr R SMITH: The member for Macedon says I am touchy. I am not touchy at all—not touchy at all. I am touchy about the Victorian taxpayer paying $1.2 billion for nothing but, hey, if it is not your money, you do not care.

Clause 5 of the bill gives the ESC the power to use their discretion to decide a whole range of terms and conditions in relation to the conduct of retailers. In particular it allows the ESC to:

specify the circumstances in which the licensee may, or must not, offer or give a discount or other benefit to a relevant customer, including—

(A) the maximum amount or value of a discount or other benefit that may be offered or given to a relevant customer; and

(B) the periods when a discount or other benefit may be offered …

This gives, as I said, a whole range of powers to the ESC. And if they exercise those powers we are not too far off re-regulation of the industry. And of course it is true to say that the minister’s order may turn that commission’s discretion into an opportunity to re-regulate the market. That is okay if that is what the government wants to do. If the government want to we regulate the market, they are entitled to do so, but I guess they should be up-front about that. They should be up-front about that particular intention if that is what they want to do, and it seems very clear as we go through the bill that that is what they intend to do.

Clause 7 deals with the ability of the Essential Services Commission to:

… monitor and report on the competitiveness and efficiency of the Victorian retail markets for electricity and gas.

And there are some concerns from industry as to whether the ESC is in a position to be able to do that credibly. There are some concerns, looking at the Essential Services Commission staff working paper on the Victorian default offer, that the commission is not fully aware of what makes an efficient retailer and what costs should be included. On page 6 of that particular document, in the section entitled, ‘What is an efficient retailer?’, the commission is saying that an efficient retailer is one that, amongst other things, ‘has achieved economies of scale’—that is just not possible for a third-tier retailer at all. It also says that an efficient retailer ‘is a standalone retailer and is not vertically integrated’—again, that just does not apply to first-tier retailers at all. So there are some concerns that the commission may not be aware of what makes an efficient retailer or how costs are determined or, indeed, how the competitiveness or efficiency of the market can be determined.

The industry has some concerns about confidentiality when the commission is gathering information. Certainly the different retailers do not want other retailers knowing their business, and they have expressed some concern about confidentiality issues. Clause 8 is an interesting one. This has the effect of removing the opportunity for retailers to have a merits review as a result of the commission setting a default price. The retailers will be able to have a judicial review if the facts are wrong, but again if we look to the Essential Services Commission Act 2001, there is a whole group of sections about the right of appeal for people who are aggrieved by a requirement made by the commission, a decision made by the commission or indeed a determination made by the commission, and those rights of appeal are being denied to the retailers under this particular act, which is of some concern to the retailers. They have raised those concerns with the government, but I am told they have apparently fallen on deaf ears.
I just want to turn to what the sector and those connected to the sector are actually saying. Overwhelmingly, if you look at what the market is saying and what those connected to the market are saying, they are against the introduction of a default offer. The main reason that keeps coming back is that there is a fear that the default offer will in fact squeeze smaller retailers out of the market. That will of course in effect reduce competition and will see many of the discounted offers that are currently in the market removed. That is of some concern because there are many who are on these deeply discounted offers who may find that they are no longer able to take advantage of those offers.

The fact that these concerns have been raised should really ring some alarm bells for the government and should raise a red flag. We do not want to see a situation where people are paying more for electricity than they otherwise would be. That is a concern, because out of a pool of around 2.3 million to 2.5 million electricity customers in this state, only about 166,000 are on these standing offers. Many of them are also on hardship packages. If this legislation is going to help those 166,000 customers get a better deal, that is all fine—remembering that the trend for those on standing offers is actually declining—but if we are going to help those 166,000 customers pay less, it should not be at the expense of the many other customers who are paying those deeply discounted rates at the moment.

If the third-tier retailers cannot afford to operate by having their highest rates capped, then they will exit the market. That has been made clear by everyone in the industry. It will limit the incentive for other retailers to have these discounted rates. Some third-tier retailers have been known to offer discounted rates of up to $400 per customer—$400 below the average discounted rates. Those rates are being offered, and some in the chamber would probably be the beneficiaries of those deeply discounted offers from third-tier retailers. It is fairly certain, if you listen to the industry, that those offers will eventually go.

It is not just the opposition saying that; there have been numerous reports on it. The Australian Energy Council did a review into the Thwaites report and raised many concerns as a result of that review. The report says, and I am quoting:

The Basic Service Offer—
the default offer, as the legislation terms it—
will likely result in a significant reduction in retail competition …

It then says:

… the regulated price will put the most pressure on Tier 2 and particularly Tier 3 retailers—the very retailers that, to date have offered the lowest prices and a great deal of the innovation in the market …

It goes on to say:

… almost all of the Tier 2 and Tier 3 retailers have a significant proportion of their customer base in Victoria, and losses in this market are likely to reduce their overall scale in ways that could seriously jeopardise the viability of their operations …

That is of some concern.

The same report goes on to say with regard to the Thwaites report:

… its primary recommendation—implementation of a regulated Basic Service Offer—will likely reduce competition and innovation, and particularly impact the smaller and new entrant retailers that, to date, have offered the lowest prices and a great deal of the innovation in the market. It will also likely undercut the effectiveness of a number of the other recommendations in the report and other initiatives that are already underway in the market.

That is the report from the Australian Energy Council.

There are other reports. This one is from the Australian Energy Market Commission giving advice to the Council of Australian Governments energy council—so the minister has seen this report. This report details the impacts of a default offer in response to the federal government’s move to introduce
a scheme similar to that which the Victorian government is putting through. I will just quote some of the concerns raised in this particular report:

Noting that there is a reasonably wide variation in retailers standing offer, it could be expected that where a default offer is set below a retailer’s standing offer, the retailer would attempt to recover lost revenue by raising market offer prices.

It goes on to say:

Based on the ACCC’s analysis of retailer profitability and pricing behaviour, international examples of the re-introducing price regulation and observations of outcomes in regulated and deregulated markets it is likely that retailers will respond to the introduction of the default offer by attempting to increase market offers.

It further states:

Based on the declining proportion of customers on standing offers and the short and long term risks associated with the default offer, the Commission considers that caution should be exercised in introducing the default offer as a regulated price cap.

It also says:

The outcomes of this is a risk that a large portion of customers could be worse off under the default offer.

That is certainly not something that should be foisted on the Victorian energy consumer. That they would be even worse off would pose some difficulty.

The Australian Energy Market Commission also looked at the effects of a default price in other jurisdictions. In the UK they found that two years after a default price was introduced the average price for the cheapest market tariffs had increased by 40 per cent. The commission also did some forecasting or modelling work on the effect of a default price in New South Wales, south-east Queensland and South Australia and found that a default offer being introduced in New South Wales would raise the lowest average standing offer by 23.6 per cent. In South Australia it would raise it by 25.8 per cent and in south-east Queensland by a whopping 30.8 per cent, which are huge increases to those lower offers. We want to make sure that the government is very aware that this legislation could indeed make people worse off than they are now.

Just last week the Essential Services Commission released the Victorian Energy Market Report 2017–18. With a profile of the energy retailers towards the back of the report, that showed us that many of these smaller retailers currently offer discounts that are $100 or $200 and up to $400 below the average discounted rate. All the advice that you read and all the reports that you read will show that these discounted rates will likely go.

With just 166,000 people on standing offers, with many of these already getting rebates as part of hardship plans and with declining numbers on standing offers, it is worth posing the question: how many customers will actually see a benefit from this legislation?

The sector has asked for a regulatory impact statement. I have seen the emails and the letters to the government with regard to asking for a RIS or a legislative impact assessment, and indeed the Treasurer put out the Victorian Guide to Regulation. He says that providing these legislative impact assessments is part of achieving best practice and goes on to say in this particular document:

Impact assessment is fundamentally good policy-making.

I think we all agree with that. To understand the impact that legislation is going to have on a particular sector or those who are stakeholders in the issues that legislation will affect, you should have an impact assessment. This document says:

To get the most value from impact assessment, build it into policy development from the outset, rather than treat it as an additional compliance exercise at the end.

The government itself says that an impact assessment is necessary and is good policymaking. It begs the question as to why the government has refused in this case to allow the industry to have one, to
actually have a full understanding of the impacts that this particular legislation will have not just on the sector, not just on the retailers, but indeed on the Victorian consumer. Again the submissions to the ESC from the various energy retailers will also highlight these concerns.

The submission from Sumo Power said:

Attempting to set a—

Victorian default offer—

that reflects the efficient costs of all retailers is an impossible task.

EnergyAustralia said:

… the benefits may be small

Victoria has lowest proportion of customers on standing offers that would directly benefit … and this proportion is declining.

Simply Energy said:

… the cost to serve for the Big 3 retailers—
as detailed in the Thwaites report—

does not reflect the experiences of other market participants.

So there are some concerns and they are concerns that should be noted by the government. It is interesting that this legislation actually does bestow particular powers on the minister to potentially—and I would say probably—effectively re-regulate the market. We certainly agree that we should be supporting those who are spending too much on energy bills, but it is a relatively small group of people who will benefit. I wholeheartedly agree that those who need the benefit should be allowed to have the benefit. There are certainly many people who are struggling under the weight of household pressures at the moment, household costs, but it seems to me and leads me to believe that this legislation is more about the intention to re-regulate the market than it is about having a Victorian default offer in place.

The opposition is not opposing this particular piece of legislation. We agree that cost-of-living pressures need to be addressed. But I ask speakers on the other side—just one, just one speaker from the opposite side—to guarantee that no electricity user will be worse off under this legislation. I do not think that is something that any speaker is able to do. I do not think any speaker opposite will acknowledge the failures of the 2002 and 2009 policies. As I have said, anyone connected to the industry, anyone who has done a report into the industry, anyone who has looked at the industry—indeed the former Deputy Premier John Thwaites himself—agrees that the failed policies of the 2002 Bracks government and the 2009 Brumby government have led to these price increases. You can talk about privatisation of generators as much as you want, but it is simply not true. It is indeed the policies of the Labor government between 2002 and 2009 that have been directly responsible for the price rises we have seen. As I said before, it does not matter what the Labor Party says about trying to reduce the cost of living, whether it is the closure of Hazelwood, whether it is smart meters, whether it is the re-regulation of the market—

Ms Thomas interjected.

Mr R SMITH: Well, the member for Macedon may laugh, but I was in this chamber when Peter Batchelor told us how much prices would come down as smart meters came in—$2.5 billion from the electricity consumer, from the Victorian energy consumer, and that cost has been one that has been borne by the Victorian energy consumer. Isn’t it just typical that when we are talking about the hardships imposed by Labor policies on consumers in Victoria the response from the Labor Party is to laugh at them. That just sums it all up. You have done a very, very good job in summing up the complete lack of care and responsibility that this government has. As I said, if not one speaker from the other side can even acknowledge the failures of the 2002 and 2009 policies, then they stand
condemned for that. In fact by introducing legislation that effectively gives the minister power to re-regulate the market, the minister is in fact acknowledging the failures of the Brumby and Bracks governments. They are actually acknowledging the failures of the policies in the same way that the former Deputy Premier, John Thwaites, condemned those policies.

Mr Richardson interjected.

Mr R SMITH: Just to clarify for the member for Mordialloc, who speaks a lot more than he listens, the opposition will not be opposing this bill. As I said, I certainly think that the government, those opposite, if they truly think that this is good legislation should guarantee that no electricity consumer in this state will be worse off under this piece of legislation.

Ms THOMAS (Macedon) (10:45): It really is a pleasure to rise today to speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. I am heartened to hear from the member for Warrandyte that the opposition will not be opposing the bill, despite the fact that we just had a 30-minute speech almost in complete opposition to the bill. If you are going to do that, at least have the courage of your conviction and stand up and tell the Victorian people that you do not support them getting a default offer on their energy bills.

The objective of this bill is to facilitate the implementation of key reforms to the energy retail market committed to in the government’s final response to the independent review into the electricity and gas retail markets in Victoria. Let us just take a moment to remember who it was that we asked to do this review for us. It was the former Deputy Premier, former Minister for Environment and former Minister for Health in the Bracks and Brumby governments, John Thwaites, and of course it was also the former member for Polwarth, Terry Mulder. What I say is bring back the Honourable Terry Mulder. I can say, looking at the performance of those opposite in the few weeks that this Parliament has been sitting, we need Terry. It is time to bring back the Honourable Terry Mulder.

This bill will enable implementation of the following commitments: the introduction of a fair price for energy, to be known as the Victorian default offer; for domestic or small business customers to replace costly standing offers; reforms aimed at making contract pricing agreements clearer and fairer; and reforms to require the Essential Services Commission to monitor and report on the competitiveness and efficiency of the Victorian electricity and gas retail markets, including ensuring that the ESC can compel the provision of any information necessary to support this function. This is a very important piece of legislation. I want to congratulate the Minister for Energy, Environment and Climate Change on all the work she has done and on bringing this bill to the house. Some pundits have declared that whilst our minister for energy is in fact the smallest energy minister in the nation, she is the one having the biggest impact, because there is no doubt whatsoever that here in Victoria we are leading energy policy—and someone has to. Look at what is going on in Canberra. Let us not forget it was the NEG—the national energy guarantee—that brought down Malcolm Turnbull, the elected Prime Minister of this nation, and what have we seen since then? If anyone, like me, was watching Insiders, and I am sure you were, you would have seen the federal Minister for Energy, Angus Taylor, up there arguing with Barrie Cassidy. Now let me say this: you do not take on Barrie Cassidy. Barrie Cassidy has done his homework. Angus Taylor, in the face of evidence to the contrary, kept insisting that emissions were going down. It was there in black and white. It was an embarrassment, an absolute embarrassment.

Ms McLeish: On a point of order, Deputy Speaker, the member on her feet has strayed quite a distance from the bill. This is a debate about an energy bill; it is not a chance for her to get stuck into the federal government.

The DEPUTY SPEAKER: The member for Macedon will come back to the bill.

Ms THOMAS: In the interests of a fair price for energy for people in Victoria, the sooner Australians have the opportunity to kick out the incompetent Morrison government, the better.
This bill, as I said, is part of our response to the bipartisan independent review of the electricity and gas retail markets in Victoria. The review found that after more than 15 years of competition, and as a result of the privatisation under those opposite, Victoria’s retail energy markets have not driven down prices as promised. While the Liberals, as we know, have been backflipping on the NEG, energy prices have continued to rise. The fact of the matter is that the impact of the federal government on energy prices here in Victoria is acutely felt. That is why we need a government that will put in place a national energy policy that is focused on increasing renewables and driving down the cost of energy. But in the absence of the federal government, we in Victoria are very happy to continue to lead the charge. This legislation addresses the neglect of Liberal governments. It will abolish standing energy offers and require energy retailers to offer a fairer price for energy. This has the potential to save households around $200 to $500 a year on average on their energy bill, so I am very pleased to rise today to speak in support of this bill, a bill that looks out for the most vulnerable in our community, people like members of my community.

Last winter I held a workshop targeted in particular at older members of my community. I invited them into the neighbourhood house so I could work with them with the help of some volunteer IT types. We sat down and we worked through the Energy Compare site with some of our most vulnerable energy consumers to make sure that they are getting the best price available and getting their $50 sign-on bonus, which is a fantastic Andrews Labor government initiative. This is a bill, as I said, that is very much focused on the most vulnerable energy consumers in our communities. The Victorian default offer will apply to residential and small business customers, and it will be implemented by 1 July 2019.

In addition to this the government has also released its energy fairness plan, which builds on the final response to the review by announcing further reforms to the energy retail market, including improving retail marketing practices. This is one that I know will be well supported in my community. It includes the banning of door-to-door sales and telemarketing by energy retailers. I always say to my constituents: make sure that when you are purchasing energy, when you are looking for a new deal or indeed if you are out there in the market for solar panels, make the calls yourself, do the research yourself. If someone knocks on your door, make sure that you do your due diligence on that business. I am very glad to see that door-to-door salespeople in the energy market will be banned as a consequence of this bill.

We are overhauling and significantly increasing penalties for wrongdoing by energy retailers, including new criminal offences for wrongful disconnections. We are strengthening the powers and capabilities of the Essential Services Commission, including appointing a fourth commissioner, who will be focused on litigation enforcement to hold energy retailers to account. And we are extending the $50 power-saving bonus to 30 June 2019, which has seen one in four Victorians compare their energy, potentially saving over $50 million. I for one look forward to holding another workshop in my electorate, inviting more pensioners and more people who are really doing it tough to come on in. I will work with them to make sure that they are getting the best and cheapest energy for their particular situation.

This is a fantastic bill. As I said before, I really congratulate the minister. It was my pleasure to have the minister for energy in my electorate on Saturday at the Macedon Ranges Sustainability Festival. The minister comes every year, because this is a government that recognises the real impacts of climate change on our community and we are committed to doing something about it. I was delighted to have the minister in my electorate to announce that, thanks to the Minister for Planning, we have now made amendments to the planning scheme that will enable the development of a community energy park in Woodend. This has been something that my community has been working on for more than a decade. It was commenced under the previous Labor government, and do you know what? When the former Liberal government were elected they imposed a blanket ban on wind energy across the Macedon Ranges, which effectively killed off this community-led proposition for a community-owned and
managed energy park, including a wind facility in Woodend. The Minister for Planning has amended the planning scheme and now the full planning process will proceed. I look forward to continuing to work with the Macedon Ranges Sustainability Group on the delivery of this fantastic project. This is a great bill. I am very proud to speak on it today, and I look forward to it receiving the support it deserves.

Ms RYAN (Euroa) (10:55): It is a pleasure to rise today to speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. As the member for Warrandyte has already indicated we will not be opposing this legislation, but we do have what I believe are some well-founded concerns.

I should say from the outset that we are of course very open to measures that genuinely do reduce the cost of energy for consumers. However we are quite concerned that the government certainly cannot guarantee that will be the case across the board with this particular piece of legislation. The purpose of this bill is to introduce a capped default price for energy bills and to set terms and conditions around the energy retail pricing contracts. Of course, as has been previously stated, that was a recommendation that came out of a review the government did that was led by a former Labor environment minister, John Thwaites. As the shadow minister has pointed out, one of our great concerns with this bill is that the government has not actually undertaken a regulatory impact statement, and that would generally be the norm with this kind of bill, which has far-reaching impacts not just on the energy sector and on retailers but on Victorian customers and the Victorian community more broadly.

One of the problems I have with this bill and I guess with the government’s direction generally is that the minister’s rhetoric about assisting customers vary rarely matches up with her actions in practicality. We know that; we have seen a number of examples of that over the past four or five years. Of course the most notable was when Engie announced they intended to close the Hazelwood power plant. The government told us there would be no drastic increase in price. At the time I believe we were told that there would be no more than a 4 per cent increase in the price of power. The subsequent two years or so since that decision was taken has shown just how extraordinarily wrong they were on that score. There are businesses across my electorate who overnight saw their bills double when Hazelwood closed.

I think it is really interesting to note that in the minister’s second-reading speech she makes the observation that strong intervention is required to ensure better outcomes for consumers, but I feel the government is quite happy to pick and choose where they make that intervention. My very real concern with this bill is that it is an effort to sheet home the blame to cover up for the government’s own policy failures. In my own electorate in the last couple of months we have seen some really drastic failures in energy infrastructure. We actually had a 24-hour power outage across Avenel and Nagambie on 23 and 24 January, and subsequent to that I wrote to the energy minister to seek a meeting between her and one particular business in my electorate who had lost more than $100 000 as a consequence of that blackout, which actually exceeded 24 hours in length.

Most members in this chamber who were here in the last term of Parliament would recall that the energy minister when she was questioned in November 2017 made the statement that she would meet any business—any business at all—who wished to discuss energy with her. This was her quote:

... I am absolutely committed to opening up my diary and meeting with any business that wants to come down, sit with the government and discuss the variety of programs and financial assistance that are available to them right now. Really struggling businesses—I am happy to meet with them anytime, anywhere.

And she followed that up by saying:

I was very, very clear: I would be happy to meet anywhere and with any business right across the state to discuss any energy cost challenges that they are facing.

I did write to the minister seeking—

**Business interrupted under sessional orders.**

The SPEAKER: Order! Before calling questions I would like to apologise to the house for not being here this morning due to a medical appointment. I do thank the house for its understanding.
Questions without notice and ministers statements

WARRAMBOOIL LINE UPGRADE

Ms Ryan (Euroa) (11:01): My question is to the Minister for Public Transport. In June 2017 the former Minister for Public Transport told Parliament:

There is $100 million for the Warrnambool line upgrade, and that would be great for Warrnambool because not only would it bring extra services, but it would also bring VLocity trains to that community for the very first time.

Is this still the government’s commitment to the people of Warrnambool?

Ms Horne (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (11:02): Thank you very much to the member for Euroa for the question about the Warrnambool line. As she would be aware Warrnambool is going to be shut over the Easter period as we undertake some significant works along that line. This is about delivering extra services. It is about improving the track and doing a number of things that will eventually put VLocity trains on that line. So, thank you.

Ms Ryan (Euroa) (11:02): VL/Line’s final impact statement for the Warrnambool line upgrade project dated December 2018 shows the option chosen by the government specifically excludes the operation of VLocity trains on the Warrnambool line. Given that this VL/Line document reveals that the government has secretly dumped its promise to the people of Warrnambool, why is the minister misleading the house?

Members interjecting.

The Speaker: Order! Members appear to be very excited at the start of this question time. I ask people to calm down and let the minister answer the question. The Minister for Public Transport.

Ms Horne (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (11:03): To reiterate what I said, over the Easter period we are undertaking $4.5 million worth of works, which is the first step in actually improving works along the Warrnambool line. The totality of that package is $114 million. That includes upgrading the track and upgrading the signalling, because this is critical work required to put VLocity trains on that line.

Ms Allan: On a point of order, Speaker, I ask for your guidance in counselling the member for Euroa. In her supplementary question she made an allegation around misleading the house, which is not the appropriate form to present that issue to the house. I ask that you counsel the member for Euroa on how to handle the standing orders.

Mr O’Brien: On the point of order, Speaker, you would think the Leader of the House would be well aware that the form in this house is that it is unparliamentary to say that a person has deliberately misled the house. It is not unparliamentary to say they have misled the house.

The Speaker: Order! I do not uphold the point of order.

Members interjecting.

MINISTERS STATEMENTS: NURSE-TO-PATIENT RATIOS

Mr Andrews (Mulgrave—Premier) (11:05): If you are sitting over there, that is a big win. We have all been there, although not in that smaller number. But that is a big win; hold onto that.

Speaking of big wins, I am so pleased to be able to report that not only was the nurse and midwife-to-patient ratios bill the first bill to pass this Parliament under our re-elected government, but those ratios are now in operation in health services right across Victoria. Why is that? Well, we keep our promises. That would be the first thing.
Secondly, we value the work of our nurses and midwives; in fact, we respect their work. We are not at war with them, as others chose to be. We fund health properly and we support our nurses and midwives in the important work they do. Nurse and midwife-to-patient ratios and the improvements that we have made to that effect are about saving lives and providing better care. That is why in special care nurseries, in emergency departments, in palliative care and in birthing suites, as a result of our law reform, our keeping our promises and the fundamental respect we have for nurses and midwives and through them their patients, we will see improved care and we will see better care for those who need it most.

That is something to get genuinely excited about. That is a big win, not part of some political game but a big win in terms of patient care, patient safety and the effective operation of what is without a doubt Australia’s best health system. We will continue to support our nurses and midwives, and that support comes in many different forms—ratios, but it also comes through funding health properly, dealing with issues of occupational violence, new training places and investing in professional development. The same of course could be said of our commitment to ambulance paramedics, to our doctors, to our allied health professionals—to everyone—in the best health system in the nation.

**METROPOLITAN PUBLIC TRANSPORT NETWORK PERFORMANCE**

**Ms RYAN (Euroa) (11:07):** My question is again to the Minister for Public Transport. In January 2019 Public Transport Victoria metropolitan performance data shows that 2151 trains were cancelled, short, skipped or bypassed, leaving commuters stranded, frustrated and angry. Isn’t it a fact that on this minister’s watch the government has delivered the worst January performance in a decade?

**Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (11:08):** I thank the member for Euroa for her question and her interest in the metropolitan public transport network. As she would no doubt be aware, in January we were undertaking the biggest infrastructure works across the rail network that we have seen. That will only be eclipsed by the work that will happen in April.

**Ms RYAN:** On a point of order, Speaker, on relevance—

**Ms Ward** interjected.

**The SPEAKER:** The member for Eltham is warned!

**The SPEAKER:** Order! I issue a warning to members that if they continue to shout when questions are being asked or answered, or points of order taken, they will be asked to leave the chamber without warning. The member for Euroa.

**Ms RYAN:** I assume the public transport minister also knows that this data does not include maintenance.

**Ms HORNE:** Under this government we have got the new franchising agreements with both Metro Trains Melbourne (MTM) and Yarra Trams. This is about tougher penalties, it is about creating more jobs, it is about more maintenance and things that really matter to passengers, like better graffiti or improving graffiti. Since January we have had mystery shoppers out on the line, and both MTM and Yarra Trams are delivering a better service than previously.

We did have—
Members interjecting.

Mr M O’Brien: On a point of order, Speaker, the minister was asked: is it not a fact that on the minister’s watch the government has delivered the worst January performance in a decade? I would invite you to bring her back to answering that question.

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

Ms HORNE: We had an incident that occurred immediately after the biggest amount of work that this government has ever undertaken—and in fact any government has ever taken—on the metropolitan network. It did require immediate rectification, and as you will recall, I went out there, apologised to passengers, said that they could get a refund, because this is work that needed to occur to rebuild our rail lines.

Ms RYAN (Euroa) (11:11): Given this dismal train performance excludes lines under construction and heavy maintenance, how can long-suffering commuters have any confidence the government has the capacity to fix their trains?

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Public Transport) (11:11): I am pretty sure that a $40 billion pipeline worth of investment in our transport network actually is testament to this government getting on with the job of rebuilding rail lines, of putting in new rolling stock, of increasing passengers and putting passengers at the heart. We are getting on with the job of doing this.

MINISTERS STATEMENTS: NATIONAL REDRESS SCHEME

Ms HENNESSY (Altona—Attorney General, Minister for Workplace Safety) (11:12): I rise to update the house on the progress of Victoria’s implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, as outlined in the annual report that was tabled in this place earlier today.

It is worth noting that as a result of the Betrayal of Trust report Victoria has already made very, very significant reforms to support victim survivors and to make sure that that sort of abuse and cover-up will never happen again. In this regard the report outlines the very significant strides that Victoria is making in implementing those recommendations, and I would just like to pause and briefly acknowledge the contribution made by existing and former members of this place in terms of the very important work that they did on the Betrayal of Trust report.

We are concerned, however, to advise the house that currently there are unacceptable delays in processing applications for redress for victim survivors of sex abuse under the national redress scheme. By way of example, in 2018 just one in three applications put forward by Victoria has been offered redress by the Morrison government. In 2019, out of 34 applications put forward by Victoria only two offers of redress have been made. We believe in the power and possibility of a national redress scheme. We want it to work, but these delays are simply not good enough. We are calling upon the federal government to put in greater administrative resources to better share information with all states and territories to enable quicker processing. We also are concerned about some of the reporting obligations that have not been met by the federal government that would provide greater transparency about what might be causing these delays. We know that for victim survivors this is a very traumatising experience. We have got to make this scheme work.

COUNTRY FIRE AUTHORITY VOLUNTEERS

Mr M O’BRIEN (Malvern—Leader of the Opposition) (11:14): My question is to the Premier. The most recent CFA annual report reveals there were 3749 fewer operational volunteers in June 2018 than in June 2014. The Premier’s war on CFA volunteers has led to this reduction in volunteer numbers and has put the community at risk. Will the Premier now apologise for the disrespect he has shown to CFA volunteers that has led them to resign in such numbers?
Members interjecting.

The SPEAKER: Order! A question has been asked. I ask that the house comes to order. The Minister for Police and Emergency Services!

Mr ANDREWS (Mulgrave—Premier) (11:15): There is no greater act of disrespect than cutting the budget of the CFA, and there is only one group of people who thought it was a smart thing to do and cut the budget. There is only one group of people who thought it was a smart idea to cut the budget of not just the CFA but the MFB as well. You can bleat all you want, but Peter Ryan outed you all when he conceded the point on the radio. This is not a matter of interpretation, it is a matter of fact. When you had the chance you cut their budget. There is no greater disrespect than that.

In stark contrast we will continue to support our firefighters, both volunteer and career. We will give them the equipment, the training, the budget and the support that they are entitled to. After all, they run towards danger and put themselves in harm’s way to keep the rest of us safe. Not only do we respect our firefighters but we resource them appropriately too, and not just on the ground but in the air as well with the biggest fleet that we have ever seen—very important given how dry conditions are and given how difficult it has been to do the back-burning that we know would always be preferable, except it cannot be done when it would be unsafe to do so.

I reject the assertions put forward by the Leader of the Opposition. I reflect upon his record, appalling as it is, and I would suggest to him that there are probably better lines of inquiry for him to pursue, particularly when firefighters are on the fireground this very moment. You want to talk about disrespect, playing your rotten little political games right now—where did it get you over four years? Four years of lies, four years of misinformation, four years of using the CFA as a political football, and you sit over there now lecturing people on respect. You ought to be ashamed. You cut their budget; you ought to be ashamed.

Members interjecting.

The SPEAKER: Order! Just before calling the Leader of the Opposition I remind all members to direct comments through the Chair and to refer to members by their correct titles.

Mr M O’BRIEN (Malvern—Leader of the Opposition) (11:17): Speaker, before going to my supplementary, I will make available to the house extracts from the CFA annual report for 2013–14 and for 2017–18, showing the 3749 fewer operational volunteers.

My supplementary to the Premier regards a recent letter to all CFA volunteers from the project manager of the CFA’s planned burning task force pilot, saying that ‘The CFA’s capacity to undertake planned burning has been restricted by a lack of volunteer numbers’. This is clearly at odds with what the Premier said yesterday in Parliament and even just today. With the CFA attributing a reduction in planned burning to a lack of volunteer numbers, doesn’t this show that the Premier’s continued attacks on CFA volunteers are nothing less than a risk to public safety?

Mr ANDREWS (Mulgrave—Premier) (11:18): The answer to this question is no. The only risk to public safety would be the return of a government who think it is a great thing to do to cut the budget of the CFA. And to the Leader of the Opposition, if I might proffer some advice to him, he would be in a stronger position if he apologised for cutting the budget of the service he now pretends to care about.

MINISTERS STATEMENTS: SOLAR HOMES PACKAGE

Ms D’AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (11:19): I am absolutely delighted to rise to update the house about the progress of the Andrews Labor government’s 10-year $1.3 billion Solar Homes plan, rolling it out to 700—

Members interjecting.
Ms D’AMBROSIO: Thank you, Speaker. This nation-leading program will ensure that 770,000 families right across our state will have their homes powered by solar hot water or batteries or rooftop solar panels, saving them up to an average of $895 each and every year. So far Solar Victoria has received more than 28,000 applications and more than 10,000 Victorian households are installing solar panels, and I am very, very excited to announce that this week will see the 5000th rebate paid out to one lucky Victorian family. Victorians are flocking to Solar Homes to save money, support renewable energy and tackle climate change. While those opposite, of course, privatised our energy system and keep backing the big energy retailers, we are putting power back in the hands of ordinary Victorian families.

In relation to energy, I am very disappointed to report that the federal government continues to show a lack of leadership when it comes to an energy plan to deliver reduced power bills and tackle climate change. The failure of the federal government to reserve Australian gas for Australians first is hurting Victorian households and businesses by driving up prices. We took a plan to Canberra two years ago, calling on the federal government not just to put a cap on exports of gas to ensure that domestic use comes first but also to keep that in place until the actual gas prices come down to meet global parity pricing. Victorians know whose side we are on when it comes to reduced power bills—(Time expired)

SHEPPARTON ELECTORATE SOLAR FARM APPLICATIONS

Ms SHEED (Shepparton) (11:21): My question is for the Minister for Planning. Minister, given that the closing date for submissions on the draft solar farm guidelines was only last Friday and that no further work will have been undertaken on those to this stage, will you confirm that you will make no decision on the remaining three Shepparton solar farm applications until those final guidelines have been prepared and released to the public? I seek this assurance from you because a constituent has shown me photographs taken just last weekend of contractors located on one of the properties at Lemnos. When confronted, they indicated that they were undertaking soil tests and other related tasks in anticipation of installing those solar panels.

Mr WYNNE (Richmond—Minister for Planning, Minister for Housing, Minister for Multicultural Affairs) (11:22): I thank the member for Shepparton for her question and indeed her advocacy for solar energy more generally. We know that we have got very ambitious targets in relation to renewables, and in that respect we know that both wind and solar have got a really significant role to play. Our renewable energy target, as we know, is 25 per cent by 2020, 40 per cent by 2025 and indeed a whopping 50 per cent by 2030. These are ambitious targets but targets that will be met by the government, and we are very committed to that. I do note and I acknowledge that the member is correct: closing dates for submissions on the draft solar guidelines did in fact close last Friday, and I am aware that the member for Shepparton did make a submission herself. Indeed I have also had advocacy from the member for Mildura, who is seeking to address a range of issues and potential conflicts with the installation of solar in her electorate as well.

Can I say, just by way of background, last year in fact, virtually a year ago, at the request of the Greater Shepparton council I called in four applications for solar farms, and in May of last year an independent panel did in fact consider the four proposals. The panel had to weigh up the impacts of the location of these solar farms as they may impact particularly on productive irrigated land. Those proposals were in fact addressed by the independent panel, but I felt it was necessary for us to really get some surety around these guidelines going forward, and that is why we have undertaken a broad consultative process obviously right across not only local government but indeed the power sector more generally. Consultation ought to be a part of my ultimate decision-making. I can indicate to the member that in October of last year I did grant a permit for the Congupna solar farm—one of the four.

Members interjecting.
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS

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Mr WYNNE: Congupna—I am doing the best I can. Can I just in the couple of seconds I have left indicate to the member that I will not make any decisions in relation to those three permits until that work is complete.

Ms SHEED (Shepparton) (11:25): Thank you, Minister. I am very pleased to hear that assurance from you. While we understand the government’s renewable energy targets and that there is wide support for solar projects in our region, it must be accepted that there are some sites which should be maintained for high-value irrigated agriculture. So my further question, Minister, is: will you undertake now not to approve any of these three or any other solar farm applications where they are located on farms on the modernised irrigated backbone within the Goulburn-Murray irrigation district?

Mr WYNNE (Richmond—Minister for Planning, Minister for Housing, Minister for Multicultural Affairs) (11:26): I thank the member for Shepparton for her supplementary question. What I can commit to her is this: that I will not make any decisions about the three existing permits for—I will try to get them right this time—Lemnos, Tallygaroopna and Tatura East until such time as the work is completed on the solar guidelines and indeed further work that is being undertaken more broadly within my department about land use questions and issues around water and irrigated land, because we want to be fully informed in making those decisions. We will consider the guidelines and we will consider the expert advice of the departments before I make any decision in relation to the three outstanding applications.

MINISTERS STATEMENTS: TRANSPORT INFRASTRUCTURE PROJECTS

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (11:26): I am pleased to update the house on the latest job-creating initiative of the Andrews Labor government. As we have heard before, the Metro Tunnel is creating 7000 jobs. They are all terrific opportunities, but there are six jobs in particular that are particularly exciting. The search is on right now for pilots for our tunnel-boring machines for this project. Driving tunnel-boring machines is going to be a growth industry of the future here in Victoria, because under the Andrews Labor government not only do we need tunnel-boring machines and tunnel-boring machine drivers for the Metro Tunnel project, we are going to need them to dig out the missing mink—the north-east link project—and also the West Gate Tunnel project, which is under construction right now. These are the projects that Victorians voted for.

Particularly today the West Gate Tunnel does deserve a special mention, as it is a project that just 101 days ago was presented to the Victorian community as a project that had bipartisan support. It was a project that those opposite told the Victorian community they too supported. But as we have seen, 101 days later, on this project, like so many others, there is a completely different story being told by those opposite. They are prepared to see $4 billion ripped out of our schools and our hospitals all because they have backflipped on what they put to the Victorian community just 101 days ago. It is time for the opposition to get out of the way and go back to their second original position on this project, which was to see the West Gate Tunnel project delivered. But it should not surprise us—they opposed the Metro Tunnel project, they took us to court to try and stop our level crossing removals and now they are at it again on the West Gate Tunnel project, while we are again getting on and delivering these vital transport infrastructure projects.

The SPEAKER: Order! Just before calling the next question I would like to welcome to the gallery the Honourable Peter Tinley, AM, MLA, the Western Australian Minister for Housing. Welcome to Victoria.

SCHOOL ASBESTOS REMOVAL

Ms McLEISH (Eildon) (11:29): My question is for the Deputy Premier and Minister for Education. ‘Classrooms have to be the safest place in the world for our kids, because they spend half of their young lives inside of them’—prior to the 2014 election the Premier used this phrase when he committed to make all Victorian government schools asbestos free. Then in 2017, in a huge backdown, the government said it would only target asbestos that posed a medium or high risk to students and
staff. Given the events at Essendon North Primary School, where asbestos dust was found on students’ belongings, hasn’t the government broken its promise and put students and teachers at risk?

Mr MERLINO (Monbulk—Minister for Education) (11:30): I thank the member for her question. I do not get many questions as Minister for Education from those opposite. This is my first opportunity to actually congratulate the member on her elevation to Deputy Leader of the Liberal Party and on her role as shadow Minister for Education. The short answer to her question is no, but I do genuinely thank the member for her question, because it gives me an opportunity to talk specifically about the school—about Essendon North Primary School—and more generally in terms of asbestos removal.

First and foremost, the safety of students and the safety of staff is our greatest priority. In regard to Essendon North Primary School, asbestos-containing material was disturbed during maintenance works. These were scheduled works between Monday the 25th and Wednesday the 27th of February. Immediately upon being advised of this the department conducted an environmental clean of the area, and an independent occupational hygienist has cleared the room. The affected rooms will remain closed until the department conducts an additional cosmetic clean of the area and occupational hygienists make a final inspection prior to reoccupation. There will also be an independent investigation into how this matter occurred, and I await the results of this investigation. The department will keep the school community involved.

When you undertake works—whether it is planned maintenance works, whether it is an upgrade to a school—occasionally you do disturb asbestos. It is the reality of the building fabric of our schools, having been built over many, many decades. If asbestos is disturbed, it is dangerous and it is responded to immediately. The important thing to do is put it in some perspective. Prior to the Andrews government coming into government, the previous government’s approach was that if a building was identified as containing asbestos, they stuck a sticker on the front door and did nothing—not one cent to a dedicated asbestos removal program.

Members interjecting.

The SPEAKER: Order! I ask the Deputy Premier to resume his seat. I ask the house to come to order. The member for Yan Yean and the member for Bentleigh!

Ms Staley: On a point of order, Speaker, question time is not an opportunity to attack the opposition. I would ask you to ask the Deputy Premier to stop debating the question.

The SPEAKER: I do ask the Minister for Education to come back to answering the question.

Mr MERLINO: So in stark contrast, this government has already invested $200 million to roll out the largest ever removal of asbestos from our schools. We have conducted an audit of 1700 schools and the removal of all high-risk asbestos has already happened in 497 schools. All the A1 and A2 high-risk asbestos has been removed and now we are getting on with removing A3 asbestos.

Ms McLEISH (Eildon) (11:33): Can the minister guarantee that no child at Essendon North will have long-term health effects from breathing in this asbestos dust due to the government’s negligence?

Mr MERLINO (Monbulk—Minister for Education) (11:34): As I said, there is an independent investigation. Upon being advised, the department immediately responded to address the issue and provided an occupational hygienist to clean the room. I will advise the member once the investigation has been concluded, but we have removed all high-risk asbestos from 497 schools—not stickers on the door, you know the blue and yellow ones on the door as you enter a school building. You knew they contained asbestos, and you walked away. That is not the approach of the Andrews government.

Mr Walsh: On a point of order, Speaker, you made it very clear at the start of this Parliament that you wanted an improvement in the performance of people in this chamber and you wanted people to address remarks through the chair and in the appropriate manner. I would say to you that the Deputy
Premier is not doing that, and I would ask you to bring him back to the proper etiquette of the house, please.

The SPEAKER: Order! I uphold the point of order. The house has been using correct language, but I did note that the Deputy Premier did stray from that. I ask him to come back to using proper titles.

Mr MERLINO: So we are now in the next phase of our asbestos removal program. We will be removing asbestos across 1200 sites—removing A3 asbestos. That is asbestos that is not high risk but may be if it is disturbed. The only government, the only party, that is dedicated to making our schools asbestos safe is the Andrews Labor government. We will not put stickers on the door, walk away and wash our hands of this issue.

MINISTERS STATEMENTS: HARRY POTTER AND THE CURSED CHILD

Mr PAKULA (Keysborough—Minister for Racing, Minister for Jobs, Innovation and Trade, Minister for Tourism, Sport and Major Events) (11:35): I wish to update the house on the extraordinary opportunity that has been presented as a result of the government’s success in securing \textit{Harry Potter and the Cursed Child}, which is now playing at the Princess Theatre. Were it not for the rule against props and the certainty of confiscation I would be wearing my Gryffindor scarf now, as I was fortunate enough to be doing at the premiere 11 days ago.

Ms McLeish interjected.

Mr PAKULA: You are a Hufflepuff! I am a self-confessed Potterite, but this show is so good that you do not need to be one in order to enjoy it.

Before the premiere some 200 000 tickets had been sold in four days. Since then the number has grown to more than 300 000, and we are selling into February 2020. Given that this show runs over two sittings—either matinee and night or over two nights—the multiplier effect for our hotel and hospitality sector, and for our economy more generally, is like nothing we have ever seen before. You just need to go up, as one example, to the rooftop of the Imperial Hotel across the road to see the way our businesses are leveraging off this show.

We are able to do that because we are aggressive, we are focused and we have the Princess Theatre, Her Majesty’s Theatre, the Comedy Theatre, the Melbourne Athenaeum, the Regent Theatre and of course the State Theatre. We have a range of theatres, not just two theatres like they have in Sydney.

While we are on the subject of our northern neighbours, let me be very clear: this show is playing in London, New York and Melbourne, and that is it. If you live in Australia, or indeed in this region, and you want to see Harry Potter, you have to come to Victoria. I say to our friends across the border: if you plan to wait in the expectation that Harry Potter is going to come to Sydney, you will grow older than Dumbledore doing so. It is not coming to Sydney. If you want to see Harry Potter, you have got to come to Melbourne. So book your flights, book your hotel rooms and book your tickets.

Ms McLeish: On a point of order, Speaker, yesterday during question time the Leader of The Nationals put a question and a supplementary question to the Premier with regard to protesters at a coupe chaining themselves to machinery and restricting access to machinery so it could not be released to fight fires. Several times the Premier said in his response that he would seek further advice. I was wondering if he has that further advice and when he in fact is going to come back to the house and let us know what that advice is.

Mr Andrews: On the point of order, Speaker, I will provide an update when it is appropriate to do so. I made a judgement that rather than following the matter up with our firefighters, who are on the fireground right now, I would let them get on with the work that I think is far more important—that is, saving property and saving lives. I would welcome the Deputy Leader of the Liberal Party raising a point of order just like this one at the end of every question time if she likes.
Constituency questions

MALVERN ELECTORATE

Mr M O’BRIEN (Malvern—Leader of the Opposition) (11:39): (216) My question is to the Minister for Transport Infrastructure. Since the Labor government announced without consultation that it would remove the Toorak Road level crossing by imposing skyrail, there have been many concerns raised by local residents. One such concern relates to how pedestrians and cyclists, many of whom are children, will be able to safely move north or south across Toorak Road. At a Level Crossing Removal Authority information session last Saturday, I was informed that the government was unlikely to provide pedestrian access under or over Toorak Road due to cost considerations. If this Labor government makes crossing Toorak Road less safe for children, this Labor government will put their lives at risk. So I ask: can the minister guarantee that pedestrians and cyclists crossing Toorak Road will be safer once the level crossing removal works are completed?

MORDIALLOC ELECTORATE

Mr RICHARDSON (Mordialloc) (11:40): (217) My constituency question is to the Minister for Education, and I ask: when will Acacia Avenue Preschool open in my local community? The Acacia Avenue kindergarten has served our local community for decades, and I wanted to put on record my thanks and appreciation for all the educators, who do an inspiring job educating our next generation. The Acacia Avenue kindergarten is going through a construction phase at the moment in partnership with the City of Kingston. A $650 000 contribution by the Andrews Labor government has revitalised this tender and provided that two-room kinder. My community is greatly keen to know when that kinder will finally open so we can celebrate in our local patch.

MURRAY PLAINS ELECTORATE

Mr WALSH (Murray Plains) (11:41): (218) My constituency question is to the Minister for Water, and it is on behalf of the community of Mitiamo and district. That community wants the minister to submit the formal paperwork to the commonwealth for a commonwealth contribution to funding for the Mitiamo pipeline project so that the application with the commonwealth can be assessed and then hopefully funded. The community has worked for years to get this project up, and the final step in that project is a submission from the state to the commonwealth for commonwealth funding to match the state government’s contribution and the local contribution. I would urge the minister to listen to the community of Mitiamo and district and put that submission in.

MACEDON ELECTORATE

Ms THOMAS (Macedon) (11:42): (219) My constituency question is for the Minister for Agriculture in the other place. Last year the Andrews government announced the first recipients of our innovative small grants program to support artisanal food producers across Victoria. One of these businesses was Pink Muesli, from Daylesford. Pink Muesli produces delicious premium handmade vegetable muesli using ingredients from two local organic farmers. The beetroot-based recipes give the muesli its distinctive pink colour, and you can purchase Pink Muesli online or at selected farmers markets or other retailers. With a grant of $5000, business owner Marita is able to upgrade from plastic to commercial equipment to better meet demand for her product. It is amazing what a small grant can do to support innovative and dynamic producers, growers and food businesses across Victoria. Minister, can you advise when the rest of the round 1 grant recipients will be announced?

SANDRINGHAM ELECTORATE

Mr ROWSWELL (Sandringham) (11:43): (220) My question is to the Minister for Public Transport, and I ask: exactly when will both the Sandringham and Frankston lines be shut down during
the month of April, and can the minister guarantee that those who travel on these lines during this period will not be adversely impacted? If they are, how will the minister seek to compensate my constituents? In asking this question, I refer the minister to her recent media announcement that the Sandringham and Frankston train lines were amongst those to be affected by closures lasting up to 23 days during the month of April. I also note that the reliability and frequency of trains on those lines are paramount, as they are used by literally thousands of locals within my electorate on a daily basis. Finally, I thank the minister for her assistance to date in responding to this very important question for my community.

YAN YEAN ELECTORATE

Ms GREEN (Yan Yean) (11:43): (221) My constituency question is to the Minister for Education. I note the substantial investment by the Andrews government in schools in my community, including the newest school in the 3754 postcode, Ashley Park Primary School, which opened this year. I received some email correspondence from the school the Sunday before the school was due to open, advising me that they had not yet had shade sails installed at this brand-new school, and of course, given that it is a brand-new school, the tree cover has not yet grown. I wish I had known about this earlier because I would have been able to assist the school, but can the minister now please advise how Ashley Park Primary School can access funding for shade sails?

MELBOURNE ELECTORATE

Ms SANDELL (Melbourne) (11:44): (222) My question is to the Minister for Tourism, Sport and Major Events, and it is in relation to women’s change rooms in my electorate. I recently visited Brens Pavilion in Parkville, which is used by over 1000 AFL, rugby and gridiron players a year. The number of women and girls using the facilities is growing fast, which is fantastic; however, the facilities were built for men in the 1960s and are in desperate need of repair. The change rooms are tiny and overcrowded. They are nothing more than concrete shells, really. Showers are open and directly adjacent to urinals, and toilets are broken. There is also an urgent need for a safety lighting, as women currently have to walk to the tram or their cars in the dark after games. I know there are lots of similar pavilions in my electorate also in need of repairs, and while it is primarily a council responsibility the sheer number and scale of upgrades needed means it also needs state government support. My question is: Minister, given the huge need, will the government expand the Female Friendly Facilities Fund and allocate some of this money to facilities in my electorate?

SUNBURY ELECTORATE

Mr J BULL (Sunbury) (11:45): (223) My question is for the Minister for Energy, Environment and Climate Change. What is the latest information on the take-up rate of the Andrews Labor government’s solar panel system 50 per cent rebate program across the Sunbury electorate? Members will know of course that from the middle of August last year local residents had the opportunity to install a solar panel system and get half the cost back via a 50 per cent rebate. This will be expanded to an interest-free loan from July this year, a commitment we took to the election—a commitment that was overwhelmingly endorsed. It is expected that this massive investment will bring the number of homes in Victoria with solar panels to 1 million within 10 years, which will save Victorians $500 million a year on their energy bills, something that is certainly very important to my community. There is genuine excitement in the Sunbury electorate about this program, and I certainly look forward to the minister’s response.

FERNTREE GULLY ELECTORATE

Mr WAKELING (Ferntree Gully) (11:46): (224) My question is to the Minister for Energy, Environment and Climate Change. Victorians are well aware of the fact that we are facing a recycling crisis, and I have had a number of constituents in my electorate raise concerns with me about this important issue. Knox residents are very concerned about the thought that their recyclable products will actually end up in landfill. I am of the understanding that the Knox City Council has organised an
interim arrangement for recyclable products to be stored so that they do not go to landfill; however, this is only an interim arrangement and will only potentially last for a short period of time. Therefore it is in the interests of my constituents to ensure that there is a long-term solution to this very important issue. My question to the minister is: can the minister please advise my community what actions have been taken by the minister to ensure that there is a long-term solution to ensure that recyclable products in Knox do not end up in landfill?

BROADMEADOWS ELECTORATE

Mr McGuire (Broadmeadows) (11:47): (225) My constituency question is to the Minister for Education. When will teachers from Meadow Heights Primary School receive expert training as part of the primary mathematics and science specialists initiative? The Victorian government is investing $27 million over four years through the initiative to build teacher capacity and to improve student results in maths and science at more than 100 disadvantaged Victorian government schools. Schools that have previously participated achieved above-average improvement in maths and science, with some students more than doubling the expected results in maths. The Labor government has set ambitious targets to increase the number of students reaching the highest level of achievement in maths and science to help prepare the next generation for the jobs of the future.

Bills

ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019

Second reading

Debate resumed.

Ms Ryan (Euroa) (11:48): As I was saying before question time, the Minister for Energy, Environment and Climate Change, prior to the last state election, was very clear that she was willing to meet with any business across Victoria that was struggling with energy costs. Her comment in this house was:

I was very, very clear: I would be happy to meet anywhere and with any business right across the state to discuss any energy cost challenges that they are facing.

I wrote to the minister on 7 February following the 24-hour power outage that we had across Avenel and Nagambie, which affected several thousand households and businesses. There were a number of businesses which sustained very, very large losses. There is a mushroom grower in Avenel. She is a small farmer, a small businesswoman, and she lost more than $100 000 worth of production as a consequence of that power outage. We also have Ozpak, a major bottling plant for the winery industry, which lost thousands of dollars. The Nagambie butchery and deli, which only recently opened in Nagambie and is a great little small business, estimate that they lost in the order of $50 000 in that power outage, and they are now looking at permanent closure as a consequence of the huge losses that they sustained. Chris Limon from the Währing restaurant and roadhouse estimates that he lost about $6000. These are very, very substantial losses that businesses in those two towns felt as a consequence of this power supply incident.

Coinciding with that power outage were temperatures in excess of 40 degrees. I know that for me, by the end of that 24-hour outage the temperature in my house was about 35 degrees, and that was the case for residents throughout Avenel, many of whom are elderly and had very little communication with agencies or council during that event. My letter to the minister was twofold. It was to highlight the huge losses that different businesses had experienced but also to highlight how poor communication had been with local residents. There was no communication in town—a very significant issue—and the outage was of such a length that both mobile and internet communications failed. Of course because we have moved over to the NBN, many people do not actually have a landline, or if they do their landline is supplied through the NBN, so the town was left without any kind of communication during that incident. There was one elderly resident whose children actually
had to drive from Melbourne because they had been unable to contact her by 3.00 p.m. This was some 20 hours into this power outage.

I think going forward there are really significant issues that need to be discussed around these power outages, if we are going to have them, and whether they are caused by supply interruptions or rolling blackouts, which we saw this summer for the first time in a very long time. We also need to be having a conversation with communities about how they are informed, where they go in the event that there are those kinds of blackouts and how they look after their health.

They were the things that I was seeking to meet with the minister about, and yet she wrote back to me with a brochure called ‘Your guide to power outages’ that I could supply to my constituents, with absolutely no comfort whatsoever around the fact that she might go in and fight for compensation for them. I note that the Essential Services Commission is currently reviewing the code for the distribution of electricity in Victoria. I would be very concerned if that review weakened in any way the compensation provisions for electricity wholesalers, because at the moment the government is failing to look after people. Due to the unreliability of the network we have people sustaining losses literally in the hundreds of thousands of dollars. That cannot be allowed to continue.

Mr TAYLOR (Bayswater) (11:54): Some years ago Victorians were promised cheaper power prices under a privatised system. The then Premier, Jeff Kennett, made this promise, and it is clear to all Victorians that this was an absolute fallacy and has instead left a legacy of greedy power companies and retailers taking Victorians, especially vulnerable Victorians in our community, for a ride. Yes, we have seen the devastating effect of Jeff Kennett’s legacy on our community in every corner of our state. Indeed right in the heart of my community many people are left wanting answers from those who represent them, and rightfully so.

Energy prices remain too high. People are doing it tough, and all we hear from those opposite is white noise and speculation about which of their mates in Canberra are to receive plum diplomatic postings or otherwise as their stocktake sale continues. It is simply not good enough. There needs to be more leadership on energy prices, not only in this state, as this government is doing, but across our nation from the national leadership as well.

In addition, we have seen a revolving door in Canberra every time one of their leaders sticks their head up regarding the environment and energy prices. Poor Malcolm Turnbull was done over twice by the federal government regarding the environment and energy. The country has looked to the federal government for an ounce of leadership on this issue, and each and every time it has been left well short. For six long years we have seen nothing but dithering, backstabbing and sniping, with no real policy from the federal government. While I would like to say I am surprised, how could I be when our current Prime Minister infamously brought a lump of coal in to federal Parliament? Nothing surprises me.

However, the Andrews Labor government, as it does, is getting on with the job. Unlike those opposite, this government takes the job of combatting rising energy costs seriously. This government knows the real impact rising energy costs have on our communities, especially on those who are vulnerable and often left on retailers’ rubbish standing offers. I congratulate the Minister for Energy, Environment and Climate Change for her commitment to not only this piece of legislation but to others before it and for her work in this space. This government has not sat idly by. Instead it has at times fought a lonely battle on energy prices in this state. In fact since 2015 we have passed nine pieces of vital energy legislation, which those opposite—surprise, surprise—voted against on many occasions. True to form I can still see the ghost of Jeff Kennett on the front benches. To be honest I would be happy to have a ghost because it would be more than the presence we are currently seeing on the front benches occupied by those opposite. They are obviously not that keen to talk about energy reform today in this place. Those pieces of legislation are already encouraging new investment, creating jobs and helping to keep the power companies more accountable to their customers, as if that were not a starting point.
This new piece of legislation comes because of a government-commissioned independent review of the electricity and gas retail markets in Victoria. This government released its final response to the review on 26 October 2018, which included implementing a fairer price for energy. This will be the VDO—the Victorian default offer—for electricity to be implemented on 1 July 2019. This legislation will effectively abolish the rubbish standing offers retailers are currently offering and require those retailers to actually offer a fairer price for energy instead of simply using their unfair and overpriced standing offers to make their discounted market offers seem all the more impressive.

In addition, before continuing I would like to note the not surprising discontent of the peak bodies which represent these retailers, including the Australian Energy Council. A number of these retailers are trying to warn of the spooky unintended consequences. Well, surprise, surprise. I never would have guessed: the very industry we know who are getting away with ripping off our customers, including—and I will say it again—many who are vulnerable in our community, are against scrapping their standing offers. I am not at all surprised. It was like a chorus line, hearing them one after the other all coming out in song telling us how hard done by they are. Instead of taking their word for it—you will have to forgive me—I look to some of the conversation which has taken place with those who represent actual Victorians, like the Victorian Council of Social Service, who have detailed the disgraceful manner in which energy companies have behaved and treated Victorians, just like those who may be doing it tough in my own Bayswater electorate.

I look at the facts here. Kennett promised cheaper prices under a deregulated model of what are absolutely essential services in gas and electricity, and we got the absolute polar opposite. Now we have a government that is actually standing up for Victorians, the people who actually put us in this place, and which is saying, ‘Enough is enough. You need to be reined in to enable transparency and for customers to get a fair go’. In response the industry tries to strike fear into Victorians by saying, ‘Nah, it’ll drive prices up and decrease competition’. I will draw my own conclusions, but perhaps the Victorian community can be the judge of that. I know, from looking at their bills and my own as well, that there are around 170 000 people who could judge that quite well for themselves, and I have no doubt. I have knocked on over 600 doors in my community alone since being elected, and this is one of the main things that they bring up with me. This is why we are getting on with it.

This bill will indeed ensure that around 170 000 residential customers and 45 000 small businesses can save up to $500 a year on their energy bill. An honourable member from the other side commented about the environment that we are in. I would argue that the environment that we are in is the 21st century, and this government is committed to moving into the 21st century. We do not have members on our side who deny the facts, who deny the science and who do not take action on energy prices. We are investing instead, with this piece of legislation; with our $50 Energy Compare site, which I took advantage of as well and encourage all those in my community to take advantage of, with solar panels and with a number of other vital pieces of legislation that will help to drive down the cost of living for those in our community who are doing it tough. This is a significant saving in a community where, as I said, the cost of living is a severe and constant pressure and concern for many—and not just in my community but in the communities of all of us in this house—which this bill will go a long way towards helping to address.

The government’s final response to the review also supported recommendation 4 relating to ensuring that retail contracts are clear and fair. There were requirements for retailers to commit to fix any prices that they are offering for a minimum of 12 months, and during this period the market contract prices cannot change. There were other conditions around requiring retailers to roll customers onto the nearest matching generally available offer at the end of a contract or benefit period unless the customer opts for another offer and to clearly disclose to customers the length of time any offered prices will exist and will be available for without any change. The purpose of this recommendation is to prevent customers whose benefit period or contract has expired from being put back onto a much higher rate.
There are a number of other conditions that were in recommendation 4. I have chosen to read some of these out because to me the fact that this government is here now proposing to enshrine these changes into legislation makes me think that these retailers really do not want to keep their customer base. I get the sense that they are just trying to sign you up for what is claimed to be a discounted deal, which will be likely based on their standing offer for a short period of time, only to move you onto one of their much higher rates. Honestly, between picking up the kids from school, dropping them off at sports, cooking dinner and every other thing that goes along with ensuring that a household runs smoothly, who has the time to comb over their complex and confusing energy offers? I know from speaking to many of those in my community that this is simply not an option. In addition, for someone like me who is tech savvy I too have had to pay close attention to some of my bills over the years.

It is sad that we find ourselves here. The competition—or lack thereof—did not do as promised, and now this government is again left picking up the pieces from the Kennett era to make sure Victorians are getting a fair go. This government is committed to giving Victorians every tool and opportunity to fight back against the retailers and energy markets as the pendulum has for too long been in the hands of the wealthy retailers. There appears to be a ‘profit at all costs’ mentality, because how else do you explain energy companies allowing those in our community who we know simply cannot afford the lack of value and transparency of the current standing offers to be put on them in the first place? And then, even if they are to navigate the system onto a market offer, to then be potentially turfed off back to where they started after a short period in many cases is simply not good enough. It is a vicious cycle, with profit at all costs being the clear driver. However, it must be comforting for them to know that the Australian Energy Council is backing them all the way.

The default offer as of 1 July would ensure customers on a standing offer would be automatically moved to the VDO, meaning consumers will not have to do a single thing to benefit from this necessary reform. It is good to see that the opposition have found it in themselves—in their hearts—to support this piece of vital legislation which will benefit thousands of Victorians. In fact even the federal Liberals have belatedly jumped on board the environment bandwagon, so they would say, adopting a similar program they have now dubbed the ‘default market offer’. What are the odds? They have been dragged there kicking and screaming and not too soon before judgement from the people, who are sick to death of skyrocketing prices. It needs to stop.

This bill goes a long way to addressing the issue, as has this government’s other work in keeping the retailers honest. This will put money back into everyday Victorians’ pockets in my community and in all of our communities—into their homes and their families. I commend this bill to the house.

Ms SANDELL (Melbourne) (12:03): Energy is of course an essential service, and Victorian households need access to affordable energy to live decent and good lives. Of course we need it to keep our homes comfortable, to cook our food and to participate in work, education and our communities. The government claims that this bill, the Energy Legislation Amendment (Victorian Default Offer) Bill 2019, will make Victoria’s energy retail market simpler and fairer and reduce bills for households and small businesses. The government says that the aim of the bill is to introduce a default contract for electricity and gas to stop the rorting that retailers have been doing for years. I am glad that the government is showing interest in reducing energy costs for Victorians—it is a very important aim—but we have to be honest and call this bill for what it is. It is a bit of a token effort. The Greens will support this bill because it does make some minor improvements to our fundamentally broken energy system, and it will benefit some households. But to be honest, looking at it, it really is just a bandaid fix for heart failure.

When Jeff Kennett handed over our electricity system to private corporations to make a profit, it made electricity more expensive and less reliable, and it locked in our dirty, polluting system of coal power plants and made change quite difficult. Prices have absolutely skyrocketed since privatisation, and of course workers and communities have also been severely affected and have really suffered. I have visited those communities a number of times.
Private electricity retailers have been able to price gouge consumers for decades. They are charging excessive fees. They spend up big on marketing costs—essentially we are paying so that someone can knock on our door during dinner time and try and get us to change to a different offer—and they bombard us with misleading advertising. In fact, private energy retailers in Victoria make over $400 million a year in pure profit by selling us electricity—$400 million for selling us an essential service. Meanwhile, for many Victorians, energy remains unaffordable. Families on low incomes, including many living in public housing in my community of Melbourne, struggle with energy costs. I have been told stories about people having to leave their homes to sleep on ovals in summer because it is too hot and they either do not have air conditioning or they cannot afford to run it. Unfortunately this bill does not really address some of these fundamental issues.

Firstly, how many people are likely to be on these offers? If everyone currently on a standing offer moved across to the default offer, that would be only 8 per cent of Victorian households. My understanding is that that was confirmed to us by the Department of Environment, Land, Water and Planning in our briefing. Data from the Australian Energy Market Commission in 2017 indicated that there are as many as 47 per cent of households that have been on their energy contract for up to five years, meaning they are highly likely to have expired benefit periods and thus are on a really high rate but are unaware of this. This bill has no requirement to roll people on these expensive evergreen offers onto the default offer or even a like offer, as per recommendation 4C in the Thwaites review. Until something like this is included, the bill will have very limited benefit for most Victorian households, and Victorian households will by and large continue to be ripped off by energy providers.

We have been talking to a lot of consumer groups in the lead-up to this bill. Consumer groups are rightly concerned that there are many recommendations from the Thwaites review that are actually not reflected in this bill. Even worse than that, the government has been silent on many of the recommendations as to whether or not they will actually put them into regulations. There have been very few commitments to put a lot of the key recommendations into regulations. So the Greens will be looking at whether we may need to amend this bill in the upper house to correct some of these issues.

This bill gives the Essential Services Commission new powers to monitor the market, including setting caps on the discount benefit companies can offer to get people to switch, and in other areas to be determined by the minister. Our question is: what will the government do to make sure that energy providers actually follow these new regulations set by the ESC? We know that these big corporates have a history of unethical and even illegal activity, and they have been getting away with it. So is the ESC going to be properly policing these retailers or will it fail to show consumers that they are being ripped off? Will it actually just be left to consumer advocate groups—not-for-profits, who are already overstretched—to try and protect consumers?

Time and again government inquiries like the Thwaites review or Australian Competition and Consumer Commission investigations have found that our privatised energy market has failed consumers, and the government also admits this. But instead of taking a really good, hard look at the broken energy system and having the courage to put in place some of the sweeping changes that we need, this bill really just fiddles around the edges.

The Greens took our plan, which we called Power Victoria, to the election last year, with a plan to set up a publicly owned energy retailer right here in Victoria. This retailer would offer electricity at cost, it would cut out the corporate middlemen and our modelling shows that it would save Victorians around $300, or even more, on their power bills. There would be no need to mess around with complex regulatory tools like a default offer because Power Victoria would be legally required to provide electricity at cost.

We also announced plans to bring some of our energy generation back into public hands, so Victorians—the public—could actually own some of the energy production in Victoria, like we used to. That energy production would be run to benefit the public not just the bottom line of big
corporations. Again, this would cut corporate profits and enable the government to quickly build the type of energy we need, which we know is clean energy.

These are not just pie-in-the-sky plans. The Greens released them, but they are not something that only we have adopted. A few weeks ago, in February this year, the New South Wales Labor opposition announced their plans to create a new public energy company. Prior to that the Queensland government announced that they would be opening a public energy retailer in Queensland. These are ideas that the Greens put forward, but they have actually already been adopted by governments and the Labor Party across Australia, so there is no reason that we could not have them here in Victoria. It is imminently possible.

If, as the minister’s second-reading speech claims, the government does want a fairer and simpler energy system, which I believe, I call on it to work with us to end the power of these corporate energy retailers and create a public retailer here in Victoria, for Victorians. Let us actually look at bringing some of our generation and transmission back into public hands so that we can run it for the benefit of everyone.

Unfortunately it was a bit of a pattern in the last Parliament that the government went out there and made some really big claims about solving some really big issues, but when we saw the bills before Parliament, the changes that those bills made were quite small things that just tinkered around the edges. We saw this with quite a few energy and environmental bills. We are also seeing it with the Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Bill 2019 that is also on the notice paper. This is another bill that is a bit of a missed opportunity to make significant changes that would improve access to essential services for Victorian families.

I am a little disappointed that the government has ignored the recommendation of the 2016 ESC review and chosen not to give the ESC clear, legislated direction that its job is to protect the welfare of Victorians when it comes to the things that we cannot live without, like energy and water. I fear that without this the ESC will continue to take quite a narrow economic focus instead of looking out for the needs of all Victorians. I do hope that in this term we will see some bigger, bolder plans from the government rather than just bills like these two that have small changes that do not fundamentally change a broken system, a system that the government itself acknowledges is fundamentally flawed.

Mr TAK (Clarinda) (12:13): I am delighted to rise today to speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. Power prices are an extremely important issue for my constituents. This is quite clear, given the really strong response from my community to the government’s solar rebate program. At the end of January this year there were already 200 applications from Clarinda families to that program, which is an outstanding response. There was also a really positive level of engagement with the Victorian Energy Compare initiative and the $50 power saving bonus.

I have been informed by my staff that the Clarinda electorate office received many inquiries from constituents about this. It is a great initiative, and we will continue to raise community awareness for the Victorian Energy Compare website and encourage constituents to seek out a better electricity deal on that independent website.

We have also had several recent inquiries from constituents regarding utility relief, so I was very happy to see that this year’s budget provides $21.7 million to increase the utility relief grant cap from $500 to $650, helping households and families suffering unexpected hardship, like losing a job or medical conditions et cetera, to pay their water, gas or electricity bills. This builds on significant investments from 2016 through 2018 into action on energy efficiency and productivity. As we know, energy efficiency is one of the best ways for households and businesses to reduce costs, so it is a very holistic approach from the government on addressing power prices. As such I am very happy to see this legislation here today, and I know that this bill will further build on the government’s great work helping Victorians take control of their energy costs. In fact this is the 10th piece of legislation the
Andrews Labor government has brought into the Parliament to reform our energy system. That is something to be commended.

This bill makes amendments to the Electricity Industry Act 2000, the Gas Industry Act 2001 and the Essential Services Commission Act 2001 to facilitate the implementation of a number of reforms. And that is the overall objective of this bill—to facilitate the implementation of key reforms to the energy retail market which the government committed to in its final response to the independent review of the electricity and gas retail markets in Victoria. That review was announced in November 2016 and was prompted by widespread concerns about rising energy costs and poor practices in the energy retail market. The review was bipartisan, and the panel comprised Professor John Thwaites, Terry Mulder and Patricia Faulkner, AO. Consultation was extensive, and consumers, consumer groups, energy retailers and industry groups were extensively consulted during the review and through a consultation paper accompanying the government’s response to the review. The panel provided its report in August 2017. Several key findings were made, and it was noted that despite more than 15 years of competition Victoria’s electricity and gas retail markets have not delivered the promised benefits to consumers.

Some of the most important findings included that on average Victorian households are paying around 21 per cent per year more for their electricity than the cheapest offer available in the market. Nearly one quarter of the consumers whose bills were analysed were paying at least $500 more than the cheapest available offer, and the retail charge—the component of the bill that covers the retailers’ costs and profits from selling electricity—makes up around 30 per cent of the average Victorian consumer’s bill. In fact for most households it was the biggest single component of the bill. This is unacceptable, and that is why I am proud to see this bill here today—a bill that will make energy markets simpler and fairer and a bill that will improve access to affordable energy for all Victorians.

That is what this government is all about: fairness. I am very proud to be part of the Daniel Andrews Labor government—a government that gives a fair go for all. I am sure that everyone here will have heard a story from at least one of their constituents about the confusion that they have experienced when trying to decode their energy bills, and we have heard some from a number of speakers across this chamber. In Clarinda we have heard so many stories like this. One contributing factor may be that more than half of my constituents were born overseas. In the City of Greater Dandenong, one of four cities which make up my electorate, more than two-thirds of residents speak a language other than English at home. It is difficult enough to work out the complicated energy discounts even when English is your first language.

So again I am delighted to see this bill here before the house. As I said, the review process was comprehensive and thorough, and ultimately it resulted in 11 broad recommendations, including the recommendation to introduce a regulated default price to replace costly standing offers. It is interesting to note that separately the Australian Competition and Consumer Commission in its June 2018 report on the retail electricity pricing inquiry made similar findings and also recommended a regulated default price. So we can see a consensus here from many different levels and sources. The Victorian government’s final response to the review supported all 11 recommendations, including the introduction of a fair price for energy—the Victorian default offer, or VDO—to replace costly standing offers, with the VDO for electricity to be introduced by 1 July 2019. This date is fast approaching.

That is what this bill does. It enables the implementation of the following commitments: the introduction of a fair price for energy, to be known as the VDO, for domestic or small business customers to replace costly standing offers; reforms aimed at making contract pricing arrangements clearer and fairer; and, most importantly, requiring the Essential Services Commission to monitor and report on the competitiveness and efficiency of the Victorian electricity and gas retail markets, including ensuring the ESC can compel the provision of any information necessary to support this function.

In relation to how the bill facilitates the introduction of the VDO, the Electricity Industry Act already contains powers for the Governor in Council to regulate tariffs for the sale of electricity. However, currently these powers can only be exercised if there has been a recommendation from the Australian
Energy Market Commission. Clause 3 of the bill makes amendments to expand the circumstances in which this power can be exercised. Clause 4 of the bill makes amendments to the standing offer provisions of the Electricity Industry Act to facilitate retailers varying their standing offer prices to comply with the VDO. This bill is all about making power prices fairer for my constituents and for all Victorians, and I commend the bill to the house.

Mr McCURDY (Ovens Valley) (12:22): I rise to make a contribution on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019 as well. I see the government is seeking a fair price for energy in Victoria, so the obvious question one would ask is: who has finally turned the light on for the Labor Party and what has changed for the government to actually care about energy prices? The Andrews government has been led by the Greens and has taken Victoria down a path that could only ever increase energy costs for Victorians. At the same time, the Andrews government is slowly closing down Victoria’s manufacturing competitive advantage. It is sacrificing constant affordable energy prices and has done a deal with the Greens that will make Victorians pay one of the highest energy prices in Australia while our resources that can be safely used to generate energy are ignored.

We will continue to see job losses, energy price hikes and uncertainty of power supply, but today the Andrews government wants to be seen to be reforming the retail energy market. Victorian energy is a train wreck, and that lies at the feet of the Minister for Energy, Environment and Climate Change and the Andrews government-Greens alliance. This legislation is another distraction from the fact that Labor closed a power station, is looking to show empathy and continues to shift the blame for energy prices being as high as they currently are. We will see after 12 months whether this is just another stunt by the Andrews government or whether there is a genuine price reduction for Victorians. My bet is that there will be no significant gain but more spin than a merry-go-round, with this government blaming others and seeking distractions to offsetting the energy prices for Victorians.

In terms of the bill, we know that it is primarily focused on facilitating the introduction of a capped default price for energy bills and setting terms and conditions around energy retail pricing contracts. It will allow the minister for energy to issue an order to the Essential Services Commission to set a uniform default offer to replace the current standing offers while at the same time allowing the minister to set terms and conditions for energy retailers in relation to discount pricing. This should give the Essential Services Commission the power to monitor and report on the competitiveness, efficiency and fairness of retail energy pricing. But like all Labor legislation, the devil is in the detail.

What is of most concern to me is that despite the fact that the federal government is introducing a default price, the Victorian government is going it alone. Industry and industry-related third parties agree that a default price will actually force the smaller retailers from the market. As most people would know, when you remove those smaller, more aggressive retailers, you are usually left with decreasing competition. This in turn will lead to a decrease in discounted offers in the market, and therefore we will not see the outcomes that Victorians need—that is, more competition and lower energy prices.

The legislation will see significant powers given to the minister to direct the Essential Services Commission in relation to determining price and setting conditions, and that will not instil confidence in anyone. In fact if properly understod, it will actually create a greater risk to competition, which could ultimately lead to higher prices. But at least the government will say, ‘We tried, and it’s not our fault’.

Currently, with only 166 000 customers on standing offers from a pool of 2.3 million customers, it is questionable how many people will actually benefit from this legislation. On top of this, it is highly likely that many customers who are on heavily discounted offers will see those offers disappear over time. So although we are not opposing this legislation, we see it as merely another smokescreen whereby Labor will say they have tried to help pricing in the energy market—but we will find out in the next few months or at the very least in the next 12 months or so.
The cost of living is hurting Victorian families, and energy prices are compounding this problem. Small businesses in the Ovens Valley and all of regional Victoria are also hurting. Energy prices are contributing significantly to the cost of doing business, but this government still will not recognise that closing down power stations is contributing to those energy price hikes. Doubling taxes on energy providers does not help, and being late to the party and trying to pretend that they are trying to reduce power prices is just another stunt by this government.

The dairy farmers in the Ovens Valley simply cannot sustain the costs, including power costs, that have increased over the years. The milk price in real terms has not gone up in 30 years. The cost of production has gone through the roof. Farmers have tried to offset this with productivity increases, but they simply cannot keep pace. Irrigators who have changed from inefficient flooding techniques to the more efficient spray methods of irrigation have found that their water consumption has gone down, which is a win for the environment and a win for water use. But with that, the use of spray irrigation has sent their energy bills through the roof with the cost of pumps et cetera rather than flood irrigation. While people stand back and say how easy it should be for the farming community, the reality is that the costs are simply unsustainable.

Manufacturing businesses in centres like Wangaratta, Yarrawonga and Cobram also find it difficult to compete on an international basis exporting fruit, vegetables and technology when their energy prices are making them uncompetitive. This is primarily because the Labor-Greens alliance continues to hold businesses to ransom with energy prices. Victorians cannot sustain the current level of energy pricing. These changes will be used as a tool to say the government tried, but at the end of the day the result will remain the same. As I say, we will find out in 12 months time. I suspect they will still be blaming someone else. I heard the member for Bayswater start his contribution by blaming Jeff Kennett. He moved on to the federal government and then onto the opposition, but not once did he take responsibility for his party in government, which has been in power for about 14 of the last 18 years. It is time they took responsibility and actually made some changes that will make a difference rather than performing the sorts of stunts that we see from this government.

Mr PEARSON (Essendon) (12:28): Thank you, Acting Speaker Spence. What a joy and pleasure it is to see you in the chair this fine afternoon. It is a great pleasure to see you in the chair, Acting Speaker.

I am delighted to make a contribution on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. I did listen to the contribution made by the member for Ovens Valley, and it was quite an interesting contribution that he made. I think the member seemed to indicate in the latter part of his contribution that the government had closed down a power station. I find that a very curious statement, given the fact that I am assuming he is referring to the Hazelwood power station—a station that was originally commissioned in 1961—as, I believe, a 1200-megawatt plant that formed part of the State Electricity Commission of Victoria—which was sold off and ultimately was owned by Engie, which is a French energy company. Engie indeed made the decision some time ago that it would exit from all fossil fuel-based power stations globally. Yes, they exited from Hazelwood. They also exited, I believe, from a plant in Western Australia and from other facilities in Western Europe. It is curious to see how the government can be held accountable or responsible for a decision made by a private entity in relation to their business.

The other point that is worth making is that Hazelwood was built in 1961. In energy terms, it was about as reliable as an EK Holden on the roads of 2017 when it was closed down. It might have been fit for purpose in 1961 and it might have served the people of Victoria—indeed it did serve the people of Victoria—but there comes a time when, if you are the owner of a 1961 EK Holden and you choose to use it on a daily basis, you will be confronted with the choice of: do I keep on ploughing money into this clunker or does it go off to the great pick-a-part in the sky? The reality of technology is that there has been rapid technological change in the industry and in energy, and this is old technology that
no longer holds its place. It is inevitable that you will have baseeload coal-fired power stations retired over the course of time because of these changes.

The other point I would make—and I do not believe the member for Ovens Valley touched upon this—is that even if you wanted, as a private sector industry, to go and knock on the door of JP Morgan or go and see Deutsche Bank or Macquarie Bank and say, ‘Now listen, are you good for $4 billion to build a 1000 or 1500-megawatt baseeload coal-fired power station and we will look at repaying that debt plus principal over the course of 30 years?’; there is not a bank in the world that would lend you the money, because it is a dud asset. It is a dud investment. There is absolutely no interest among financial businesses, the banks, to be lending money for these sorts of assets because they know that they are not going to see a return on their investment over the course of time and these assets will be stranded. The bill before the house provides a Victorian default offer for energy users. We have come to this place and we have come to this point in time when we need to legislate because there has been systemic market failure. In a perfect market there is information freely available and every consumer has access to that information and every consumer can make an informed choice as to the nature of the tariff and contract they wish to enter into with an energy provider. In a perfect world there is full information and full disclosure and we all have the equal ability to understand the way in which a tariff is constructed.

The fallacy of this argument was brought home to me in 2015 when I sought to run an Energy Compare website session on the Flemington and then Wingate public housing estates in my community, and that was facilitated by the minister at the table, the Minister for Energy, Environment and Climate Change, and her office. We had bureaucrats from the department come out and talk with public housing tenants about how they can make informed choices. I cannot begin to describe how challenging that exercise was, how difficult it was. Energy pricing is not an easy topic to familiarise yourself with. It is difficult to understand the difference between a supply charge and a tariff rate. It is difficult to try and ascertain what appliances use what amount of electricity and how many kilowatt hours you are likely to go through in a day. It is difficult to then work out what is peak and what is off-peak. So even if you are tertiary educated, even if you fit within that AB demographic and even if you regard yourself as someone who investigates and has got an inquiring mind who can go through this information, these things are not exactly easy. If you are a Somali single mother who comes to these sessions with six children in tow and you are trying to occupy your children and trying to listen to someone explain to you in a language that is not your native tongue the way in which a contract is constructed and the way in which a service offering is provided, you have got no chance—you have got absolutely no chance.

What we have seen happen, and it has been a failure over a period of time, is a set of circumstances where people who are wealthy, people who have got time, people who are educated, people who have got the ability to read a contract and understand the way in which a tariff is constructed, churn. They churn, and when they churn they get the best offer, and when that contract is due to expire they go back and they churn again, and they keep churning their way through and they get a pretty good deal. That has certainly been my experience from using the Energy Compare website, which has been a website established by this government that helps to provide that information for consumers. If, however, you do not quite have the ability to grasp this because it is in a language that you do not naturally speak, it is in a language that you cannot read and write, you have got a mental health issue or other complex needs that you are dealing with, or you just do not have time or the education, you have got no chance. I look at my parents—my parents left school at 15, one to work at a factory and another to work in a butcher shop. They have got no idea how their energy bills are put together. My father is barely literate on a computer; the notion that he is going to turn around and go down to the local library and log on and try and get on the website to compare his power bill is just a flawed notion.

We have had a situation where there is a requirement for the government to intervene because there is market failure, and those of us on the Treasury bench understand that there is a role for the state to play in addressing systemic market failure. What we have got before us and what we have seen over
the last few years at the very least has been systemic market failure because the promise that the former Kennett government talked about in terms of privatisation and indeed the promise of the rollout of full retail contestability, which occurred in around the year 2000 under the Bracks government, have not been realised. There have not been these gains. It is a very complicated policy area, and when you look at some of the investments in the capital infrastructure that the networks have made in order to try and address blackouts and brownouts and in order to try and increase the capacity of the network to deal with increasing population growth, all of which seemed fair and reasonable at the time, they have resulted in a significant increase in the price that consumers are paying and we find ourselves in a situation which has resulted in a poor public policy outcome. It has been a poor public policy outcome because it has been affecting the most disadvantaged and the most marginalised members of our community.

We have made that decision and the minister who is at the table, the Minister for Energy, Environment and Climate Change, has made the decision that when you are confronted with this set of circumstances, you can either accept it and not intervene and let the market—this mythical creature, this great thing, like a sacred cow—continue to trample over the rights and the hopes and the aspirations of the marginalised and the disadvantaged, or you can seek to act and you can seek to intervene, and that is exactly what we are doing. We are intervening because we must intervene, because we need to make sure that people who are isolated or disadvantaged or who come from a culturally and linguistically diverse background can access these essential services in a timely and fair and reasonable way and that they pay a fair price for it. This is very good legislation and I commend the bill to the house.

Mr SOUTHWICK (Caulfield) (12:38): I rise to make some comments on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. What this bill does is it abolishes the standing offer and replaces it with what is meant to be a lower-priced default offer. The intent of this legislation that is before us is certainly something that has been widely discussed and implemented through COAG and a number of the other states. What this bill does is bring Victoria into line in terms of where the other states are. However, the other states have chosen to do this through the national energy market in more of a cooperative model. So this is certainly something that we believe is important in terms of being able to ensure that those that are left on the standing offer still have the ability to not be charged additional pricing than they would because they do not have the information. As we have heard from many people, including the member for Essendon who just made his contribution, it is a confusing market. There are certainly people who are very, very confused in terms of what offers they are on and whether they are on a standing offer. At the same time it is also important to point out that back in 2010 it was the coalition government that started to allow people to compare offers through an initial website that was developed, encouraging people to shop around and move off what were the standing offers onto more market-driven offers. That has led over the years to only a small percentage of people currently being on a standing offer—about 6 per cent. When you are talking about a few million customers, effectively that means about 160 000 people are now left on standing offers.

The energy market and certainly energy prices are very, very important matters for all Victorians, both for households and businesses, and we have said on numerous occasions in this chamber that we have got to get things right—on price, reliability and sustainability as well. They all need to work. We have said many times on our side that there are certain times when the government has had to intervene, but really it has intervened because it started with an intervention in the first place. In the system we have had, with lots of market interventions, we have what effectively is a broken system, where we have seen huge disconnections through high pricing and through unfortunate reliability issues, and we saw that through the month of January. You see a government stepping in and trying to correct what is a broken system.

We saw that in terms of the early closure of Hazelwood power station, with 1600 megawatts being taken out of the market. Yes, Hazelwood was going to close, but it closed in such a short time frame that it did effectively cause huge ramifications in the marketplace. It started with prices. It certainly finished with reliability. There is no question that renewables are being brought into the market, and
people are certainly taking up the opportunity with more renewables, but we need to have a balanced system, where those renewables are underpinned by reliability. That is why policies like we had, which included bringing on more onshore conventional gas as an important fuel source that would support the intermittent renewables into the marketplace, were a way to be able to get the balance right between price, certainly on reliability and sustainability. These are important measures, where more supply in the market, more competition, drives down prices. There are real concerns, I would suggest—certainly from many of us on this side—in terms of the future of the likes of Yallourn power station having an early closure, like we saw with Hazelwood. Again, if we do not get this system right, then we will end up with all Victorians feeling the brunt of high power prices and reliability issues.

Spout, in Ripponlea in my electorate, faced three successive days of blackouts over January because of an intermittent power supply, because of a market failure, and that business is still recovering today in terms of loss of trade. A number of other cafes and businesses in my area and also those that had refrigeration all suffered. People who are dealing in the pharmaceuticals industry all suffered because of a lack of reliability. Energy is such an important piece of the issue in terms of getting the game right, not just in homes, where we just expect it to work, and unfortunately we are just seeing that become less normal, but also for so many of our small businesses that employ people—those that turn up to work each day expect the lights to be on, their machines to be working and things to be running, and when they do not, it seems really odd. I would suggest that it is really odd in a modern society, when we talk about technology and innovation and so many opportunities in terms of being able to get things right, yet we cannot do the very basics of supplying power into our homes and into our businesses. So the piece of reliability is really important. The fact is that despite the size of our population, despite the fact that we pay more for electricity than most other states, there is still that reliability factor. I do not think you would get any product in the market where you would expect to pay a high price in terms of what is seen to—

Mr Fowles: On a point of order, Acting Speaker—

Mr SOUTHWICK: He is not in his—

The ACTING SPEAKER (Ms Ward): I know. The member needs to make points of order from his seat.

Mr SOUTHWICK: I appreciate the new member is still learning, but that is okay—we will give him time to get his training wheels off.

It is very important: what we need to do is to get things right for customers.

Mr Fowles: On a point of order, Acting Speaker, the member for Caulfield has strayed substantially away from the subject matter of the bill. It is not a bill about reliability, it is a bill about consumer protections, and I ask that you bring him back to the subject matter of the bill.

Mr SOUTHWICK: On the point of order, Acting Speaker, reliability is a very, very important part of the energy market. I know that businesses like Fowles Auctions and Sales, which the member would be part of—

Members interjecting.

Mr SOUTHWICK: This is on the point of order. They would have issues with their energy prices. On many occasions they would know how very, very important reliability is. It is a key point. The former business owner from Fowles auction group should be very, very aware about reliability and price, so therefore, on relevance, reliability is a very, very important part that deals at its core with prices. The former employee from Fowles auction group should certainly understand that is very important.

The ACTING SPEAKER (Ms Ward): I am going to rule on the point of order. I appreciate the member for Caulfield’s considered argument as to the relevance—there is a link. I ask the member to continue to speak about energy and about the bill. I do not uphold the point of order.
Mr SOUTHWICK: Thank you very much, Acting Speaker.

Ms Green: On a point of order, Acting Speaker, I ask you to draw the attention of the member for Caulfield to his response to the point of order, where he referred to another member’s personal and previous private business interests. It was just so over the top to be referenced in a point of order. If the member for Caulfield would like us to go down that path, Disco Dave, and all sorts of other ridiculous fibs that the member has told over the years—

The ACTING SPEAKER (Ms Ward): Order! I ask the member for Caulfield to continue.

Mr SOUTHWICK: Thank you very much, Acting Speaker. So the importance of reliability and price goes very much to the core of what we are dealing with here. We have seen on many occasions that the government have failed to deliver when it comes to this point. The government could have very much signed up to the federal government’s national energy situation here with COAG. Again they have tried to go it alone, and all consumers will pay the price. (Time expired)

Ms KILKENNY (Carrum) (12:49): I am immensely proud to rise to contribute on this bill, the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. Can I say from the outset I am very pleased that those opposite will not oppose this bill, but of course that did not stop them from utilising their speaking time to criticise legitimate measures that we are putting in place to bring about fairer prices for Victorian consumers. That is coming from a party that has had absolutely no energy policy. Of course who can forget before the state election that they actually committed to scrap our renewable energy targets, and we saw how well that went for them.

I also listened to the member for Caulfield, who suggested in his contribution that other states have already implemented a default offer in conjunction with the federal government. First of all, can I say that I am really pleased that those opposite will not oppose this bill, but of course that did not stop them from utilising their speaking time to criticise legitimate measures that we are putting in place to bring about fairer prices for Victorian consumers. That is coming from a party that has had absolutely no energy policy. Of course who can forget before the state election that they actually committed to scrap our renewable energy targets, and we saw how well that went for them.

This legislation before us is the 10th that we have brought to this Parliament to reform our energy system, and of course as we know, this is part of a much broader package of reforms, reforms to make our energy system affordable, reliable and cleaner. And we are not done yet. I would like to commend the Minister for Energy, Environment and Climate Change and the Premier for their leadership and unwavering commitment to bringing in better energy deals for Victorian households, for making sure that we are doing everything to secure the necessary investment in the new renewable energy sector and bringing about more reliable, cheaper power, and we saw how well that went for them.

I know I am certainly not alone when I say that I am sick and tired of the big energy retailers price gouging and offering up really complex, very opaque, difficult to discern pricing and energy deals. We know that these companies have been fleecing Victorian customers, some of whom are the most vulnerable members of our communities. Too many Victorians are struggling to pay bills. Too many Victorians are having to make that really hard unimaginable choice: do they put the heater on or do they save that money to buy food? This is just simply unacceptable. That is why the Andrews Labor government has been doing something, and we continue to do something about this.

Frankly, that is what sets us apart from those opposite. We need to bring down power prices, particularly for those who are struggling day-to-day with these costs. That is what this bill before us is designed to do. This bill is going to force the larger energy retail companies to give Victorians a better deal on their power bills with the introduction of what we have called a Victorian default offer. This has the potential to save Victorian consumers between $200 and $500 a year on average on their
energy bills. That is a significant saving, and it is a saving that comes on top of all the other measures that we are implementing and the package of reforms that we are introducing across this sector.

When we look at energy policy in this state and indeed nationally, the contrast between Labor and Liberal certainly could not be starker. Let us not forget, as people have reminded us here today, that it was the Liberals who privatised our energy industry, and we know that those opposite, if they had the chance, would scrap our renewable energy targets. We can see that our renewable energy targets are working. We are already bringing more supply into the market, and that is having a downward pressure on prices and consumers. Victorian households and small businesses are benefiting from the work that we are doing.

As others have mentioned today, we have in Canberra the federal Morrison minority government. When Prime Minister Morrison was Treasurer we saw that very bizarre act of him coming into the federal Parliament with a lump of coal. Then more recently, as Prime Minister, he said about student protesters following last year’s school climate strike, ‘We want more learning and less activism in schools’. I actually could not have been prouder than I was of those so-called student activists, and let me say to the Prime Minister that he had probably better buckle up because I understand there is going to be another student protest a bit later this month. I like what they had to say in an open letter, which I will just read to the house:

We are going to change the fate of humanity, whether you like it or not … We demand the world’s decision-makers take responsibility and solve this crisis.

You have failed us in the past … The youth of this world has started to move and we will not rest again.

We say to all the students here in Victoria, the Andrews Labor government hears you. We are listening. We are taking big, bold steps, because this is about your future. We are not climate change deniers. We are not fairweather climate change campaigners. We did not have some sort of epiphany on climate change and energy policy because there is a New South Wales election and a federal election just around the corner. We know our energy prices are too high, we know our emissions have to come down and we want to support a massive growth industry in renewables that is going to create thousands and thousands of jobs, many of which will be taken up by those student activists. I cannot wait to see that happen in Victoria.

As I mentioned before, it was back in November 2016—and it was because of concern with rising energy costs and energy bills—that this government commissioned a bipartisan, independent inquiry into the Victorian retail markets for electricity and gas. I would like to thank the panel members Professor John Thwaites, Ms Patricia Faulkner and Mr Terry Mulder for their significant work in conducting the review and for formulating 11 main recommendations designed to make Victoria’s retail energy markets fair.

As we know, energy is an essential service. It is absolutely critical to our wellbeing, and that is why Victorian consumers should expect and absolutely demand a fair price. Having access to reliable and affordable energy is something all Victorians need and must have.

The independent review, not surprisingly for the majority of us, found that our retail markets for electricity and gas have just not delivered the promised benefits for consumers. It found that Victorians are in fact paying too much for their energy. But a big component of that cost is actually the price that we pay to retailers, so it is their profits. It is the price in the billing and the marketing, which is quite separate from the actual price of the energy. In fact in a separate ACCC review, which was conducted two years later in 2018, we were told that Victorian households were paying 44 per cent more in real terms for electricity than they did 10 years ago. What we know is that the profits of the energy retailers have been going up and up, and so have our bills. Frankly, this was not meant to happen. Jeff Kennett told us it was not going to happen. We were told privatisation would lead to cheaper energy prices, more competitive companies operating in the market and more innovative products for us all. That just did not turn out. He was wrong—very wrong —and in Victoria we are paying for that now.
As I have said, this bill is part of a package of reforms that we are implementing to bring down power prices in Victoria, to make prices fairer and to build our incredible renewable energy sector to create thousands and thousands of jobs and opportunities for so many Victorians. We are doing it because Canberra has failed us with its leadership and with its absolute absence and neglect on energy policy. Those opposite have failed to stand up for Victorians, so it is up to the Andrews Labor government to bring in these policies to make the energy prices and our bills fairer and cheaper for all Victorians.

Sitting suspended 12.59 p.m. until 2.02 p.m.

Business interrupted under sessional orders.

Matters of public importance

GOVERNMENT PERFORMANCE

The SPEAKER: I have accepted a statement from the member for Ripon proposing the following matter of public importance for discussion:

That this house condemns the financial mismanagement of the Andrews Labor government, noting that its consequences include:

1. Victoria being the highest taxed state in Australia;
2. state debt being set to double;
3. cost blowouts with billions of dollars on major projects; and
4. Victorian families facing record electricity disconnections.

Ms STALEY (Ripon) (14:02): This week we have seen the latest impact of the government’s reckless and flawed approach to economic management. The Treasurer has been forced to concede that the government’s pay offer for childcare workers, ambulance officers, police and many other public servants is only 2 per cent. The reason that he gave was that the downturn in stamp duty has meant the government will have to make hard choices. Of course politics is about choices and values, and top of the government’s list when making choices is to offer wage increases below what the government indicated it would do before the election.

It was an election where the Victorian Trades Hall Council was very active in campaigning for the re-election of the government. No wonder the secretary of the trades hall, Luke Hilakari, is feeling ripped off. He has been reported as saying that people ‘just want a pay rise that keeps up with the cost of living’. The Treasurer contends that ‘people’s expectations of in terms of wage outcomes have to be tempered to the time’.

In making the choice to constrain public sector wages the Andrews Labor government is showing its values: tell your supporter base one thing before the election and then do another thing afterwards. Why is the government facing these hard choices? It is entirely due to its inability to manage the state’s finances prudently. Had the government not racked up billions of dollars in cost blowouts there would have been flexibility in the budget to manage fluctuations from property price declines. But instead the government has geared up the budget so it has limited flexibility. It is one thing to get on with building infrastructure, but it is totally another thing to mismanage those projects so spectacularly. If we look at those projects, there has been more than $25 billion in waste and cost blowouts. I want to highlight a few of those. It was promised that we would get a Metro Tunnel for $9 billion.

A member: How much is it?

Ms STALEY: $11.07 billion. There was a $2 billion cost blowout. The level crossing removals were going to cost $5 billion, but now they are at $8.3 billion. That is another $3.3 billion cost blowout. Think of all the wage increases you could be giving the police and the childcare workers. You could be giving them more but you cannot; you are offering 2 per cent because you are wasting all this money. Then there is the big one. The north-east link has not even started. That was promised to come in at $5 billion, but as of today we are up to $11.5 billion—sorry, $16.5 billion. I am understating the
blowout. That has blown out by $11.5 billion and we have not even started it. Imagine, by the time it gets going, it is going to be the blowouts of all blowouts.

I have only highlighted a few, but what will be next? Today the hapless Minister for Public Transport got up in the house and told us about the Warrnambool line, the lack of VLocity trains and whatever else she was saying. I did note that that was a $100 million project when it was announced by the previous public transport minister and now it is $114 million, and they are not getting their VLocity trains. It seems any project can be blown out by this government.

We then go to some of the other ways in which this government is totally mismanaging the finances of the state. Victoria is now the highest taxing state in Australia. The general measure of this is state taxes to gross state product and it is at 5.2. Every other state is below this state. What do we see is going to happen? If we go to the Parliamentary Budget Office’s (PBO) assessment of the government’s promises at the last election, what did they find?

Well, they found that over this term the cost of these promises would—I read from this—result in a net increase of aggregate net debt to $38.764 billion. Net debt as a proportion of nominal gross state product will also go up. The position of the government’s budget will decline by $7 billion over the forward estimates. We like to compare and contrast these things, so let us compare and contrast that to what the Parliamentary Budget Office found on the Liberal and Nationals party commitments. They found that the budget position would in fact improve by $1.68 billion over the forward estimates. That would be the current Leader of the Opposition’s—the former shadow Treasurer’s—careful approach to budgeting, unlike the reckless, out-of-control, make-it-up-on-the-back-of-an-envelope approach of those opposite. I will go on. The PBO says that the Liberal-Nationals commitments would result in a decrease in aggregate net debt to 30 June 2022. Those are not my numbers. They are not our numbers; those would be the Parliamentary Budget Office’s numbers—an office set up by this government.

How do we get to be the highest taxing state in Australia? We do this by this government introducing 12 new or changed taxes, many of them on property. I am going to particularly highlight the ones on property because Treasury today has said that public sector workers cannot get the kind of increases in their wages that they are looking for because of the downturn in property taxes. So let us see what the government has done on the property taxes. It has put a new stamp duty on property transfers between spouses. It has got a new stamp duty on off-the-plan purchases. The Property Council of Australia is very concerned about that particular tax; they say it has really destroyed the apartment market here. There is a new so-called vacant home tax. There was a new land tax surcharge, which was then tripled for absentee owners. And of course property owners are facing increased fire service property levies.

So all these things, including of course the prospect we now face of a Shorten government changing the capital gains tax regime so that holding property becomes even less attractive, have contributed to the downturn in the Victorian property market.

There is one bright spot for the government: I note one of their changes is annual valuations to increase land tax. We are now seeing huge land tax increases. People are getting 50 per cent increases in their land tax in one year. In fact since the Andrews Labor government was elected, land tax revenue has gone up 96 per cent, but house prices have only gone up 28 per cent in Melbourne and 26.5 per cent in regional Victoria. So they are very keen to gouge the property sector, but then when the property sector turns down they have got nowhere to go—nowhere to go because they have spent it all and they have got cost blowouts across the board.

We then move to some of the effects that their mismanagement is having on households. Let us pick electricity. We have got a bill before the chamber at the moment. What has recently happened with disconnections? They are up significantly. They are up 21 per cent from last year, and the growth in the final quarter of 2017–18 was the highest in recent years. People cannot afford to pay their electricity bills. Now, there may be a number of reasons why electricity prices are so high that people are finding it difficult to pay, but one of them would be the removal of 22 per cent of our generating capacity with the closure of Hazelwood. You cannot just take out a whole lot of generating capacity and not expect
that prices will rise—and we have seen them go up. In fact, annual price charges for electricity and gas are up an average of 16 per cent—this is on the standard contract. This is the biggest annual increase since 2014–15, and people cannot afford to pay it. This is another impact from this government. People are stuck in traffic. Their wages are not growing very much, and they are certainly not going to go up beyond inflation even if they do have productivity gains under this government, because this government has blown the budget.

Again this week, if you are looking at the taxation system, they have refused to adjust the bin tax, even when circumstances have changed. There are so addicted to the rivers of revenue from any area. In this situation the tax is designed to create a certain behaviour—it is designed to stop recyclables going into landfill, which is a worthy goal—but it is no good if the industry collapses and recyclables end up going to landfill. So councils are now being forced to pay for something they cannot avoid. They cannot get a price signal to not do it anymore because there is no alternative. And yet, when asked if they would reduce this tax, or if they would give a holiday, the Treasurer said no. The Treasurer said no because the impact of this is more money running into their bottom line, a bottom line they are desperate to prop up as the receipts from stamp duty fall.

The Treasurer has suggested that they will maintain a surplus budget, but they have got falling revenue. And so what do we see here? When you have falling revenue and cost blowouts, you have got to cut somewhere else, and today we found out where that is going to be. It is going to be the expectations for public sector wage rises. Trades Hall Council must be so enthusiastic that it is their members who will be bearing the brunt of the choices and the values of this government—to cut their expectations for public sector wage rises because the government has blown the budget. We are of course only in the first year of this term. I have got to say that according to what we read from commentators, including from the Reserve Bank this week, the outlook is not as rosy as it has been in previous times. The outlook for property prices is not for an immediate bounce. We are not going to see an immediate bounce in property prices. We are likely to see further reductions in stamp duty collected, and as we move to land tax off a lower property price, we will see reductions there.

The outlook for this government in terms of its fiscal position is very poor, but they have got nowhere to go because they have spent it all. Even projects they have not started yet, we know they are going to blow them out. We know they are going to be billions out, because that is the Labor way: come up with a number somewhere, say some project is going to cost X, and then it is going to be X plus 40 per cent or X plus 50 per cent—

Mr Wells: Or 2X!

Ms STALEY: Or 2X, exactly. Yet they are entirely shameless in their approach to managing public finances.

Over the past four years the government has managed to privatise a number of assets, and it has had rivers of gold from the GST and other things. The budget has been extremely fortunate to benefit from a whole lot of one-offs and external factors. You now move into a situation where you do not have those things. The Treasurer has said the cupboard is bare. There is nothing else left to sell, and we have got a poorer outlook for the economy. Yet those opposite have got no capacity to understand that a prudent administration and a prudent government would put some away. They would either run some surpluses to pay down some debt or at least their outlook would not be entirely ratcheting up debt. They would not be a doubling of debt to $38 billion. Every Victorian will be paying that $38 billion back. In fact the Treasurer told us that it will be our children and our grandchildren paying it back. The Treasurer got it right; it is so high that nobody in this room will be able to pay it back. It is all on the next generation, and it is on the never-never.

Mr DIMOPOULOS (Oakleigh) (14:17): The one-trick pony has rocked into town, and that is the Liberal-National party. They only ever pull out the fear card because that is the intellectually lazy way of running a political party and a viable opposition—for example, if it is not a crime wave, it is
debt. I can imagine the opposition tactics meetings in this place. I imagine the Knight Kerr room or some opposition room. There is no paper on the table, and there are just a few of them sitting around. There is no talking, you can hear the tram rattling down Spring Street and they are discussing tactics. After this agonising silence one of them says, ‘I know, let’s do a fear campaign on crime’. Another one says, ‘No, it didn’t work for us last time’. There are a few minutes of silence and then, ‘What about a fear campaign on finances, because Labor never manages finances’. Then, ‘Yeah, that might work. Let’s put up a matter of public importance (MPI). When’s our week? It’s this week.’

That is about the thought process that goes into this opposition in terms of its debates in this chamber. There is no connection between the narrative and the facts—no connection whatsoever. The member for Ripon could barely win her seat, let alone construct a 15-minute debate. I have got to commend her for winning it. Even if you win it by less than a football team, you still win it. I accept that she won it, but my God it was close.

Fundamentally those opposite cannot be believed on any of their fear campaigns. Just yesterday the Prime Minister was waging like this—it reminded me of the former Leader of the Opposition in Victoria—with his head moving like this from left to right, the flags behind him, saying something like, ‘If Labor took over, they’d ruin the economy in three years’. Can I just remind the members of this house that this is the Prime Minister of a party that inherited Labor debt in 2013 of $175 billion for Australia. Their debt today is more than double that—$355 billion. This is a Prime Minister who stands there saying, ‘Labor will ruin it’, and yet he has doubled debt in less than five years.

We can look at the Victorian statistics. I warn members and the community that you cannot believe those opposite when they talk this rubbish. These are the statistics in Victoria. We have exposed them federally. In 2010 they inherited from the Brumby government debt of 2.6 per cent of gross state product. They left us in 2014 with gross state product at 6.3 per cent debt—almost triple the debt, from $11 billion to $22.3 billion. What did they achieve for it? I literally have to scratch my head when I try to think of it.

I have community meetings, and I try to provide a semblance of balance when I am talking to people. That semblance of balance would have me say, ‘With four years in government in Victoria between 2010 and 2014 they must have done something’. I have to literally sit at my desk for 20 minutes before the meeting asking, ‘What did they do?’, and I cannot come up with anything positive. They ratcheted up the debt and have nothing to show for it.

It has not always been this way for the Liberal Party. Previous Liberal administrations have actually had something to show, but not this one. This is an outfit that cannot be believed on the narrative. It cannot be believed on the record, because there is virtually no record. I ask members to reflect on what exactly the purpose is of their being here in this chamber. What is the purpose when they come in here with an MPI that is so bereft of any factual basis whatsoever?

The people of Victoria reward governments—as we saw in November last year—who do not just tell them what they want to hear but who actually do things and deliver things, even if that means some disruption, as we have seen with the train services because we are embellishing the infrastructure, and even if that means increasing borrowing to 12 per cent because the extra borrowing will be linked specifically to the north-east link, airport rail and 25 extra level crossing removals. People have an appetite for that, but they will only let you do that if you have proven to them that you will be responsible with how you use either the privatisations that the member for Ripon talked about—the proceeds from leases—or how you use increased debt. They will give you that opportunity if you prove yourself—and that is what this government did.

The Victorian economy is in excellent shape. That is why this MPI is such rubbish. This state is in excellent shape. Business investment—and we got the statistics today—is up 3.5 per cent. This is not consumer demand; this is not politician speak. This is business investment up over the quarter and up 19.5 per cent over the year to December. The Victorian economy grew by 5.2 per cent over the year
to December. The average nation growth rate was 2.5 per cent. We are more than double the average national growth rate. We are still in budget surplus, as we committed to be, and our employment rate is something that should give us a lot of joy. In fact it should give the whole Parliament joy, but it does not give the other side joy. Our employment rate is the lowest in the country, at 4.5 per cent. They are statistics to those of us who are employed, but they are real life circumstances to a range of people—thousands of people—who are not employed. That is why these statistics matter.

On those key statistics, those on the other side inherited an unemployment rate of 4.9 per cent from John Brumby. It was a reasonable rate back then.

Ms Ward: What did they do with it?

Mr DIMOPOULOS: I am glad you asked what they did with it, member for Eltham. They increased it to 6.7 per cent. I think the only comparative state we had in the country was Tasmania. Nothing against Tasmania, but Tasmania does not have the industrial cumulative capital that we have to get ourselves out of economic doldrums, and we were really the wooden spoon on the ladder, with Tasmania on employment, on economic growth and on a whole range of really key indicators. We now have got that rate to the best in the country, 4.5 per cent, and we have done that because we have a narrative that we believe in. That narrative is: you invest in infrastructure and you invest in services—the Minister for Education is in the chamber—in schools, in kindergartens and in TAFEs. That provides a feedback loop back into the economy through enhanced skills, enhanced infrastructure abilities and enhanced biotech and biomedical discoveries—a whole range of things that an economy and a society that believes in its people can achieve.

The coalition unfortunately do not get that feedback loop in the economy; they do not get the opportunity that they have lost in those four years. In fact I remember I was in the public service for a time and part of that time was under the previous Liberal-National government, and they did something.

Ms Thomas: Did they?

Mr DIMOPOULOS: Yes, they did. The member for Macedon was in the public service too. This is one of the things I do refer to in my committee meetings. They had what was called the SGI, the sustainable government initiative, and anyone who employed staff—as I did—or managed staff knew it was anything but sustainable. In fact we often laughed at the Orwellian sort of bureaucratic—

Ms Thomas interjected.

Mr DIMOPOULOS: That is right. SGI had the objective of cutting 10 per cent from the public service. The problem was twofold. The implementation was really awful, so you lost some of the best people and you retained some people that perhaps could have moved on some years earlier. But, number two, there was an article in the Age newspaper about five or six months after this took place, a front-page story, saying what a scandal it was that since the SGI government expenditure on consultants had reached $1 billion. One billion dollars—that is 2011 figures. Imagine that—one billion dollars. And I knew it, because we were putting up consultants like it was going out of fashion in the courts. We got rid of a whole bunch of court staff—I was in the courts then—and we put on these consultants. So they did not even get that right. Now I understand why debt increased so far without any achievement except some holiday homes for some wealthy consultants. What was the objective of that poor execution of a policy to cut costs?

And of course we saw it in a whole range of other ways. They worked against our infrastructure projects—as colleagues have said—that actually deliver not just employment but better efficiencies in the economy through decongesting roads and a whole range of other benefits. They worked against our level crossing removal project. They took us to court, as I think the Minister for Transport Infrastructure said today. That awful character in the other place went on a rampage against level crossing removals in my community, and you know what? They are an absolute godsend now. But
they are not a godsend; they are actually delivered by a government with an agenda and with a purpose. They have already saved people millions of hours.

Mr Angus interjected.

Mr DIMOPOULOS: The member for Forest Hill says, ‘They didn’t stay under budget’. Well, you know what? For God’s sake, we call using money to invest in infrastructure an investment; they call it an expense. The member for Ripon said, ‘Let’s save some for a rainy day’, or some comment. Of course every government has to be prudent, and we are absolutely prudent. We have the best Treasurer in Victoria’s history. I am vested in that—I know I am vested in that—but he is actually the best. Our revenue projections are running ahead of our expenditure projections. We have budget surpluses. We have got a sustainable debt profile. We understand these things, but what we do not do is penny pinching where it does not actually help. Not investing in infrastructure or not investing in things like free TAFE and public dental health care in public schools, things that actually reduce your costs as a society downstream and enhance your opportunities—those opposite did all of that in penny-pinching style. We saw that with the ambulances. They took up the fight with the ambo to the detriment of patients, to the detriment of ambo families and at a cost. They were probably up to their eyeballs in legal costs with all the industrial disputes. They did it with police. The member for Ripon—I think she probably regrets it now—says we could have put all that spare cash, apparently the blowout of some infrastructure projects, into paying police better. I was stunned to hear that in this chamber—paying police better. How about just recruiting police for starters? It took us—

Members interjecting.

Mr DIMOPOULOS: That is right. The last Liberal government put extra police on the beat—extra police, not recurrent funding—when the shadow Minister for Police in the previous Parliament was seven or something. You are absolutely outrageous.

Mr Angus interjected.

Mr DIMOPOULOS: It is absolutely true, member for Forest Hill. And beyond that, beyond the police, we also have the ridiculous example of those opposite taking every possible opportunity to give the public sector a whack, whether they be nurses, whether they be doctors or whether they be public servants, because somehow I think in their secret nightmares they see those people as Labor people. No, they are not. They are direct service delivery staff for the Victorian community. Every time they saw an opportunity to whack them in an industrial relations sense, in a legislative sense or in a funding sense, they did it—every single time.

They come in here and they talk about economic mismanagement, and I find that astounding. We are one of about three or four subnational jurisdictions in the world to have a AAA credit rating—and under a Labor government. Surely with the younger generation this rubbish about ‘Labor can’t manage the economy’ will die out, because this is fundamentally untrue. In fact it is so untrue that the exact debt scenario I gave you about what Scott Morrison, the Prime Minister, said he would do and what he has done by doubling debt, along with the example I gave you about the previous Liberal-Nationals government, would surely see that myth put to the dustbin of history. My caution to the Victorian community—and I think they got this message loud and clear last time, so that is why they voted us back in in increased numbers—is to not believe the narrative of fear, because what the narrative of fear does is effectively disguise an intellectually lazy and moribund opposition who do not do the policy work and who come in with a one-page tactic on fear. It did not work last time, it will not work in May federally and it will not work next time for you in Victoria either.

Mr ANGUS (Forest Hill) (14:32): I am very pleased to rise today to speak on the matter of public importance, as submitted by the member for Ripon, which is as follows:

That this house condemns the financial mismanagement of the Andrews Labor government, noting that its consequences include:
(1) Victoria being the highest taxed state in Australia;
(2) state debt being set to double;
(3) cost blowouts worth millions of dollars on major projects; and
(4) Victorian families facing record electricity disconnections.

The reason I put all of them on the record is that I wish I had about half an hour to speak on every single one of those topics, but I am just going to start my contribution in relation to looking at the third—that is, the cost blowouts on major projects. One of the best ways to avoid future mistakes is to learn from the mistakes of the past, but, sadly for all Victorians, Labor just has not learned. The age-old adage that Labor cannot manage money is proven again and again. I just want to provide some evidence to the house in relation to those matters.

I was going back through a range of old reports. I looked at the Victorian Auditor-General’s Office’s (VAGO) report of June 2010, Management of Major Rail Projects. We can see in there that the Auditor-General found a whole range of deficiencies in relation to the projects that had gone on there, including deficiencies in the whole area of, and I quote:

- the feasibility work because it underestimated the costs, overestimated the benefits and inadequately assessed the risks
- the projects’ delivery because its response to emerging risks was inadequate
- the outcomes because there were cost and time overruns and, in two cases, it did not deliver the benefits as projected.

The Auditor-General’s report goes on and on about a whole range of different matters and findings. It says:

The department needs to build on this foundation to further improve the quality of the business case documentation and the reliability of the information underpinning this.

I say all that just to set the scene for this, the December 2017 VAGO report, Managing the Level Crossing Removal Program, because we can see on page 7 of that report, and again I quote:

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

It goes on to say:

The delivery of the program is ahead of schedule, and LXRA expects to surpass its target of removing 20 crossings by 2018. However, this pace presents risks to achieving value for money. These risks are compounded by an inadequate and delayed business case, and poor indicators to measure program benefits.

It then goes on to say on page 8:

The LXRP business case was finalised in April 2017, almost two years after the program had commenced. Weaknesses in the business case undermine its purpose and its value as a basis for the government’s decision to commit to the investment.

It goes on further to say:

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

It goes on to say on page 9:

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

DEDJTR did not follow the High Value High Risk (HVHR) guidelines to update the business case to reflect ongoing changes to program cost estimates …

I say all that because there we have a very clear case of history in relation to late and deficient business cases being used for future decisions which have ended up going off the tracks, so to speak. There are
a whole range of examples that we could give. As I said, I could speak for hours on this, but I will just cite a couple of examples where we can see some of the current cost blowouts and wastage.

We have got the West Gate Tunnel, which was originally promised at $500 million and is now $6.7 billion, so that is a blowout of $6.2 billion or 1340 per cent. In Labor terms that is probably not too bad. The Metro Tunnel was promised for 9; it cost 11, which is a blowout of over 23 per cent. Level crossing removals—I just talked about them; that particular blowout was 66 per cent over. It is easy when it is someone else’s money. That is what we are seeing on a regular basis with the government. It is very easy to waste other people’s money, but if there was any ownership of that money, if they had any conscience or any decency as to how it was used, there would be much more accountability.

The north-east link was originally promised for $5 billion and is now $16.5 billion, so that is $11 billion over or a 330 per cent increase. Turning to the east–west link, of course we know the sad tale there of the $1.3 billion payment to not even build anything, which is an outrageous consequence for the people on my side of town. The Victorian heart hospital blew out by 362 per cent. Even a small project like the Seaford-Frankston stabling project was $49 million over or 26 per cent. Then there is the Hoddle Street upgrade. You would think you could get that right; it is an existing road, with a few modifications and a few changes here or there. It was originally promised for $60 million and ended up being $109 million, a blowout of nearly $50 million or 81 per cent.

The Casey Hospital expansion has had a blowout of 32 per cent. Then there is the Ballarat line upgrade, the Yan Yean Road upgrade and the Frankston station upgrade—all sorts of things. Then there is the V/Line fleet maintenance—they could not even get a tiny little job like that right. The original promised figure of $12.5 million ended up being $23 million, so a blowout of $10.5 million or 84 per cent. Huntingdale station car park was 240 per cent out. They are just 14 current examples.

The reason I give all those is that nothing changes. Just go back and have look. One of my favourite documents ever tabled in this place is a Victorian Ombudsman’s report, Own Motion Investigation into ICT-Enabled Projects from November 2011. That looks at a range of ICT projects. It lists 10 projects, and let me read a couple of extracts from what the Ombudsman said at the time. I quote from page 4:

Each of the 10 projects I examined failed to meet expectations; most failed to meet delivery timeframes; and all ran over budget. The original budgets for these projects totalled $1.3 billion. The latest estimated cost—which was back then, I might add, and some of those costs have blown out significantly more since then—

is $2.74 billion—an additional $1.44 billion cost to government.

It goes on to say in paragraph 14:

On average, projects will have more than doubled in cost by the time they are finished.

More than doubled in cost!

Two of the projects will have more than tripled their original budgets in order to reach completion …

On and on it goes.

It talks about there being ‘abject waste’. It talks about this wastage coming at the expense of other projects. I do not have time to go into that anymore, but there are just countless examples of this, and this is what concerns me. It concerns me as a member of this house, but equally importantly it concerns me and my family as taxpayers here in the state of Victoria, because we can rest assured that all these grandiose projects that are going on at the moment will all inevitably blow out in the budget, and there seems to be no consequence for the proponents for that spending and wastage of taxpayers money.

If we look at the Melbourne Markets redevelopment, the Auditor-General’s report of March 2012 talks about the business case being deficient and the budget blowing out by hundreds of percent.
Managing Major Projects is another report. Report after report just proves that the Labor Party, the Labor government, cannot manage money. I could give you a bookshelf full of these to read. Perhaps some of those opposite might want to have a glance at some of them. Perhaps the Treasurer might want to. Perhaps the member for Essendon might want to read a few of them. But just on that alone, we can see what a parlous situation that leaves us in.

We know that Victoria is the highest taxed state in Australia, and the measure of state taxes to gross state product is currently sitting at 5.2 per cent. I have spoken many times about that in relation to how we are just taxed up to our eyeballs here in Victoria. The saddest thing of course is that when people are paying those taxes they are getting wasted in relation to the projects that are being used. We are the highest taxed state in Australia. We have got 12 new and increased taxes. The Premier promised in November 2014 that there would be no more taxes. We know he lied to all Victorians. There are 12 of them. I do not have time to even read them out; there are just so many of them. We can see the extension and consequence of that for ordinary Victorians is that the cost of living for them is increasing. I have said before in this place that I have constituents calling me. During last winter, they were calling me to tell me that they were having to have their tea at 4 o’clock and go to bed at 5 o’clock so that they were not up after dark and so that they did not have to put on their heaters and did not have to put on—

Mr Pearson: That’s rubbish!

Mr ANGUS: The member for Essendon says, ‘That’s rubbish’. Well, I’ll introduce you to those constituents if you like, because that is just unbelievable what you are saying.

Mr Pearson interjected.

The SPEAKER: The member for Essendon will come to order.

Mr ANGUS: We can see that there are electricity disconnections. The rates for electricity and gas costs are just running crazy here in Victoria; that is resulting in increased disconnections. The cost of living is hurting constituents and residents all throughout Victoria, and it is as a result of the financial mismanagement of this government. They stand condemned for their dreadful financial mismanagement, and the sad implications of all that are that their financial decision-making will affect our generation and the future generations to come.

Ms WARD (Eltham) (14:42): Listening to the speeches that we have already heard so far today on this matter of public importance (MPI) there is a movie that comes to mind. It would be a movie that you are familiar with, Speaker, being of my generation, but it is a movie that my kids enjoy too, and that is the movie Groundhog Day. What happens in Groundhog Day? The same thing happens day after day after today with monotonous regularity—on and on it goes, the same thing. This is exactly what we are yet again hearing from those opposite. It is the same tired, unimaginative rhetoric that they come out with—‘Oh, no, Labor, you spend too much money. Our poor rich friends are going to suffer, Labor, because you want to tax them’. It is the same stuff that they have been trotting out for decades, and I do not understand, especially in light of the recent election, why they do not realise this rhetoric is stale. It is stale.

When Groundhog Day comes on the TV, is it at 8.30 at night on Channel 9 or 10 or Channel 7? No, it is not; it is on one of the subsidiary stations of those stations and it is on at maybe 10 o’clock at night. It is one of those movies that you now flick through and find accidentally, and why is that? Because it is an old movie. It is an old movie that we have seen time and time again. It is a repeat, and that is exactly what we are yet again hearing from those opposite. It is the same tired, unimaginative rhetoric that they come out with—‘Oh, no, Labor, you spend too much money. Our poor rich friends are going to suffer, Labor, because you want to tax them’. It is the same stuff that they have been trotting out for decades, and I do not understand, especially in light of the recent election, why they do not realise this rhetoric is stale. It is stale.
either repeat themselves or delve into a Trump playbook—jump into the Trump playbook where you try and scare the pants off people, without substance, and where you try and create a whole exaggerated, created scenario that has no bearing on reality whatsoever.

This is a responsible government. This is a government that is proud of our AAA credit rating and our ambitious infrastructure agenda, and we are not going to apologise to anybody on that side of the house for our infrastructure agenda, because it is a good one. It is so good that—what happened in November 2018?—people voted overwhelmingly for it. And we can see by the lack of numbers of those opposite and by the member for Hawthorn who sits behind me how absolutely devoid of ideas they are over there and how it is infrastructure and it is investment that people want. People want governments to invest in them; they do not want them to hurt them, they do not want them to cut services, they do not want them not to build and they do not want them to ignore them, and that is what happens with those members over there.

Infrastructure like Melbourne Metro, the West Gate Tunnel, the north–east link, regional rail upgrades, level crossing removals and upgrades to schools and hospitals is exactly what we are doing, and it is exactly what the people of Victoria want. Interestingly, the member for Ripon mentioned the north–east link, as did the member for Forest Hill. I do not know why they do not support north–east link. I do not know why they oppose this ambitious, important idea—why this infrastructure, which is so vital to our city and indeed to our state, they do not want to have. They do not want a bar of it. They are complaining about the fact that we want to invest money into this infrastructure. They think it is wrong. I hate to tell you: the people of Victoria are right—they voted for it. You saw it in your electorate, Speaker. I saw it in my electorate. We saw it in the seat of Ivanhoe and we saw it on the other side of the river as well. A scare campaign about east–west link got nowhere. A positive campaign with funding, a positive campaign that was actually going to get something built, got overwhelming support.

Let us compare east–west link with north–east link. What was the return on the dollar for east–west link? Forty-five cents. Every taxpayer dollar spent was only going to get 45 cents back. With north–east link what is it going to be? It is going to be $1.30, or it will be $1.40 if you include the wider economic benefits. Compare and contrast the economic managers here. What have you got? You have got a loss under the Liberals of 55 cents with their project or you have got a gain under us, and that is because we know how to build infrastructure and we know what it is worth. We know what it is worth to the people of this state.

On 774 this morning, Speaker, you might not have heard that they were reporting that the federal Liberals were saying that the Liberal Party is the party of aspiration and the Labor Party is the party of envy. What planet are they on? Can you tell me what the Liberals actually aspire to? I see no aspiration on that side. All I see are a bunch of people who want to help the 1 per cent. That is all I see on that side of the house. On this side of the house I see people who are working incredibly hard to do the best for their communities, to do the best for working people, to make sure that people get good wages, to make sure they have got the hospitals and the schools that they need and that our money is invested in the things that matter to the people of this state, and that is what we are doing on this side of the house. Tax cuts do not always deliver that.

I could not think of anything more wrong or anything more arrogant than for the Liberal Party to say that the Labor Party is the party of envy. We do not envy the 1 per cent. What we want to do is build up the 99 per cent. We want to support the 99 per cent, and we want to make sure that they have the best opportunities possible. And I tell you what, Speaker, they can continue pandering to the 1 per cent, because that is close to the vote that they got last year.

We are the party fighting for communities and we are fighting for opportunities. The Liberals fight so that the rich can get richer. They will throw up, ‘Oh, it’s class warfare’. No, it is not; it is called doing the right thing. It is called having a moral conscience and it is called caring about your communities, and that is exactly what we do. They are a party who do not aspire, they are a party who have no
ambitions, and that is exactly what we saw from the last two contributions that we just heard. Now, it is interesting that the member for Ripon has moved this matter of public importance; she is a disciple of the Institute of Public Affairs, and I know that there are a number of people on that side of the house that are very enmeshed in that organisation. The IPA says it is the voice for freedom. Well, actually it is the voice for the rich. In a submission to the federal government’s inquiry into taxation, which led to the federal bill offering tax cuts to wealthy Australians, the IPA argued that a progressive tax system ‘discriminates against Australians by income’. Further, and I quote:

Other forms of discrimination, such as by skin colour, race, or ethnicity, are rightly abhorred, yet the income tax system openly discriminates against people by income.

So the member for Ripon, who belongs to the IPA as do many others over there, wants tax cuts because not to have tax cuts is akin to racism. It is akin to sexism, in their view. That is extraordinary. It is extraordinary that an organisation in this country would believe that—that they would believe that the rights of the 1 per cent are so inherent and that their privilege is so strong that to tax them, to subject them to taxation, is the same as a racist slur. That is just incredible.

The IPA are of the view that rich people do not need to contribute towards our hospitals, our schools or our roads—the things that taxes pay for. A few years ago the IPA had a list of their top 75 reforms, including abolishing the then Department of Climate Change, abolishing the clean energy fund and withdrawing from the Kyoto protocol. This is ironic when added into this MPI is a concern about energy prices. If you do not recognise that climate change is real, if you do not recognise that alternative energy needs to be invested in, if you do not recognise that when it comes to energy you need to create choice and you need to ensure that you are developing cheap clean energy, you are insane. It is just so economically and morally bankrupt to think that you do not need to invest in clean energy, that you do not as a government have an obligation to create a clean economy that actually looks after the future of this state and of this country, and that lining the pockets of the 1 per cent is more important than creating a clean environment. They have no worth.

The IPA also wanted to repeal section 18C of the Racial Discrimination Act 1975. Well, that went well! Ironically reform 7 was to return income taxing powers to the states, so maybe they do want the states to tax more. They also wanted to abolish the ACCC. They wanted to introduce competing private secondary school curriculums. There are a whole bunch of mad things that this mob wanted to do, including to cease subsidising the car industry—and see where that ended up.

Ms RYAN (Euroa) (14:52): It is a pleasure to rise today to support the matter of public importance moved by the member for Ripon. It is hard to know where to start after that diatribe from the member for Eltham. There was a lot of rhetoric but not much substance, I have to say, in her contribution. Really it was quite extraordinary. She thinks that her side of government is fighting for the 99 per cent. Well, I can tell you that that is not the case in my electorate. I invite her to actually leave the city boundaries and come out and have a look at regional Victoria—

Ms Ward interjected.

Ms RYAN: and have a look at the lack of investment that is occurring in regional Victoria under this government.

We have seen today the Treasurer come out and basically blow the whistle on the disaster that is looming with the state budget. There is a crunch coming in this state, and it is because of the mismanagement of those opposite. We have falling property prices, we have increasing debt and we have increasing taxes. That might get you through a year or two, but in the long term that is a complete recipe for disaster. You do have to ask who is going to bear the brunt of that financial mismanagement. The Treasurer has pointed to the state’s public sector workers. I would argue that in regional Victoria we have already been bearing the brunt of that, even whilst the government has had rivers of gold. Very little of that is making it beyond the city border. We have seen that this government has increased or introduced 12 taxes since they came to government, and we all know of the Premier’s promise in
2014 that there would be no increased and no new taxes. That quickly went out the window. As the member for Ripon mentioned in her contribution, and I think too the member for Forest Hill, there has been an absolutely massive tax grab around land tax. It has increased by 96 per cent under this government, and yet house prices, as the member for Ripon pointed out, have increased by only 28.6 per cent in Melbourne or 26.5 per cent in regional Victoria. Of course we now have the government moving to annual property valuations, which will only increase that pressure further.

I want to give the house a couple of firsthand examples of the impact of the government’s increases in land tax. I have a constituent in my electorate, Joan Ryan. She lives at Broken Creek. She is no relative, I will point out. She is a full-time carer for her invalid sister, and she relies on her carer’s allowance and the income she derives from her rental properties in order to live. She occasionally cuts hair to make ends meet. Her land tax bill has increased from $22 000 last year to $38 000 this year. That is a 74 per cent increase. She inherited those properties from her family in order for her to look after her sister full-time. She is not some massive land baron who can afford to throw more money into the state government’s coffers. She is somebody who relies on a carer’s allowance, but she is now in active discussions with her property manager about increasing rents in order to be able to meet that impost that the state government has put on her.

That highlights a very significant point: that this land tax grab, the state government would have us believe, is going to impact on rich property owners. But the reality is that it has huge flow-on effects for renters and those who are often incredibly insecure in their tenancies. This argument that the government is all about making life easier for renters is quite simply untrue.

Ray and Margaret Farrugia from Broadford are similarly very distressed by the increases they have seen. They have worked really hard to purchase a property with a view to self-funding their retirement. They are now very close to retirement. They are approaching retirement, but they have found that their land tax bill has more than doubled from $3362 last year to $7606. That is a huge impost for a couple who have worked very hard all of their lives. They have been very careful with their money, and they are now finding that this government is taking more money out of their pocket. You have to ask yourself how that is fair. How is it fair to the renters who will find their living costs drastically increasing, and how is it fair to people like the Farrugias who have been very diligent and very careful in saving for their retirement? It is not fair, but the reality is that it is in Labor’s DNA to drastically increase taxes in order to run the state.

These tax increases, in my view, are even more galling when you consider the rivers of gold that this government has had over the last four years. We have seen the sale of the port of Melbourne, 10 per cent of which was, as we know, supposed to come back to regional Victoria. That vanished into thin air, and I would challenge any of those on the other side to actually tell us where that money went. At best it went to substitute regular government spending, but it certainly was not invested in new transport projects in regional Victoria. Worse still, the government’s management of that money, that once-in-a-lifetime revenue coming into the state, has been absolutely appalling. We have had cost blowouts on so many fronts. Just in transport alone — and a number of these have already been cited — the Melbourne Metro Tunnel has blown out by $2 billion, the north-east link has blown out by $11.5 billion and the West Gate Tunnel has blown out by $6.2 billion. Even the V/Line fleet maintenance budget has blown out. This covers the maintenance of trains that are way past their use-by date, but the government refuses to replace them. They allocated $12.5 million to splash a bit of paint on them and put a bit of fabric on the seats to convince us that they were right to go around for another decade or two. Even that has blown out by $10.5 million. Just today we have had the latest example with the Warrnambool line upgrade, where the government told us that residents in western Victoria were going to get new VLocity trains under the regional rail revival project. The government said, ‘$100 million, Warrnambool, we’re going to deliver you VLocity trains’. I just want to take a moment to put on the record some of this from the V/Line final impact statement 2018 into the Warrnambool line upgrade project, where we now find out that the government has adopted an option which will not see VLocity trains down the Warrnambool line. That is a complete betrayal of the
commitment made by the now Minister for Transport Infrastructure when she stood up in this house in 2017 and it is a betrayal of what the Premier told the voters of Warrnambool at the last election. The people of western Victoria went to the last election believing that a re-elected Labor government was going to fund VLocity trains through to the city of Warrnambool, and now we have this brief which clearly shows us that option 1, which is the option that is being adopted by the government:

- delivers on all of the WLU project objectives—
- and then this is underlined—
- with the exception of enabling DMUs—
- which, for the broader public, is ‘diesel multiple units’, which is another word for VLocity trains—

operations on the Warrnambool line …

It goes on to say:

Option 1 does not provide any transit time improvements, with the exception of eliminating delays currently caused by crossing trains at Camperdown.

It will not deliver any improvement in travel time and it will consign those people in western Victoria to the old N-class—the old outdated, unreliable N-class—trains for the foreseeable future. It is yet another example of how this government cannot manage money, cannot manage major projects and will instead consign Victorians to years of outdated infrastructure because they cannot do the basics. They cannot get the basics right.

So while we have huge amounts of money which have come into this state over the last four years, we have very little to show for it; certainly in regional Victoria we have almost nothing to show for it because none of that money actually reached beyond the city boundaries. I should make the point that all of the funding for these regional rail line upgrades, the so-called regional rail revival project, came from the federal government. The state was not even willing to put any of its own money into it; even when it was handling someone else’s money it could not do it. The government has stuffed the project and Warrnambool will see the result.

Ms SETTLE (Buninyong) (15:02): I rise to speak against this matter of public importance (MPI). I have to say, like my colleagues, I am incredulous that those on the other side of the house continue to drag out the same old lines. These are the same old lines that lost them the last election. In my seat of Buninyong there was a swing against the Liberal Party of 11 per cent, and that swing was the negative campaign that they continued to run, and they continue to run it right now. Victorians do not want a government that is tone deaf; they want a government that gets things done. That is one of the things that the people of Victoria made very clear in the election, and that is why I am delighted that the seat of Buninyong now has a 12 per cent margin.

However, the member for Ripon would like us to talk about debt, so let me be clear on this. This government’s debt position is strong. I would like to point out that in the 2018–19 budget update net debt as a percentage of gross state product remains below the level set by the previous coalition government in its final year of office. This has not been achieved through penny-pinching; it has been achieved through record levels of investment in regional rail upgrades, level crossing removals, upgrades to hospitals and school rebuilds. It seems that the member for Ripon would prefer us to sit on our hands like the last ineffectual coalition government, a government that had nothing to show after four years apart from a historic first-term loss. I certainly will not be making any apologies for this government’s record investment in infrastructure and services.

I am astounded that the member for Ripon, who purports to represent the people of Ararat, can table a matter of public importance that condemns this government for its record investment in infrastructure. I joined the Labor Party after seeing the devastating effects that the Kennett Liberal government had on the town of Ararat. I do not know if the member for Ripon was living there, but our town was absolutely decimated. That coalition government ripped out the train; it ripped out the
life from Ararat. The member for Ripon would have us return to those days of cuts and closures. Let us hear about the days when the pennies were counted but not the costs. I would also like to remind the member that it was a Labor government that reopened the Ararat and Maryborough stations. Once again we have a Labor government that is investing in communities, and once again we have a coalition that just want to talk about cuts.

I am a breakfast club volunteer, so once a week I happily go to Sebastopol Primary School to make Milo and toast for a bunch of kids who need and deserve our support. I have volunteered for breakfast club because I know that there are people in our community, probably the leaders of tomorrow, who just need a community to be prepared to invest in their wellbeing. The Andrews Labor government invested in breakfast club and recently in lunch club, and to me that is money that is well spent—money that we spend on the people in our communities. That is why I am a proud member of the Andrews Labor government, a team that recognises that former coalition governments have left regional Victoria behind. We are now prepared to invest in those communities. In Ballarat our community is making great strides. This government’s investment in regional Victoria can be seen by the number of cranes in the sky and by the kilometres of track being laid.

While I am sure that the member for Ripon and her colleagues would like to see the government stop delivering for all Victorians, cuts and closures are not a part of our DNA. Investing in our communities is part of our DNA. When I was a single mum trying to get back into the workforce TAFE gave me a second chance, and it is now doing that for thousands of students right across Victoria. When a Liberal government rips out investment, we all suffer. Those opposite took a knife to TAFE, gutting it just as youth unemployment began to rise. Well, on our side we do things differently. As I mentioned, I know from personal experience what a difference TAFE can make. The Andrews Labor government’s investment in free TAFE is life-changing for so many in our community—a real chance to get the skills for a real job. The recent employment figures have shown that this government has proven itself, with record low regional unemployment. In Ballarat the December 2018 quarter saw an unemployment rate of 3.4 per cent. The previous coalition government, which the member for Ripon was a member of, left office with an unemployment rate in the Ballarat region of 6.9 per cent.

On this side of the house we have laid out a clear pathway to delivering the infrastructure we promised, while those on the other side are already talking about motions that would lead to cuts—this matter of public importance makes it clear. The next four years we are going to get on with it and the Liberals are going to keep complaining about our progress.

I would like to invite the member for Euroa to come along and visit Ballarat. She suggested that the money is all spent in the city. However, I live in Ballarat and I have seen the huge amount of investment that has gone into Ballarat. This government is in the process of rolling out record investment in regional rail. We are spending $1.75 billion upgrading all of the lines across Victoria, and in my region, in Ballarat, the investment in the line upgrade is half a billion dollars. Do you know: that project is on track for completion and it is well within its budget, but what I am really pleased about is it is on track to exceed the apprentice, trainee and cadet workforce target of 10 per cent, because they are the things that a Labor government cares about.

So far we have had duplication of 18 kilometres of track. Work has begun for installation of a new signalling system. New stabling at Maddingly is close to completion—it will be opening in March—and that new stabling will mean we can store six more VLocity trains at a time. At Millbrook more than 1.5 kilometres of track has been shifted. Platforms and supports for pedestrians are in place at Cobblebank station. Last week I was delighted to meet with the Premier in Ballan and watch the incredible progress that has gone on there.

I find it extraordinary that the member for Ripon is more interested in her mates with property portfolios than she is in the people of her electorate. She talks about housing, and she fails to note that under this government regional Victoria has experienced great success. We have doubled the first home buyers grant as well as alleviating stamp duty.
When those opposite were in government there was never a cost blowout on a Liberal Party major project—because there weren’t any. Our economy slowed to a crawl, and at one point it was even going backwards—and that is a shout-out to the member for Malvern for being able to pull that off. They sat on their hands and they did nothing as jobs growth slowed and thousands more Victorians joined the jobless queue. It has taken a lot of work to address the neglect of those opposite, and there is more to do. However, this MPI from the member for Ripon demonstrates that those on the other side have learnt nothing from their years of chaos.

Mr WAKELING (Ferntree Gully) (15:12): Well, I do not know where to start with the last contribution, but I understand the member for Buninyong is new to the house so I am certainly not going to start attacking the member. Can I say, firstly, that I am very pleased to be standing in this house to support the member for Ripon, who was re-elected by her community because the people in her community knew that she was the best representative to sit in this Parliament to represent the people of regional Victoria. So my starting position is that I congratulate her on her re-election.

Can I say that this is a very important matter of public importance because it goes to the heart of the Labor Party, and we know that when you look at the Labor Party, debt is within the DNA of Labor MPs. When you look at who they hold in high regard, if you look at John Cain and you look at Joan Kirner, they are lauded as Labor luminaries when in fact for many of us when we were growing up, when we first left school during the height of the Cain-Kirner failure, Victoria was a basket case, Victoria was a rust bucket and we bore the brunt of the rest of the country. I can only say, having known someone who was working for an organisation known as the Victorian Economic Development Corporation, that what they used to do was they would ring up the VEDC and say, ‘We need some more money to help our business’, and money was deposited into their bank account. That just demonstrates how Labor governments operated.

When you look at what is happening now in this state, we are now the highest taxing state in the nation—at 5.2 per cent it is higher than any other state. We are now going to see that under the watch of this government state debt is set to double. We know that at its heart Labor does not care about passing on debt to Victorians. In fact at the last election those opposite prided themselves on the fact that they were going to impose significant debt on the children and grandchildren of Victorian taxpayers. They lauded themselves: ‘This is a great outcome. People should be proud of the fact that this will be a government that is going to force your children and your grandchildren to pay off a significant debt into the future’.

When we look at the way this government manages projects, you just need to look at over $25 billion of cost blowouts. Those opposite said that a West Gate Tunnel would cost $500 million. We know this project is now going to cost $6.7 billion—a cost blowout of $6.2 billion. On the north-east link project, those opposite lauded themselves when they said, ‘We are going to build a north-east link. We’ll build it for $5 billion’. Well, what is the figure out now? Is it $5.2 billion? Is it $5.6 billion? No, it has gone from $5 billion to $16.5 billion—a cost blowout of $11.5 billion. It has almost tripled. Explain to me how you can get it so wrong. The reason you get it wrong is because it is not your money. It is Victorians’ money. It is the taxpayers’ money. It is money that Victorians are going to be paying through increased taxes and charges under this government. You just need to go through the litany of projects that this government has done to see it. The Seaford stabling project was promised to cost $187 million; it blew out to $236 million. It just goes on and on and on. Those opposite sit there and laugh.

Mr Richardson interjected.

Mr WAKELING: The member for Mordialloc thinks it is hilarious. He thinks it is hilarious that he is a member of a government that told Victorians, ‘We’ll build you a road project—the north-east link—for $5 billion, but I am very pleased to see it blew out by $11.5 billion’. I would like to see him stand up in this house and explain to Victorians why he is happy to sit in this house and laugh about the fact that a project his government proposed to build has blown out by $11.5 billion. I would like
to see his explanation to Victorians about how that is such a good outcome for the Victorian community. We know that this government does not care when it comes to taxes and charges.

Just this week we have been dealing with the significant issue of recycling. We know that across the state, councils are now sending recycling material to landfill. Who would have thought this would ever happen in the state of Victoria? This is an issue that this government has known about for nearly two years. The government has had every opportunity to do something about this very important issue because it had nearly half a billion dollars sitting in a fund that is designed to drive innovation to provide a solution. In fact what happened was we had the hilarious situation where the Minister for Energy, Environment and Climate Change told the recycling community that she was going to deliver a solution. She then turned around and told the recycling sector she could not deliver a solution because she had been slapped down by the Treasurer, who had turned around and said to the minister, ‘I am not going to provide the financial support that the sector is wanting to find a solution’. The sector was not looking for $500 million. They were not even looking for $400 million. They were looking for an investment by the government to provide a solution to deal with the crisis that this government was facing. But of course what did the government do? It sat on its hands and did nothing.

We now have the ridiculous situation where recycling material will be sent to landfill, and councils will now be paying a landfill levy to the government for recycling material going to landfill. It is a levy that is intended to act as a diversion and to encourage the diversion of recycling material from landfill. You are now going to have a situation where governments will have no other option than to send recycling material to landfill, and those opposite do not see this as being an issue. Those opposite do not care.

Ms Thomas interjected.

Mr WAKELING: The member for Macedon in her own community last year had the local recycling service in the Shire of Macedon Ranges actually say to the council, ‘We are going to refuse to collect recyclables because the government is sitting on its hands and doing nothing about the crisis’. It was only at that point that the government stepped in and came up with a bandaid solution to try to provide some help and assistance.

Again, those opposite have had nearly two years to deal with this crisis, and they have sat on their hands. They have turned around and said, ‘The people who are going to fix this problem are in Canberra’—for heaven’s sake! They have got half a billion dollars sitting in a fund. They are responsible for the management of this system, and the minister’s response is, ‘I want the federal minister to come in and fix Victoria’s problem’. This government was not elected to fix a crisis by shipping it off to Canberra. It has nothing to do with Canberra; it has everything to do with this government. But again, the government sits on its hands, not prepared to do anything about it. It has over half a billion dollars sitting in a fund that it is not prepared to touch. More importantly, they are happy to see the gouging of Victorians while we are going to see recycling sent to landfill.

Mr Pearson interjected.

Mr WAKELING: I would be very interested to hear the contribution by the member for Essendon on this very important issue. I know that he is very keen when it comes to issues—(Time expired)

Ms ADDISON (Wendouree) (15:22): It gives me great pleasure to contribute to this matter of public importance debate and reject the assertions of the member for Ripon about the Victorian economy. Despite our electorate sharing a border, we do not have much in common on this topic. But I do agree with you, member for Ripon, that politics is about choices and it is about values. That is why we do what we do.

Victoria is leading the nation in terms of economic growth, and we have maintained our AAA rating. Victorians should be very proud of what is being achieved by this Andrews Labor government. Compared to our opponents, last time they were in government the economy stagnated. I am proud to 
be a member of the Andrews government, which has a clear agenda, a responsible and accountable approach and a strong mandate that delivers for the people of Victoria. Yes, we are showing our values, we are creating jobs, we are delivering world-class health and we are investing in essential infrastructure like the Melbourne Metro and the West Gate Tunnel. We are doing school rebuilds, all the while keeping Victoria’s tax rate competitive.

This is what a good government looks like, and this is what good management looks like. We took our plan for a stronger, better and more inclusive Victoria to the people in November 2018, and the choice could not have been clearer. We promised better schools, and we are getting on with the job of delivering 100 new schools and 1300 upgrades. We care about Victorians’ health, and that is why we are delivering more nurses and more midwives. We are supporting our paramedics because we know that when we support our paramedics, emergency response times continue to go down. We promised to deliver three-year-old kinder, and we will give our best to the littlest Victorians so they have the best possible start in life and are school ready. We have promised free dental for state school kids and will be providing free dental check-ups. As the Premier declared on that great election night in November 2018, we live our values, we keep our promises and we are getting things done. I am proud to be part of a government that says what it does and does what it says.

Our election commitments are fully costed and fully funded. There are no new taxes or charges to pay for our election commitments. I am very disappointed with what is going on here—that is my best teacher look. This is yet another scare campaign from you guys, the Liberal-Nationals opposition—

The DEPUTY SPEAKER Order! Member for Wendouree, can you direct your comments through the Chair and remember to refer to members appropriately.

Ms ADDISON Yes, Deputy Speaker. Rather than listening to what the community wants and taking on board the mood of the electorate, the Liberal-Nationals coalition opposition are misleading the community about our infrastructure plan and the Victorian economy.

Let us talk about growth. In 2017–18 Victoria’s growth rate was the highest of all states and was the fastest in the nation. It was higher than New South Wales, higher than South Australia and higher than Tasmania—all states with Liberal governments. Last year Victoria’s economy grew by 3.5 per cent—faster than the national economy, with a Liberal-Nationals government. This is not by accident; this is by good management, because this is what this government is doing. Yes, we do have debt because we are investing in our state, but the government’s debt position is strong. As has been mentioned by other speakers, we have maintained our AAA rating.

I am so pleased that we are investing $500 million for the Ballarat line upgrade to improve our rail services, to offer more peak services and to increase reliability. This project is on track, on budget and being delivered within the funding allocation, as we said it would be. We are also investing $100 million for GovHub in my community, a regional community. This is going to create jobs in Ballarat and build our region’s economy with well-paid, secure and permanent jobs.

I have to disagree with the member for Euroa that this government is not delivering for regional Victoria. I live in regional Victoria, and this government is delivering for my regional community. In the May budget last year $461 million was announced for the redevelopment of Ballarat Health Services. This was music to the ears of the Ballarat community as the redevelopment will provide Ballarat families with better, safer and faster health care. The upgraded hospital will have the capacity to treat at least a further 18 000 emergency patients and an extra 14 500 inpatients each year. Another great benefit to our community from this announcement is that it will create 1384 construction jobs, and once the redevelopment is complete there will be an extra 1000 full-time healthcare positions.

I am thrilled about the new emergency department, a modernised acute mental health facility, a new intensive care unit, a women’s and children’s hub and an expanded critical care ‘hot floor’. We are going to deliver an extra 4000 surgeries annually. The alternative is not to invest in our community
and not to provide quality health care to our community. Should we only offer substandard care to ensure we have buoyant balance sheets but no services? If we do nothing and spend nothing, we have no costs, but what is the human cost? We need to borrow to build and we need to invest in public infrastructure to help Ballarat and our state grow.

The Andrews Labor government makes no apology for our ambitious infrastructure plan, whether it be the removal of a further 25 level crossings, the north-east link or the Melbourne Airport link via Sunshine. As the member for Wendouree, I can tell you that the people of Ballarat are thrilled that they will be able to jump on the train in Ballarat, transfer at Sunshine and get to the airport. It is a fantastic project that is well supported by the community and worth investing in. I am sure there are many residents living in Ripon, in suburbs like Lucas and Miners Rest, who are also looking forward to catching the train to Melbourne Airport in the future.

This $23 billion investment is transformative for Victoria and for future generations. We are building the infrastructure that our state needs. We are not thinking about next year or the next election cycle; we are thinking long-term and being strategic and visionary for our children and their children. Unlike the opposition we have laid out a realistic and clear fiscal strategy to deliver the infrastructure that we have committed to. The benefits for Victorians clearly outweigh the cost, and I support our infrastructure build, which is growing this state and setting us up for the future.

I listened with a lot of interest when the member for Ripon raised the issue of energy. We are very committed to not only addressing the cost of power bills but also addressing climate change and showing our commitment to renewables. It is all part of our $1.3 billion Solar Homes plan. We are committed to renewables and we have ambitious targets because climate change is real. With our offer of solar hot-water systems, batteries and rooftop solar panels, we are pleased that Victorians are making savings of up to $895 per year.

I will remind the member for Ripon that under the Baillieu-Napthine governments Victoria had a record number of energy disconnections—the highest ever recorded, at over 64,000 disconnections a year. Let us contrast that with the Andrews government approach to this issue: we have strengthened the protections customers must receive from their energy retailer, we have more than doubled the threshold at which a customer may be disconnected and we have also taken strong action against retailers who wrongfully disconnect customers, including tougher penalties and increasing compensation. I am pleased to say that on 1 January 2019 we introduced an energy framework for Victorians in hardship, a nation-leading approach to help people stay connected and stay out of debt. We are also dealing with payroll cuts in the regions and tax cuts, including great stamp duty benefits for first home buyers. My friends Stephen and Sara just bought a beautiful home in Alfredton for their three kids. They are living the dream, and they did not have to pay stamp duty, thanks to this government. They love their house, they love their new life and they love living in Alfredton.

So what I want to quickly do is say thank you to the Andrews government. Thank you for your management. Thank you for all you do for us.

Mr ROWSWELL (Sandringham) (15:32): I rise to speak on a matter of great importance to the Victorian community and in doing so wish to acknowledge the magnificent contributions—outstanding contributions, indeed—by my colleagues, the members for Ripon, Euroa, Forest Hill and Ferntree Gully. Economic security and fiscal responsibility are indeed matters of great importance for the Victorian people, because what we are talking about is the responsible and appropriate use of the Victorian people's taxes for the strength and the future prosperity of our great state. The motion being considered, moved by the member for Ripon, covers four significant areas that highlight the consequences of Labor's financial mismanagement in this state.

When it comes to assessing which is the highest taxed state in Australia, the facts simply speak for themselves. What I would like to do is simply outline just a few examples of this. On payroll tax: of all Australian states which calculate payroll tax on a marginal basis, Victoria has the lowest tax-free
threshold, $625 000. This compares to New South Wales, where the first $750 000 is exempt; Tasmania, where the first $1.25 million is exempt; and the ACT, where the first $2 million is exempt.

For land tax, Victoria has the lowest tax-free threshold of all mainland states in Australia: $250 000. Stamp duty bills in Victoria have risen from 1.9 per cent to 5.2 per cent of the median dwelling price since 1982. This growth in tax burden is three times the rate of house price increases in that 35-year period. Compare that to New South Wales, which moved from 1.6 per cent to 3.8 per cent of median dwelling price over that same period.

For motor vehicle registration, of all Australian states, Victoria has the highest registration fees. This tax, on a new or used vehicle valued at $25 000, would be $750 in New South Wales, Queensland or Tasmania; and $940 in South Australia, but in Victoria, it is $1050. I am reminded of that eloquent Regan phrase:

If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidise it.

This, of course, is the Labor way.

There are two questions which come to mind when outlining this tax burden on Victorians. How is being the highest taxed state in Australia fair? And how is being the highest taxed state in Australia equitable?

I was concerned to read the comments of the Treasurer on the eve of the last state election. In the Australian newspaper, in an article titled ‘Debt to double and Pallas says kids will pay’, Mr Pallas is quoted at length:

‘By spreading the cost over more than a decade, it means we share the cost of the infrastructure across generations,’ he said.

‘We pay some, and our kids, who’ll be the principal beneficiaries of these investments, will also make a contribution to the projects that are so vitally important to the continued economic resurgence of this state.’

Let us just think about that for a moment. What we are actually talking about is intergenerational theft. Under this Labor government, Victoria’s net debt would increase from 6 per cent to 12 per cent of gross state product as the government borrows billions over the next decade. The Parliamentary Budget Office post-election report showed that the growth in net debt to 30 June 2022 alone would increase by more than 72 per cent, reaching a massive $38.8 billion.

When did it become okay to saddle the next generation with the additional $25.6 billion in borrowing anticipated to be incurred during the term of this government? Arguably, Labor plans to increase debt because of incompetence with managing major projects, which leads to massive cost overruns, leading to a greater reliance on tax revenue and the need for the state to borrow beyond its means.

So what does this mean for every Victorian household? This is equivalent to an additional $24 000 in debt per household. All of this is when the Treasurer has previously undertaken to keep debt below $3 billion, or 6 per cent of gross state product. Again I ask the question: for a government that says it is all about fairness, all about being fair, how is saddling future generations with massive debt equitable or fair? Because of course Labor want to borrow more money, because that is what they do when they cannot manage the money that they have. And under the Premier to date, as previous speakers on this side have addressed, there has been more than $25 billion in waste and cost blowouts, including the West Gate Tunnel, blown out by $6.2 billion; the Metro Tunnel, $2.07 billion; level crossing removals, $3.3 billion; north-east link, $11.5 billion; and the Victorian Heart Hospital, $393 million; and so it keeps on going, and going and going. The Frankston station upgrade has a blowout of $11.8 million. This is a total blowout of $25 billion.

The question comes to mind: ‘What is $25 billion between this Labor government, who cannot manage the Treasury benches and their labour union mates?’ Well, this is what $25 billion could have bought: 25 Royal Children’s Hospitals, 125 000 new ambulances, 926 secondary schools, 2083 primary schools and 1136 special development schools. It could have paid for a new outpatient clinic at the
Sandringham Hospital. It could have paid for the urgent rebuilding work required at Sandringham College and Mentone Girls’ Secondary College in my electorate. It could have paid for the redevelopment of new netball facilities for the Sandringham District Netball Association or a new electronic scoreboard for the Cheltenham Football Netball Club. It could have paid for a second shift of protective services officers at Mentone station to keep the more than 5000 students and other users of that precinct safe. It could have paid for the development of the Marine Education Science and Community Centre at Ricketts Point in my electorate. This wasted $25 billion could have set up my community, including the suburbs of Sandringham, Black Rock, Beaumaris, Cheltenham, Highett, Mentone and Hampton, with the vital infrastructure it needs for the next generation.

In the time I have left I wish to address Victorian families, who are facing record electricity disconnections. This worthy motion mentions that Victorian families are indeed facing record electricity disconnections. In the 2017–18 financial year more than 1000 households a week were disconnected from electricity and gas due to payment arrears. More than 60 000 customers have been affected in this way in total. This is a 21 per cent increase in the number of disconnections per year.

In the same time, according to the Essential Services Commission, power prices jumped 16 per cent—my goodness!—the biggest annual increase since 2014–15. The number of consumers in hardship repayment programs rose by a whopping 25 per cent in the last financial year, now numbering more than 100 000 consumers in total.

Mr Richardson interjected.

Mr ROWSWELL: The member for Mordialloc may think this is funny, but it is not. These people are affected in your electorate as they are affected in mine, mate.

The DEPUTY SPEAKER: Order! Member for Sandringham, I ask you to refer to members appropriately in this house.

Mr ROWSWELL: As I said in my maiden speech in this place, just as families are expected to live within their means, so should governments be. We must not be reckless with our spending. We must not mortgage my daughter’s and her children’s future. The Andrews Labor government’s attitude to economic security and fiscal responsibility is not fair, and it is certainly not equitable. It is reckless, it is irresponsible and it is arrogant. I commend to this house the condemnation of the financial management by the Andrews Labor government.

Mr CHEESEMAN (South Barwon) (15:42): It is with great pleasure that I rise today to address this matter of public importance (MPI). Let us reflect for a moment on what the Liberal Party have become. They have become a party that can only ever deliver a scare campaign. That is what they are about: scare campaign after scare campaign. Well, guess what? At the November election that has just recently been undertaken the Liberal Party was reduced to an absolute rump. Why was that? Why did that occur? It was because they had no plan for our state and no plan for our economy.

Let us reflect for a moment on when they were in government. Can anyone remember anything that they did other than make cuts? They made cuts to our ambulance services, cuts to our TAFE institutions and cuts to our fire services. There was no infrastructure and no infrastructure plan. They oversaw as a consequence of that a retraction in our economy. They saw jobs go from our state.

Guess what? In May of this year we are going to have a federal election and the Morrison government is going to be subjected to the same condemnation from the Victorian community. It is because they failed to invest in the infrastructure that our state needs to grow our economy. That is what the Victorian community is going to say. They are going to send you the same lesson that they sent you lot in November.

Mr R Smith interjected.
Mr CHEESEMAN: You are a very clever man, aren’t you? Let us be absolutely clear: the Morrison government are toast because they have no plan to grow our economy. When you invest in the services and the infrastructure that our state requires—guess what?—you grow the economy. Infrastructure opens up the capacity of the economy to grow. Can we remember any major infrastructure that they delivered when they were in government? I cannot, but I can recall commitment and promise after commitment and promise that they failed to deliver. In my own local area they made all sorts of outrageous promises around Avalon Airport, but of course they did not deliver anything to support the opportunities for my region around having a second international airport.

If you contrast that with our government—the Andrews government—we have a very clear economic plan for our state to put in place the services that our communities require and to put in place the infrastructure that our state needs to grow. We have a very clear plan. We took that plan to the Victorian community, and—guess what?—they endorsed it. They liked it. They believed in it. They endorsed it massively. We have a strong plan that will open up our economy and that will create jobs.

Ms Halfpenny: They did nothing.

Mr CHEESEMAN: In fact they did less than nothing. They actually made cuts to the services that we need—the services that our economy needs. That is what they did when they were given the opportunity to govern this state.

I look forward to May. I look forward to a Shorten government being elected and working in partnership with our government to put in place the infrastructure that we need. I look forward to that. I look forward to working closely with a federal Labor government to grow our state, to put in the infrastructure that we need to ensure that our economy grows and to ensure that we create the jobs of the future. That is what I look forward to.

The member for Ripon spent some time talking about energy prices. I thought about it for a moment, and I thought, ‘Well, the Liberal Party don’t actually have a position on energy prices. In fact they have three or four or five positions’. They have changed their position depending on the media cycle. That is the reality. They have no plans to invest in the future generation capacity that our state requires. We of course have very strong plans. Not only will that drive down the cost of energy for Victorian households but it will also very clearly respond to the challenges of climate change, and I think that is important—good environment policy working to reduce our energy prices, putting consumers back in control and making sure that the private energy grid that was established because of Kennett enables Victorians to be able to access prices for energy generated on their own rooftops. That is what we do. We have strong plans that of course make our economy more efficient. We do that through building
infrastructure. We do that by investing in the skills that our community requires, making sure that 16 and 17 and 18-year-olds can go to TAFE and get the training that they require for the jobs that our state demands. That is what we are doing. We have very strong plans.

But, as I say, I look forward to May. I look forward to the federal election and the opportunities that come with an Andrews government working with a Shorten Labor government to ensure that we can further invest in the infrastructure that we require.

Again, as I point out, think about the Baillieu government for a moment. Think about what they stood for. It was cuts to TAFE and cuts to our ambulance services, and of course we saw as a consequence of those the livability of our state massively reduced. We have turned that around in the last four years, and we have a strong plan for the next four years that will provide opportunities for many generations to come. That infrastructure is important. The restoration of those services is important. I would like to condemn this MPI.

Mr R SMITH (Warrandyte) (15:52): It is pretty obvious to everyone in the house why the member for South Barwon is no longer troubled by having to take regular trips to Canberra. I think the people certainly made it clear to him when he was the member for Corangamite that he was not doing a very good job. Anyway, putting that aside—I do not mean to be churlish in any way, shape or form—I would like to rise to support the matter of public importance put forward by the member for Ripon:

That this house condemns the financial mismanagement of the Andrews Labor government, noting that its consequences include:

(1) Victoria being the highest taxed state in Australia;
(2) state debt being set to double;
(3) cost blowouts with billions of dollars on major projects; and
(4) Victorian families facing record electricity disconnections.

Can I first move to the issue of taxation. On the eve of the 2014 election, facing the camera our now Premier said, in response to a question from Peter Mitchell about taxes, ‘I make this promise to every single Victorian: there will be no new taxes’.

Mr Staikos: Get over it.

Mr R SMITH: Get over it, says the member for Bentleigh. Get over the fact that the Premier faced the Victorian electorate and lied to their faces? Get over it? How ridiculous that the member for Bentleigh thinks that.

Mr Staikos interjected.

Mr R SMITH: Pull out that chestnut, he says. So we should just ignore the ongoing lies from the Labor Party. Is that the fact?

The DEPUTY SPEAKER: Member for Bentleigh, you are not in your allocated seat.

Mr R SMITH: The member for Bentleigh says, ‘I’ve got a safer seat than you’. As I spoke about in this house last sitting, every person in this place has legitimacy, no matter what their margin—be it the member for Bentleigh; be it the member for Mordialloc, who is very mouthy over there; be it the member for Ripon; or be it the member for Lowan. Every single person in this place has legitimacy to get up on their feet and speak on behalf of their constituents. My constituents and, I am sure, the constituents of many on this side of the house actually care about how much they are being taxed.
They actually care that they live in the highest taxing state in Australia. They actually care that taxes they were promised would not be imposed on them have been. There have been so many taxes over the last four years and there will be more, because while this government—or any Labor government—has a propensity to go out and irresponsibly borrow more and more and more to fund their promises, this government will also tax to the hilt.

There have been so many taxes over the last four years. The member for Forest Hill raised some of them. This government tripled brown coal royalties, which led to the closure of Hazelwood power station and led to the increase in bills, and that has been documented on many, many occasions. Land tax revenue has been increased by a massive 96 per cent under the Andrews Labor government. I had a constituent come into my office just last week. He owns a property in the city. He earns about $700,000 a year in rent from that property and he pays over $350,000 in land tax on the new valuation. He is looking at kicking that tenant out of that building. He is looking at perhaps reassessing his investment portfolio. The fact that he has to pay more than 50 per cent of his revenue in land tax is an indictment of this government and one that they should be condemned for.

There is also the new stamp duty on property transfers between spouses—we have raised that many times in this house—the increased stamp duty on new cars, the new stamp duty on off-the-plan purchases and the new so-called vacant home tax. Isn’t it typical of a Labor socialist government to tell people when they can and cannot be in their own home? How is it possible that a government can impose a tax on someone who does not go into the home that they own often enough? Who is this government to make those judgement calls? Who is the government to impose that sort of impost on property owners?

There is a new point-of-consumption gambling tax, a new land tax surcharge for absentee owners, a new stamp duty surcharge for foreign purchases—when we are trying to get increased foreign investment in this state we are actually actively telling them that we do not want them here—and a new city access tax for the West Gate Tunnel. Isn’t it appalling that this government would actually put a tax on a new road for people that do not even go on it—those drivers that are on CityLink, all those people out in the south-east? I wonder how many members opposite went to their electorate during the campaign and said to them, ‘Well, you know, we’re going to be building this new road. We’ve got this great infrastructure plan and we’re going to be building a road, and you know who’s going to be paying for it? You are. You are, residents of Frankston. You are, residents of Carrum. You are, residents of Mordialloc. You’re going to be paying for this. You’re going to be paying for a road that you’re never even going to drive on’. That is just typical of this government, for them to just find the money by gouging Victorian taxpayers as much as they possibly can.

Of course as we raised today in question time, there is the bin tax, or the landfill levy, that has been put in place, and we now have this ridiculous situation where we have got over half a billion dollars sitting in the landfill levy fund. What is it called?

Mr Wells interjected.

Mr R Smith: The Sustainability Fund—thank you very much, member for Rowville—which the government refuses—

Mr Foley interjected.

Mr R Smith: Fair point. That is a fair point. It has been a while, Minister. It has been a little while. The memory fades. The Sustainability Fund is money that should be being used to actually assist with this issue.

Mr Foley: How did you go?
Mr R Smith: I will tell you how I went. When I was the environment minister I put together a plan for waste recovery and recycling infrastructure to be put right across the state, because I could foresee that we had to deal with our recycling problem ourselves.

Ms Britnell: What did you do with it?

Mr R Smith: What did they do with it? I am very glad you asked, member for South-West Coast. Well, to much fanfare the then minister released that mapping. She released that plan that I had worked on. She released it after three months, and do you know what she did with it after she released it?

Ms Britnell: What did she do with it?

Mr R Smith: Nothing, because nothing has been put in place. She released a plan that someone else put together. She knew about the problem in some detail, and when we get to the point, years down the track, where we do not have enough recycling infrastructure, we suddenly pretend, ‘Oh, there’s a crisis’. Well, there is a crisis in fact. It pretends that it has nothing to do with it, as the government. It blames the federal government. It blames local government. It blames all manner of different organisations when it was a problem that this government knew about. As the member for Ferntree Gully rightly pointed out, we have got this bizarre situation now where the landfill levy was supposed to be a disincentive to put things into landfill, yet the recycling that councils are separating is now getting put into landfill, whereupon the council and the resident is charged a levy for putting those recyclables into landfill. It is just bizarre; it is just a bizarre situation. The government is so addicted to taxes, it is so addicted to taking money from the Victorian taxpayer, that despite creating this problem they actually refuse to freeze that bin tax, to freeze that landfill levy, so that the problem can actually be fixed.

State debt, as the matter of public importance says, is set to double. I, like many in this chamber, started work in the late 1980s, when this state was bending under several years of Labor governments—the Cain-Kirner governments. I saw a work situation where friends were getting retrenched on a regular basis. Every second week people were getting retrenched in the city. We saw the collapse of the State Bank; we saw the collapse of Tricontinental. The state was in a terrible, terrible situation. That lesson of getting the state into significant debt has not been learned by this government. There was a time when it was a point of attack on our side of politics to say, ‘You are saddling our future generations with debt’, to which former Labor governments would say, ‘No, we’re not. We would never do that’. They said, ‘We will pay and they will pay more’.

Let me turn to another thing in my final minute here—cost blowouts. This government labels cost blowouts as record infrastructure investments. You cannot say, ‘We’ve got record infrastructure investments’, when $25 billion of Labor government infrastructure investments are blowouts. It is money that is well over what was budgeted for on these projects. The fact that they are labelling it as record infrastructure investment is just bizarre, to say the least. There is no responsibility taken for the mismanagement of these projects. There is no responsibility taken for telling the Victorian people that something is going to cost X and then it costs X times a big multiplier, and it just happens time and time again.

I support this matter of public importance because it is important that future generations are not saddled with the sort of debt and money and fund mismanagement that this government and all Labor governments like it have in their DNA.
Mr NORTHE (Morwell) (16:02): I rise this afternoon to speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019. The purpose of this bill is that it essentially allows the Minister for Energy, Environment and Climate Change to direct the Essential Services Commission to set a fair price for energy, and that is to be known as the Victorian default offer. What it will do is replace standing offers that are currently provided by Victorian energy retailers. Those standing offers from the retail sector are generally at the higher end of the scale, and I guess it is just the reality of the situation of how we live in this day and age—to get the best price people are forced to shop around rather than revert to the standing offer.

As the second-reading speech says, a review panel was established in November 2016. Two former government ministers, John Thwaites and Terry Mulder, were part of that panel, as was Patricia Faulkner. The purpose of that review was to improve outcomes for electricity and gas consumers. From my perspective I do not think you have to be Einstein to be able to work out why energy prices in Victoria have escalated so abruptly and so substantially over the past few years. Indeed I am sure it is an issue in many electorates. Our office is regularly inundated with people who are having to deal with cost-of-living expenses, particularly gas and electricity prices. Certainly a number of businesses and a number of households are regularly on us about it. The rise of energy prices has had a massive impact in so many quarters, particularly, as I say, given that prices have risen so drastically and so sharply in a relatively short space of time.

As I said, there are some tools available for people to shop around and try to find the best offer. I must say that on a personal level I have done that and I do that regularly, and I would certainly encourage other people to do it.

Since the deregulation of prices there has certainly been an element of people who I have spoken to who say, ‘The principle should be that we should already be offered the best possible price and not be reverting to a standing offer’, which, as I said, is generally at the worst end of the scale, if you like, when you are comparing energy prices.

Some reviews have taken place, and generally we will see fixed and variable charges on our electricity and gas prices. One of the examples that came to my attention recently was from one of my local sporting clubs. When you look at their energy bill, it is just confounding in terms of the number of charges that are applicable. How in God’s name they are meant to be able to compare their energy bills against others is something we have not quite gotten to the bottom of. On this particular electricity bill, which is from one of my local soccer clubs, there are 12 different charges. Under energy charges you have got peak energy and off-peak energy charges. You have got market charges, a participant charge and an ancillary services charge. You have got metering charges, which include the meter charge itself and a retail supply charge. You have got environmental charges, a small-scale renewable energy scheme charge, a Victorian energy efficiency target charge and a large-scale renewable energy charge. There is a network charge, a standing charge, a peak energy charge and an off-peak energy charge. How anyone is supposed to interpret such an bill or an invoice is beyond me.

The point I am making is that if we can make life easier for consumers when it comes to retailers and what retailers are putting on their bills and also charging to make sure consumers get the best deal, then it is important that as legislators we support that. I do want to make the point that on this invoice I received from the soccer club there are a number of environmental charges. I do not think people understand in totality that people are paying for some of the environmental upgrades and systems, or programs, that the government has in place. I think that is important to understand. I think it is like any...
situation where you have an essential service. If you have got minimal supply, then the market forces are only going to put the price in one direction, and that is up. You can apply that to any market. If you do not have enough supply and there is certainly massive demand—in this case we are talking about energy demand—then there is only one way to push the price, and that is up, given you have got limitations on generation capacity.

With that I have to put on the record again my concern over decisions that this government has made. The decision to triple the coal royalties for a specific industry in my community was a bad decision. Spending an extra $252 million on electricity generators in this state was not a good decision, and that is only going to force prices one way. Allowing Hazelwood to close and losing 22 per cent of Victoria’s generation in one hit—again, it is only going to push prices in one direction. I heard some of the debate earlier about the promise the Premier made that prices would only go up 4 per cent—they have certainly gone up a hell of a lot more than that. That was always going to be the case when you have got the demand-supply scenario running out.

Again I put on the record that people are impacted. I am still receiving phone calls from former Hazelwood workers and contractors who only have casual employment. They might be working interstate. It is a really difficult situation for so many people following the closure of Hazelwood. Now we find ourselves in the situation, because we have lost that generation capacity, that we are paying businesses to shut down at peak times and compensating them hundreds of thousands of dollars, and in totality tens of millions of dollars. We have had to deliver diesel generators to shore up supply. We are now importing electricity from other states. We are load shedding. We are putting residents and business offline because we do not have capacity. I am raising these points because it all comes back, at the end of the day, to price. If you do not have enough dispatchable energy generation in this state, then prices are going to rise. It is as simple as that. You do not have to be Einstein to work that out.

I am also concerned as we move forward that the current government has set a renewable energy target of 50 per cent by 2030. What does that mean? What does that mean for consumers? What does it mean for my community? In the example of Hazelwood closing we have seen that drastic rise in prices for consumers. We cannot afford to have that happen again. You cannot close down power stations without having replacement generation. The market will dictate that prices will go up, and we will all be hit in the hip pocket for that. With the government setting a renewable energy target of 50 per cent by 2030, the question that many in my community are asking is: what does that mean? Does that mean more closures of power stations in my community? Does it mean more units going offline? Because at the moment—I think it was raised in question time today—75 to 80 per cent of generation in Victoria is by coal. Getting to that target obviously means there has got to be an impact upon my community, and we need to understand now what that might be.

In closing, in terms of energy prices it is incumbent on us to make sure that we do all we can to ensure that the retail companies are doing the right thing by the consumers, and it is not just doing the right thing by price but making sure that we are receiving energy bills that are easy to read and easy to compare and making sure that we can get the best possible price—because at the moment we are not. That is not the situation. That is not occurring. The question on this legislation is also how many people are actually on standing offers in Victoria. My understanding is that is decreasing, and that is a good thing, but if this helps consumers in the long run, then I support the legislation.

Mr RICHARDSON (Mordialloc) (16:12): It is a pleasure to rise and speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019—a bill that is yet another example of the Andrews Labor government’s support for Victorians in every element of their lives. This bill is about fairness. It is about being on the side of people who need that support most—people who are struggling to make ends meet and are potentially facing gouging by energy companies that are making record profits off the back of Victorians, and we want those companies to pay their way and pay their fair share. This is all about supporting Victorians.
This bill is a suite of measures that the Andrews Labor government is putting forward to ease the cost-of-living pressure on Victorians. It goes with the energy compare policy that we set down last term. I was astonished when constituents would come into my office, use that compare tool and see the savings they could generate just by comparing and testing their bill to see what deal they could achieve. It might not seem like much to people in this chamber, but hundreds of dollars changes lives in my community. When people are struggling to pay rent—we see mortgage and rental pressure at record levels—and when people are having to make those decisions about whether they undertake various social activities because they are trying to make ends meet and put food on the table, we see that those savings in bills really make a difference. By providing the Victorian default offer we then ensure that that safety net is created for well over 100,000 Victorians to ensure that they get a fairer go and a better deal.

It goes to the bipartisan approach to the review of the energy market undertaken by John Thwaites and Terry Mulder. In the absence of policy leadership at the federal level in a range of different policy areas, Victoria has to go it alone. It has done it in infrastructure, and it has done it in education and health. What we see is that Victoria is leading the way in our nation now in energy policy, and we are putting forward the policies that will underpin our state’s prosperity in solar, in wind and in renewable energies. This will set our state up for the future. Excitingly it will generate thousands and thousands of jobs. It is an exciting time in Victoria as we transition our economy. It would be great if we had some federal leadership, and the bill pressure that people face will only be exacerbated if we do not take those wholesale actions and invest in renewable energy and invest in the security of our state going forward.

We have an obligation as members of Parliament in this place in Victoria to put our shoulders to the wheel and make sure that we are doing all we can to support Victorians. I take up the point from the member for Morwell about those transitional arrangements down at Hazelwood. We have seen the pressures on those communities. That is why the government has looked to the Latrobe Valley for Solar Victoria and ways that we can support regional communities that face this transition.

It is an important point to make that where the federal government talks about investing in coal-fired power stations across Australia, it would only be possible if it were through government taxpayer-funded intervention—not market-based mechanisms, not the market-led industry.

Mr Edbrooke interjected.

Mr RICHARDSON: The member for Frankston makes a very good point. It was a policy—a confused and warped policy—of those opposite leading into the 2018 election: we saw an unfortunate situation where they committed to leaving it to the market to build power stations, be they coal-fired or gas-fired. Maybe if the member for Kew had done that doorstop, it would have saved the day, but for 6 agonising minutes we went through whether a power station, be it gas or coal—brown, black or whatever iteration—would have taxpayer funds or would not. Of course the cat was out of the bag. It would have required taxpayer funds to underpin building another power station in Victoria, because when it is left to the market and tested by the market it does not stack up. It is not competitive, and we have to come to this reality and the federal government has to come to this reality, that our economy and our industry are transitioning.

When we talk about bill fairness, when we talk about price fairness for people, we have to look to the macro level. We have to show that policy leadership and that innovation. Why would any company, consortium, business or not-for-profit put their neck on the line, whether it is their shareholders, their consumers, their stakeholders or their clients, to make those investments with the policy inertia that we face as a nation? Why would they put that money forward? Why would they invest in various projects? We see where Victoria has stepped up when we see the renewable energy auction scheme and when we see the benefits that have been derived from and underpinned by the Victorian renewable energy target.

We face a real challenge in our state where we are still having a debate around renewable energy. I was travelling home on the Nepean Highway last night—it is a great journey down the Nepean—and
for my sins I was listening to 3AW. On that station Steve Price and Rita Panahi were talking in a flat-earth type of—

Mr Merlino interjected.

Mr RICHARDSON: That is right, Deputy Premier. Why was I listening to this? Sometimes I just like to shake it up a bit. They were talking still about climate change and whether it is real or not. I thought, ‘We’ve moved on from this’. But it is a window onto what the modern-day Liberal Party confronts, whether it is its wets or its dries, and what they are confronting right now in this debate. When we get down to the policy inertia that we are facing at the federal level, this tussle, we need a longer term future strategy on energy policy. Our state depends on it; Victorians need it because their bills and their cost of living will suffer if we do not have that forward thinking or that vision. That is why policies like the Victorian default offer go to the heart of fairness for Victorians. We are on their side, and we are making sure that they can make ends meet and get the very best outcomes for their families. That is one element in a range.

I get a lot of feedback from my community and a lot of excitement. I know a lot of members in our Parliament, in this chamber as well, would appreciate the buzz that is around for half-priced solar. I think it is such a simple term to say that we are giving power back to Victorians. During the campaign when that policy was announced it was so inspiring, because with all the policy inertia you thought, ‘This is going to be a game changer. This is the million householders being empowered to ease their cost-of-living burden, bring down their power price burden and really underpin their prosperity and be in control’. I thought we had got back to that 2007 level. When we were talking about renewable energy, investing in solar, investing in wind, investing in rainwater tanks and saving water resources, there was a real buzz in our nation. There was real hope and opportunity in this space. It is exciting. The industry is exciting. It is still not too late to harvest those jobs, to hook into the opportunity and to underpin those jobs.

Under the Victorian renewable energy target legislation alone the targets and estimates of $9 billion worth of investment that that might attract and the 11 000 jobs are incredible numbers. It is exciting for our state. Why would we want to see those jobs go anywhere else if we are not first movers in that space and if we are not harnessing that opportunity as a state, as the engine room of the nation’s economy? Of course it is Victoria that is the engine room in investment in infrastructure and investment in our services. When Victoria is leading the country, why would we not harvest those opportunities for our people? I think this is an opportunity now, with the 2018 election just passed, that we have some sort of bipartisan approach on renewable energy policy.

The coalition went to the election having a bet each way, guaranteeing that they would have local content, which was a bit peculiar when they did not support the Victorian renewable energy target. They had a bet each way on it, and then went on with the tirade about letting the market, with a bit of taxpayer sugar, fund power stations, which was the blow-up that we had down at the Frankston people’s forum where that all fell apart. Now is the time to get into this policy space and have a bipartisan approach. That is the challenge I offer up to the future trendsetters on that side. Member for Kew, this is the time for you to stand up and maybe do some policy in this space. Think about a bipartisan policy in renewable energy. Do not pander to the far right of your political party. Show a bit of ticker: step up and show a bit of innovation and have a bit of a bipartisan approach. Support this bill, despite the member for Warrandyte opposing the bill all through his contribution. Clearly he was rolled again in shadow cabinet—surprise, surprise. He opposed the bill all the way through. He was the 25th minister last time and took a pay cut to stay in the ministry. He goes back and then opposes the bill, runs that speech, and then says, ‘Oh, we’re not opposing it’. Show some ticker, show some bipartisanship and leadership, because Victorians depend on it and their bills depend on it.

Ms HALL (Footscray) (16:22): I rise to speak on the Energy Legislation Amendment (Victorian Default Offer) Bill 2019, and I am very pleased to be speaking on this bill. I am thrilled that it is the first bill that I will be speaking on as the member for Footscray, because this bill goes to fairness, as
my colleague the member for Mordialloc was speaking to. This will make a huge difference to the people of Footscray and the people from Sunshine West to Maribyrnong who are grappling with the rising cost of living—people who are often not in a position to negotiate with energy providers to get themselves the best deal. This is a government that is forcing the big power companies to give Victorians a better deal on their power bills.

During the election campaign we said to Victorians that we were a party that was going to get things done and make things fair. This is an example of that commitment in action, and we have not wasted a day—it is our 101st day in office—because this is a government that lives its values. I am so pleased that this amendment bill will be making the energy companies more accountable and making things fairer for consumers in Footscray.

The Victorian default offer will cut the cost of energy for households across the state—approximately 167,000 residents and 45,000 small businesses. The objective of the bill is to facilitate the implementation of key reforms in the energy retail market. We committed to this in the government’s final response to the Independent Review into the Electricity and Gas Retail Markets in Victoria, which the first Andrews Labor government commissioned. We did that because we know that deregulation of the market did not lead to retail market competition, as promised by those opposite. The bill will enable implementation of the following commitments: the introduction of a fair price for energy, to be known as the Victorian default offer (VDO), for domestic and small business customers to replace costly standing offers; the introduction of reforms aimed at making contract pricing arrangements clearer and fairer; and requiring the Essential Services Commission to monitor and report on the competitiveness and efficiency of the electricity and gas retail markets and ensure the ESC can compel the provision of any information necessary to support this function.

Our government is proud of our commitment to reform, our commitment to getting a fair deal for Victorians and our commitment to an energy system that is clean, affordable and reliable. This is the 10th piece of legislation we have brought into Parliament to reform the energy sector in Victoria. Nine of those pieces of legislation were opposed by those opposite. This is just one of our efforts to ensure Victorians get a better deal, and I have to acknowledge the work of our Minister for Energy, Environment and Climate Change, because she is the best energy and climate change minister in the country and she is making a real difference. In the absence of any action up in Canberra she is doing the heavy lifting, so I commend and thank the minister and the Premier for their work in this space.

As part of the budget last year the Andrews Labor government encouraged Victorians to log onto the Victorian Energy Compare website and check the competitiveness of their energy provider. Where the private sector had failed yet again, this government responded. I was one of the many Victorians who logged on to find out whether I was getting ripped off, and I was actually horrified to discover that I was paying about $400 a year too much.

A member: That’s a lot of nappies!

Ms HALL: It is a lot of nappies! I am just one of many Victorians, I think one in four Victorians, who have taken up this offer, and I am really pleased—I am delighted—that we will be extending the $50 power saving bonus to 30 June 2019 to make sure even more Victorians have the opportunity to save some money. It was not until I changed providers that I got a call from the energy company that I had been with for about 10 years. This was the first time I had heard from that energy company. They gave me a call and all of a sudden they said, ‘Ms Hall, you know, you’ve been a valued customer, we’d like to offer you a better deal’.

A member: Where were you 10 years ago?

Ms HALL: Correct. Like many people in my electorate, I spent many years renting, and whenever you move house into a new share house or a new property you just get lumped with the energy provider that the real estate agent organises and you get put onto a scheme that may not be the best deal; in fact,
it will not be the best deal. This legislation will fix that for the many people in Footscray who are renting. During that time last year when we were encouraging people to go to the Victorian Energy Compare website I spoke to many people in Footscray who had also saved hundreds of dollars by shopping around through that simple website and changing providers. It has taken a lot of work to address the neglect of those opposite, and in all areas of government—from schools to health to energy policy—we are undoing the damage.

A member interjected.

Ms HALL: Well, you are the ones who sold off the energy companies, you are the ones who closed the schools—

The ACTING SPEAKER (Ms Kilkenny): Through the Chair, please.

Ms HALL: Sorry, Acting Speaker. It is those opposite who closed schools in my community that we are now reopening. It takes a long time to undo that sort of damage. The same goes for when you are flogging off the energy companies. Certainly energy prices remain too high, as the companies that those opposite sold the energy assets refused to invest in new generation because of the policy chaos that is going on up in Canberra. Just like with the big banks, the Liberal Party have let the energy companies charge and do whatever they want. But not here in Victoria—this reform changes that.

We are not wasting a day to deliver a better deal for the environment either. We have legislated targets for emission reductions and clean energy and we are building the energy system of the future. Just today we heard from the minister on just how popular Labor’s Solar Homes scheme has been, with 20,000 applications so far.

A member: How many?

Ms HALL: Twenty thousand, and I have been thrilled to talk to residents in Footscray who are really excited to be, as the member for Mordialloc said, taking the power back, doing their bit for sustainable energy and also saving money. The Victorian default offer will cut the cost of energy for households across Victoria and Footscray.

The review undertaken by the previous Labor government into the electricity and gas retail markets recommended a suite of measures that this bill implements. While the Liberals were backflipping on the National Energy Guarantee and plotting against their former Prime Minister in Canberra, energy prices continued to rise. I am pleased to hear that the Liberals in Canberra have copied our VDO, announcing a national default offer.

This legislation addresses the neglect of the Liberal governments. Our government is taking strong action to address the failures by putting downward pressure on energy prices to reduce the cost of living for all Victorian families and businesses. I am also thrilled that the Minister for Small Business will be visiting Footscray to talk about this new default offer with the small businesses in Footscray, the Footscray Asian Business Association and the Footscray Traders Association. I very much look forward to that visit and to the minister discussing the default offer with those small businesses. The VDO will be implemented by 1 July 2019.

These reforms are all about cutting the cost of energy for Victorians and putting the power back in the hands of families and businesses, and of course this is part of the biggest shake-up of Victoria’s retail energy market since price deregulation.

Ms KAIROUZ (Kororoit—Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Suburban Development) (16:32): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.
Address to Parliament

GOVERNOR’S SPEECH

Address-in-reply

Debate resumed on motion of Mr BRAYNE:

That the following address, in reply to the speech of Her Excellency the Governor to both houses of Parliament, be agreed to by the house:

Governor:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign and to thank you for the speech which you have made to the Parliament.

And Mr HIBBINS’s amendment:

That the following words be added at the end of the motion: ‘but respectfully regret that the speech fails to outline effective measures to protect Victoria’s natural environment and endangered plants and animals nor address the urgent water, climate and extinction crises that affect all Victorians’.

Mr CARBINES (Ivanhoe) (16:32): In concluding my remarks on my address-in-reply, in the time remaining to me I would just like to touch on not just the commitments that we made during the election, which were obviously resoundingly endorsed by the people of the Ivanhoe electorate, but also to touch on what I think was critically important, which was the delivery of the commitments that we made in 2014. There is $11.5 million for the ViewBank College redevelopment—my old school. It was a fantastic day to go there with the Premier and open that facility for the community. We had a $1.5 million contribution to St Martin of Tours Primary School, along with Catholic Education Melbourne’s $1.5 million contribution and a contribution of half a million dollars from the school community. We will be opening that project in term 2; it is already in use in term 1.

There was the 40-kilometre zone in the East Ivanhoe shopping strip, the truck curfew on Rosanna Road, the extra bus services in Viewbank and the extra bus services to La Trobe University. For the tech school there was $10 million; that has been built and is now operational in our community. For the Chandler Highway bridge there was $110 million. They said it could not be done. Four lanes are now open as of 1 March; six lanes will be open before the end of this month. What this has always been about is the Labor Party taking on tasks that people said could not be done, the jobs that people said were too hard to do.

There was the removal of the level crossing at Lower Plenty Road, Rosanna, a brand-new Rosanna station and of course the many extra services that we have been able to provide. It is not just the removal of the level crossing; we also duplicated 1.5 kilometres of track between Heidelberg and Rosanna, which had been single track for virtually 100 years. To get all that work done, allowing us to run extra services on the duplicated track from the city all the way right through to Greensborough, has been a significant piece of work in the local community. The expansion of the Austin Hospital emergency department was another significant project that we undertook and delivered in the last term of government.

Can I say some thankyous also. To ALP head office here in Victoria, secretary Sam Rae, Kosmos Samaras and Stephen Donnelly—I want to thank them for their leadership and work. Of course I would like to thank my electorate office staff, Anne, Bronwyn, Xavier, Marie and Helen, for their sensational work. To the Ivanhoe and Heidelberg branches in the Jagajaga federal electorate assembly—sterling work from them. The old and the bold, the young and the new were on our booths, making the calls and banging on the doors. We did tens of thousands of calls. Thousands and thousands of doors were knocked on. That is what grassroots campaigning is all about. I would also like to thank of course, in particular, Carole Lim Bradish for opening the doors of her home as our campaign office; Thomas Green, who managed our campaign in a sensational way; all our volunteers; and the team of course led by Jenny Macklin and her staff. We work hand in glove in the community. Can I say thank you also to my colleagues the members for Bundoora, Eltham and Preston and the new President in
the other place, Shaun Leane, for his work as well. It has been a very significant effort from everyone.

To the new Eastern Bloc MPs on the government side, I can thank them. It is great to get together and to meet with them on how we can dust off some great opportunities in the eastern suburbs of Melbourne and deliver them for our community.

I do want to call to account, though, the Victorian Electoral Commission (VEC)—I think this will come to pass with the Electoral Matters Committee when we get the committees up and running through the bill that is in the upper house at the moment—and in particular the disability access at the Burgundy Street pre-polling centre. People confined to wheelchairs had to vote out on the street on occasions because they could not access the pre-poll voting station in Burgundy Street because of the steps that were involved. I just do not think it is appropriate for anyone to have to do that. You should be able to vote in the voting centre. They should be accessible to people at all times, and it is not good enough to say, ‘It’s the only place we can find’. I will be pursuing this further. I am not interested, as happened last election, in getting letters of quaint acknowledgement from the VEC; these are fundamental matters. Everyone has franchise to vote. They also need to have that respected and every access and opportunity available to vote. If we cannot find the appropriate venues, then we need to do better to make sure that happens. I will be holding the VEC to account to make sure that just going to be standard, not negotiable—making sure that accessibility to our pre-polling centres is just not negotiable for all of those who vote.

Can I say, finally, that I live in my community. I am accountable every day, whether it is taking my daughter to school, whether it is going to the shops, whether it is getting a train here to Parliament. I know that makes a very big difference in the local community when you seek people’s votes. As someone who has represented my community in public office, in local government and in this Parliament for 14 years, I know very well what my community expect of a government and what they expect us to deliver. They have stuck with us in greater numbers because they know that we deliver on the commitments that we make, we understand and empathise with communities and we have been able to talk to them through the leadership of the Premier, while focusing on what matters to people, delivering on those commitments and having a positive engagement, a positive plan and a positive attitude about how to engage with people. You cannot scare people into voting for you. You need to offer them hope. You need to offer them a future. You need to pick up on the work that they do in the community and how we can support them. That positive plan has of course seen the Labor two-party preferred vote across the Ivanhoe electorate rise to now 62.4 per cent. To win 14 out of 15 booths on the primary vote is unheard of and is a demonstration of great confidence and support. We will not be letting down the people of Ivanhoe this term.

Mr T SMITH (Kew) (16:38): It is my pleasure to thank the Governor for her speech to a joint sitting of the Parliament last year and to add my comments and indeed support for the motion as moved by the member for Nepean—that the Legislative Assembly of Victoria wishes to express our loyalty to our Sovereign and to thank our Governor, Her Excellency, for the speech that she has made to this Parliament. That is the traditional form of expressing an individual member of Parliament’s loyalty to the Crown, and this is an ancient parliamentary procedure that has been in existence, I am aware, since 1696, when both houses of the British Parliament expressed loyalty to the then sovereign, William III.

I want to congratulate the Speaker and the Deputy Speaker on their election to high office. I want to congratulate the Premier of Victoria for his election victory in November last year. I want to congratulate the member for Malvern for his election as Leader of the Opposition.

So we are back again for another four years. I want to thank sincerely the people of Kew for electing me as their local member of Parliament. That is a huge honour. It is an honour that I take very seriously, and I will do my very best to represent their interests in this place for the next four years.

It was a tough election obviously for the Liberal Party. It was a tough election in my part of Melbourne. Good men were lost from the seats of Burwood, Box Hill and Hawthorn, and I pay tribute to my
friends and colleagues the former members for Box Hill, Burwood and Hawthorn—and at least one of them I hope to see back here one day very soon.

I want to thank the Kew electorate conference of the Liberal Party. I particularly want to thank Caroline Inge, Ander Pederson, Rob Cameron, Ben Jessop, John Booth, George Swinburne, Philippa Campbell, who took a week off work to help me on early voting. I want to thank Rob Millar, Felicity Sinfield, Phil Healy, Nicola Lamanna, Jordan McKay and Vanessa Brown. The Liberal Party is a wonderful volunteer organisation. Without it none of us would be elected to this place. It is an organisation with its quirks no doubt, as is the Australian Labor Party, but I think all of us in this place realise that we are only here because of our respective political parties—that Tim Smith was not elected on 24 November; Tim Smith, the Liberal candidate for Kew, was elected on 24 November last year. I think that is a very important point that all of us should reflect upon—that we are the standard-bearers for our local communities but we are also standard-bearers for our political parties.

I said in my maiden speech in this place over four years ago that the two-party system is a very important aspect of Australian democracy. We have elected a crossbench in the upper house that may well reflect the bar scene in Star Wars, and that could be said for the crossbench in the Senate in Canberra as well, but I am very happy to put on record again my support for a two-party system—

Members interjecting.

Mr T SMITH: I hear chirping from behind me. I would again put on record, as I did in my maiden speech—and I suspect I will do this every four years—that it would be appreciated if the Labor Party put the Greens last, because the Greens are a party of political extremists. We have seen this unfortunately again in my local area, where a resident of the Hawthorn electorate has decided to run for Kooyong. All I can say about Mr Burnside is that he should be very careful with the language that he uses when speaking about Australia’s most senior Jewish member of Parliament, referring to Mr Frydenberg in the context of big money and the support of corporate Australia and big corporate donations. There is a certain stereotype that Mr Burnside is attempting to perpetuate with that language—a very nasty stereotype with regards to Jewish people and Jewish money. I think all of us in this house of sound mind and a decent disposition have seen the rise of anti-Semitism in the far left of the United Kingdom. I am very pleased to see that the Victorian Labor Party is still steadfastly in support of Israel, but I cannot say that for the Greens. The Greens are the home of the Boycott, Divestment, Sanctions movement in our country.

Mr Hibbins: This is the low road.

Mr T SMITH: The low road is using—

Mr Hibbins interjected.

Mr T SMITH: An interjection from the member for Prahran! The low road is using photos of Nazis and the SS to make a political point on Twitter, which is what Mr Burnside has done. He is entitled to his views about border protection but using a Nazi slur that offended Holocaust survivors was an absolute low point in our public debate. I think Mr Burnside will discover very quickly that that sort of extremist politicking is not well respected in Kooyong.

I think the member for Kooyong will be returned resoundingly when the federal election is called. I expect it to be called in May. Josh is a great friend and colleague, and he will not be hounded into submission by hypocrites like Julian Burnside who, let the record reflect, lives in an enormous property in Hawthorn largely due to being paid by corporate crooks like Alan Bond. Then this fellow wants to lecture all of us on how to live our lives. I think that Josh has done a wonderful job as our local member in Kooyong, and I wish him all the very best for the upcoming election in May. I will be doing all that I can to ensure that Julian Burnside—or Oliver Yates, who is another very wealthy individual who claims to represent mainstream Australia but would not know the first thing about the travails of mainstream Australia—does not succeed.
ADDRESS TO PARLIAMENT

Wednesday, 6 March 2019    Legislative Assembly

In my patch, I am delighted that at the election the Labor Party committed to my election promise of funding a STEM centre at Kew High School. I put on record my thanks to the education minister and indeed the member for Ivanhoe for their commitment to that important project. Kew High School is a wonderful school and it needs a STEM centre. I think we would all agree in this place that encouraging more girls into that important area of study is very important for our nation’s future and I am delighted to see that the Labor Party has committed to that project. I will be holding them to account to ensure that project is delivered in a timely fashion. Kew High School is a very important school. It is a growing school. Indeed half the students are from the electorates of the members for Thomastown and Ivanhoe, not just Kew. In the spirit of bipartisanship I am looking forward to seeing that project undertaken as quickly as possible.

I will also be advocating for the next four years, as I did in the last four years, for Kew East Primary School. It is in desperate need of new works, some $6 million of improved infrastructure. It is a very old school, almost 100 years old. The buildings are falling to pieces. The school needs an upgrade. It has not received one for a very long time. It is a great school, led by principal Helen Fotheringham, and I hope that school can also get onto the government’s list for funding.

Greythorn primary is another important school, and I suspect it is not far from where the member for Forest Hill grew up. It is an important school. It also needs some serious improvement works and I will be working with that school to ensure that the education department and indeed the Andrews Labor government look favourably on funding it.

I see my new portfolio areas of planning, housing, local government and population as a hugely important area of public policy for Melbourne’s and indeed Victoria’s future. Previously I was the chair of the coalition’s population policy task force and I really enjoyed doing that work. I want to see the protection of middle-ring suburbs like Kew and indeed Forest Hill as a core part of my duties as the shadow minister for planning and heritage.

In my maiden speech I made mention of one of my predecessors as the member for Kew, the Honourable Rupert Hamer, and what he did to protect marvellous Melbourne. Our built-form heritage is so important. It is so important because it creates the livability and the neighbourhood character that we have come to love about established suburbs in this great city of ours. The Labor Party has a policy that 70 per cent of new development and indeed new arrivals to this city need to be in established middle-ring suburbs. Seventy per cent! I think that is a very concerning figure because at no stage could the livability, neighbourhood character and heritage of established suburbs like Kew, Kew East, North Balwyn, Balwyn, Canterbury and Deepdene—the great suburbs that I represent in this place—be protected with a figure as excessive as this. Seventy per cent is far too much. The Minister for Planning announced some time ago that a mere 50 000 new lots of land had been opened up in growth zones over four years—just 50 000 over four years. We are growing by 150 000 people a year. That is a tsunami of people, of cars and of new development, and the premise of the Labor Party’s planning policy is to foist that tsunami upon communities like mine. That is unacceptable. That is completely unacceptable, and I will be fighting that as much as I possibly can because the livability of Box Hill, Burwood, Kew and Hawthorn is of paramount importance to the people who are living there at the moment. They do not want to see their livability wrecked because of a policy that has been dreamt up in Spring Street and that bears no resemblance, can I say, to the main streets of those lovely areas of this wonderful city of ours.

In the time I have remaining I want to talk about the cladding issue that has been dominating media reports in recent months since the quite terrifying fire at the Neo200 building in Spencer Street. We have a wicked problem with dangerous, flammable cladding around Victoria, and the Minister for Planning has not done enough to have that cladding removed urgently. Dame Judith Hackitt, who leads the UK government’s response to the Grenfell tragedy, said last week that it does not matter who pays but this cladding has to be removed immediately. It is a public danger. I have made it very clear that the Andrews Labor government must lead the response and have this dangerous, flammable
cladding removed. We currently have at least 300 properties around Victoria that are in urgent need of remediation works because of the danger that this material poses to public safety. I visited an apartment complex in Frankston South in recent weeks on a number of occasions. The simple fact that the Victorian Building Authority had to post a fire warden out the front of that complex because it was so dangerous—it is so dangerous—just shows you the predicament that we are in. There is also an apartment block in Kew that has an urgent notice attached to it from the council and the municipal building surveyor on behalf of the VBA. It too has dangerous, flammable cladding, and no-one can tell us when this dangerous, flammable cladding will be removed.

The Andrews Labor government must show leadership on this issue and work with the private sector to have this cladding removed urgently. The simple question is: are we going to wait for someone to die before this stuff is removed? Are we going to wait five years, as has been the case with the Lacrosse litigation, to have this material removed? This is an urgent issue of public safety. It is receiving increased media attention because we have hundreds of buildings across the state that have dangerous, flammable cladding. I cannot necessarily guarantee that all of the residents of those buildings know that they are living in a potential firetrap. We have seen the tragic consequences of inaction in the United Kingdom, and I hope that never happens here. I call upon the minister again to stop dithering and have a plan in place to remove dangerous, flammable cladding from properties around the state that are potential firetraps and are very, very dangerous indeed.

Mr EREN (Lara) (16:53): I am delighted and it is a great pleasure and honour to have this opportunity to respond to the Governor’s speech. Can I just give a special shout-out to Her Excellency Linda Dessau and of course Anthony Howard for being such great hosts in the time that I was the Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans. There were so many events that were held at Government House like the Formula One Grand Prix function and Melbourne Fashion Festival. Other veterans events and many sporting functions were held at that wonderful residence. I thank them both for hosting us so well. In fact in one of the speeches that I made at Government House I said that I felt like I had to pay for board because I had been there so many times for events with Her Excellency and Anthony Howard.

I acknowledge the traditional custodians of the land on which we meet. I pay my respects to their elders past, present and future. I am indeed honoured to be here in this house for a fourth term as the member for Lara, and it is certainly a privilege. I wish to also congratulate every other member that has been re-elected. Indeed all of those new members that have joined our team in the Andrews Labor government, I congratulate every single one of them. This year marks my 17th as a member of Parliament. After serving my first four years in the Legislative Council, I have a perspective on both houses and how they operate, and of course I certainly am glad to be in this house. It is an honour to stand here today as the re-elected member for Lara. Obviously I would like to thank all of those voters that again had faith and confidence in me to serve them for another term in this place, and of course without them I would not be standing here. It is truly humbling that I do have the largest regional margin in the state. I have been returned with a 19.5 per cent margin, which is fantastic. Every year, year on year, we have obviously worked hard, not only me as a local member but as a government, to ensure that the people of Lara have confidence in this government and of course in me as the local member.

It goes without saying that I would like to thank my wife, Geraldine, and our children for being so supportive. Election time is a very stressful time, and I want to thank them for being so patient and understanding throughout the campaign and for indeed being so supportive of me in the last 16 years. It is a hard task, and I think I speak for all members that are elected to this place in saying that it is sometimes a thankless task. It certainly is really hard on family. Being the father of five children and grandfather of three grandchildren, I am certainly very fortunate to be now spending a fair bit of time with them as a local member and of course while trying to get my health to the best it can be to be healthy and be there for my family when the day comes, whenever it is, that I retire. I also want to thank all my immediate and extended family and friends and of course all of my colleagues in Geelong who have been returned. I want to particularly congratulate the member for South Barwon for being
elected. That makes it a clean sweep when it comes to the lower house seats, and that is, I think—I do not think; I know—the confidence that the people of Geelong have in us in giving us every single lower house seat in that area. It is great to be here with all of you. I want to thank my campaign team and every single volunteer that dedicated their time and energy to helping re-elect me and a Labor government for another term. It is truly humbling to have people reach out and offer their time and support to help the re-election of not only me but indeed our government.

I was the shadow minister for volunteers at one point, and I have said this many times: there is no greater gift that someone can give than their time, because every second that is gone is gone forever. For those wonderful people that volunteer their time, they do it deliberately knowing that their time is precious and they want to give it to something that is worthwhile. Obviously having an Andrews Labor government in place is very worthwhile for them. I am really thankful and grateful for the appreciative support that they have given us—the many volunteers who assisted my campaign and broadly the Labor campaign as a whole. I just say to them: without your support our party would not have had the outstanding election result that we did in November last year.

I look back in time, and I am extremely proud of the work that I and many others have started in my electorate of Lara and right across Victoria and the many achievements that have occurred throughout my three terms as the local member. There are too many to list, but obviously some of the key highlights of my last term I would like to put on the record. I would also like to acknowledge the hard work that is going on at the moment with my federal colleagues: Richard Marles, my good friend, who is the federal member for Corio and the shadow Minister for Defence; and Libby Coker, who is the ALP candidate for Corangamite. I wish them all the best in May, and hopefully we will see another tier of Labor government so that we can do some good work going forward collectively.

Some of the key aspects of the investments that we have made in education are: $41 million in equity funding for schools in the Lara electorate; over $20 million in capital funding for schools, including Northern Bay College, Lara Lake Primary School, North Geelong Secondary College, Nelson Park School and Hamlyn Banks Primary School; a brand-new North Geelong Special Development School and Hamlyn Views School through the public-private partnership project; more than 1573 students have benefited from the State Schools Relief program; over 15 000 camps, sports and excursion fund payments in the Lara electorate; 53 600 breakfasts were served to children as part of the breakfast-in-schools program; $3.1 million—$1.5 million from the Department of Education and Training and $1.6 million from early childhood—for the Purnell Road integrated centre along with the council, with a total project cost of $13.3 million; $270 000 for local kinder funding to improve services; the Geelong Tech School; 33 TAFE courses; and the northern bay education regeneration project, which is ongoing of course.

In terms of health and wellbeing, there has been: Barwon Health North, $33 million leading into the Northern ARC, which is another very important project in my electorate that we are in discussions about with local government and indeed the federal opposition and government; over $363 000 for Corio community mental health as part of the health prevention fund; planning and early works for a $10 million Geelong women’s and children’s hospital; ambulance response times have improved by 3 minutes and 17 seconds in the Greater Geelong local government area; an announcement of a residential rehab 30-bed facility due to begin construction in 2019, to be in operation by 2020–21; the Haven; Home, Safe project—the purchase of five new properties in Geelong and funding for a caseworker; homeless units to target chronic rough sleepers who are institutionally homeless—the Norlane site will accommodate five modular units plus a 24-hour support person; $153.2 million towards the Geelong city deal, with funds going to build the new convention centre, progress the Shipwreck Coast master plan and advance a strategy to revitalise the city’s centre; and $38.5 million for the second stage of the Geelong Performing Arts Centre plus the $128 million election commitment that we made. It goes on and on. I would be here, literally, for the next 2 hours listing off all of those achievements that have happened in my electorate and the broader Geelong area.
I do want to make mention of the massive works that are going on in terms of public transport. We do have a plan to accommodate the growth in Geelong. Let me say that in the years that we have been in government, basically from 1999 with the Bracks and Brumby years all the way to 2010, significant changes have occurred in Geelong which make it the vibrant city that it is today. No doubt going back to the 1990s if you had said Ford would shut down and that Alcoa would shut down, people would have said that Geelong would be a ghost town. But of course it is not a ghost town now; it is a vibrant, growing and thriving location where employment rates are much better than when we took office in 2014. Employment opportunities are now increasing, with the Transport Accident Commission, WorkSafe and all the tourism opportunities that now exist. There is over $1 billion of expenditure in the region in terms of tourism, with literally thousands and thousands of jobs associated with that.

Public transport is the way to get people off the roads. Clearly we do have a plan in terms of public transport, and we have a plan in terms of fixing some of our road networks. There was a bill in this place, which I spoke on, which dedicates through legislation 33 per cent of the money that is raised through certain revenue streams directly to regional roads, and of course that is needed. But the fast rail that we have been discussing is something that is very important going forward, to make sure that we can have the best and most reliable public transport service that we can get—that is going to be extremely important. That is why the people had the confidence in the Labor government and re-elected us in July, to make sure that all progresses in a timely fashion and in a responsible fashion.

Jobs and employment are very important in my electorate. There is no question about that, and so there have been some investments made in that area. There has been $1.2 million for Chemring to expand the Lara facility; the Geelong Ring Road Employment Precinct funding; $3 million to Herds; $3.3 million to Air Radiators; $255 000 to Caronlab Australia; and an additional $100 000 for Northern Futures, which is a think tank organisation, to look at employment opportunities in the north of Geelong where we have had issues relating to unemployment.

Certainly investments are continuing at Avalon, which is going great. We have just had the Avalon International Airshow, which is fantastic and Avalon’s international flights with AirAsia have now taken off, which is fantastic. Employment opportunities will increase rapidly in relation to Avalon. Having an international passenger carrier of course means that there are other airlines that will be interested in flying in and out of Avalon. In the industrial precinct at Avalon there is Bates Pipes and Products at North Shore, the Organic Dairy Farmers of Australia manufacturing facility in North Geelong, Flat Glass Industries in North Geelong, the Routley’s Bakery expansion project in North Geelong, the Geelong Confectionery expansion project in North Geelong and Chemring, of course.

In terms of sport—and of course I am very proud to have been the Minister for Sport, Minister for Tourism and Major Events and the Minister for Veterans in the last Parliament, and lots of investments have taken place in relation to all of those areas—in my electorate over $11 million has been invested in local community sports across the Geelong region. In my electorate: $250 000 to the Bell Park Sports Club, $100 000 for the Lara United Football Club, $100 000 for the Anakie Football Club, $200 000 for the Geelong Soccer Club, $150 000 for the North Geelong Warriors Soccer Club, $650 000 for Geelong lawn bowls, $600 000 for a FIFA-standard full-size synthetic pitch, $45 000 for upgraded lights at Anakie football, $32 000 to the Corio Soccer Club to assist with clubroom refurbishments, $8500 for Lara Giants basketball for packs for volunteer coaches and $10 000 for the Lara sporting club. I could go on and on. There are of course the millions of dollars of investment we have made into GMHBA Stadium and all of the events that go along with that in the Geelong region: the Cadel Evans Great Ocean Road Race, the Geelong Revival Motoring Festival, Geelong After Dark, White Night Geelong, the Big Bash League, 3x3 basketball, the Australian Open table tennis championships, Ironman 70.3 Geelong, the Matildas versus China, the Geelong Masters AFL, the Vic Open golf, the first-time visit from European champions Atlético Madrid, the Festival of Sails, the SuperFoiler event, the Korean baseball team and the Bay Cycling Classic, and the list goes on and on.
Of course there are lots of other things that I have not got the time to mention that have gone on in Geelong. Geelong is a vibrant city; there is no question of that. That is why we are making commitments of $100 million for a women’s and children’s hospital in Geelong, $7.4 million for the Geelong West St Peters Football Club, $350 000 for the North Geelong Football and Netball Club, $500 000 for the Geelong Motorsport Club, 200 new and improved car parks for the North Shore train station, the Geelong fast rail, $340 million to replace trains on the Geelong and Ballarat lines, solar panels, free three-year-old kinder and free dental care for students in public primary and secondary schools, and the list goes on and on.

There is no question that Geelong is front and centre. If the economy is strong in Geelong, the economy is strong in Victoria. That is why as a government we have concentrated very much on making sure that Geelong not only survives some of the downturn in manufacturing but thrives going forward. It is a great place to live, work and raise a family.

Mr M O’BRIEN (Malvern—Leader of the Opposition) (17:09): I am pleased to speak on the address-in-reply. I thank her Excellency the Governor for her speech and for her continuing service to the people of Victoria. Speaker, I congratulate you and the Deputy Speaker on your election to high office. I rise to speak on this address-in-reply; this is the fourth occasion I have had to do so since 2006, and that is thanks to the good graces of the people of Malvern, who four times have decided to send me to this place. I never take for granted the trust that my electorate have placed in me to represent them, to speak up for their cares and their concerns and to work hard as a local member as much as I do in any other role that I have in this place.

I would like to thank the Victorian Electoral Commission officials who conducted the election, particularly in my district of Malvern. I would also like to congratulate the other candidates in Malvern District who participated in the election in a competitive spirit but a very civil one and one which I think is a good example of how elections should be conducted.

I would like to particularly thank my Liberal Party members who helped me with the running of my local campaign, and particularly Sujay Capoor, who was my campaign manager and did an outstanding job in making sure all the logistics were completely taken care of and I could worry about my other work, and also Trish McCann, who stoically organised and often staffed the pre-poll, which seems to get longer and longer every single year. And I do thank all the volunteers from all the parties who do staff the pre-poll. It is one of the difficult challenges of elections these days, but it is very important given how many extra people choose to vote early. Can I also take this opportunity to thank my electorate staff at the time, Sophie Clarke, Amelia Jalland and Lauren Pearson for all their great, hard work—I should also mention Andrew O’Shea—in supporting me in my role as the member for Malvern and helping me deal with the many constituent inquiries that I get from day to day.

I would be remiss and also in trouble if I did not thank my family: my wife, Michelle, and my children, Eleanor and Reagan, for everything that they have done to support me, to put up with my absences and, sometimes, to put up with my presence. I do appreciate their love and support, and I think all members in this place know that they could not do what they do in this place if it were not for the support of their loved ones, so I certainly put on record my thanks and love for my own family.

So what does the re-election of the Andrews Labor government mean for the people of my electorate? On early indications it means more taxes and fewer services. It also means—we have just found out—we get sky rail, which the government never actually talked about before the election but very quickly after the election decided to put in place. This is not something which my local community has an appetite for. Everyone agrees that the level crossing should be removed. There is no political contention about that. The question is: how do you do it? What is the best way to do it? Do you cut corners? Do you cut costs? Do you take a short-term view, or do you actually make the proper investment for the long-term benefit of the community?
To think we will be getting sky rail on Toorak Road, when not that far up the road you can look at Burke Road, where the former Liberal-Nationals government funded and designed the removal of the level crossing. There you can see an example of a level crossing removed properly, a level crossing removed and replaced with rail under road, a level crossing removed with a view to the future, not just short-term ideas.

The people of my electorate are not best pleased with the government. Notwithstanding the arguments over sky rail itself, there are a number of serious questions that remain to be answered about how this will actually work. How will the pedestrians and cyclists, many of whom are children, cross Toorak Road? How are they going to get across Toorak Road under a sky rail project? We keep hearing this mantra from the government that level crossing removal is all about removing dangerous and congested level crossings. Can I just say that if the Labor government’s design leads to greater risk to children accessing the sporting ovals at Kooyong, then the government will be the one to pay a very heavy price. If the government is to be true to its word that removing level crossings is about removing dangerous level crossings and making them safer for pedestrians, motorists and others, they had better deliver on that for the people of my electorate as well.

I would like to thank my predecessor as Leader of the Opposition, the member for Bulleen. Matthew is a great friend of mine. He was a great leader. He was hardworking, and he was a committed Liberal. In fact he and I were involved in Liberal student politics together many, many years ago, so I have known Matthew for many years and I have worked with him for years. It was an honour to serve in his shadow cabinet. In many ways when you look at the totality of what we took to the election, I would say Matthew was visionary.

I still think that our vision for the decentralisation of this state and high-speed regional passenger rail was a vision which stands up to this day. While we did not receive the endorsement that we sought at the ballot box, and we accept that, a good idea does not necessarily die because of an election loss—it just means that its time has not yet come. The member for Bulleen deserves the great credit, not just of the Liberal and National MPs here but also, I think, of Victorians because he worked hard and he led a committed and united team. In a democratic system we need a very strong opposition, and he provided that. I place on the record my thanks to Matthew, my thanks to Renae, my thanks to their three boys and my best wishes for his continuing service in this place.

Mr T Smith interjected.

Mr M O’BRIEN: It is his birthday today—you are quite right, member for Kew. I place on the record my wishes for a happy birthday to the member for Bulleen and also to former Premier Napthine, who shares a 6 March birthday.

I would like to thank all of our candidates who did not quite make it. It is not easy to put yourself forward as a candidate in an election, but our candidates did so with great energy. They flew the flag, they did so proudly and they made all of us proud. I am sorry for them that they did not manage to get across the line in terms of election, but they should be nonetheless proud of their efforts.

I would also like to particularly note our MPs on this side of the house who were not returned. I think I can use their names now because they are no longer MPs. The first is the member for Box Hill, Robert Clark. Robert was not just the father of the house, I think Robert was somebody who was greatly respected on all sides of the Parliament, not just for his length of service but also for his integrity. He is a loss to the Liberal Party, he is a loss to the coalition—moreover, he is a loss to this place. I would like to place on the record my great thanks to Robert for his many years of service to the people of Balwyn initially and then to the people of Box Hill, his service as Minister for Finance and Attorney-General, and for his service as Manager of Opposition Business in the 58th Parliament.

I also acknowledge the wonderful service and friendship that not only I but many of us had with some of our other members who were sadly defeated. Dee Ryall, the former member for Mitcham and then
Ringwood; Heidi Victoria, the former member for Bayswater; Graham Watt, the former member for Burwood; John Pesutto, the former member for Hawthorn; Brian Paynter, the former member for Bass; Andrew Katos, the former member for South Barwon; and Michael Gidley, the former member for Mount Waverley. I also note that we lost our coalition colleague Peter Crisp, the former member for Mildura, and in the other place we lost Josh Morris, Margaret Fitzherbert, Inga Peulich and Luke O’Sullivan. Can I also thank my Liberal colleagues, who have given me the honour of leading them and therefore being Leader of the Opposition in this place. Every morning I wake up with that responsibility, which some would say is a burden. I see it as being a wonderful opportunity that my colleagues have given me to work with them to make sure that we do our job as an opposition in this 59th Parliament—that is, to hold this government accountable and to provide a better alternative at the next election in 2022.

I am a Liberal because fundamentally I believe that the best person to make a decision about an individual’s life is that individual. I think that the role of government is to do what individual citizens need to have done but cannot do by themselves. But in other matters, let people live their own lives. Let people make decisions about things that matter to them. Let decisions be made by those closest to the issue rather than those further away. Governments must work for the people, not the other way around.

I believe that the Liberal visions of opportunity—everyone having the opportunity to reach their full potential in life—of reward for effort, of environmental stewardship and of looking after the vulnerable are all strong Liberal values. These are all positive values. These are values which let everybody in our community, no matter who they are or where they are from, have the opportunity to live their best life when those values are brought into full flower. It will be my task and that of my colleagues over the next three years and nine months to make sure that our Liberal values are on the agenda, that our Liberal values are discussed in the community and in this place, and that we bring together alternative policies and an alternative platform for government that reflect those fundamentally positive values.

By contrast, Labor do believe in the benign nature of government. They believe that government often does know better than the people it serves. There is a fundamentally different view between us on that. We do sometimes see, in this Labor government in particular, an arrogance that they know best, that they know better than anyone else. We particularly see this when it comes to taxes, because it is a fundamental arrogance when the government says, ‘I know better how to spend your money than you do as the person who earned it’. This is why Victoria being the highest taxing state in the country is no badge of honour; it is a mark of shame, because it says that this government believes more than any other government in the country that it can spend Victorians’ money better than Victorians can. That is something that is a fundamentally different value between ourselves and the government.

We have a government that is now charging people for landfill when it is the government’s own incompetence that is destroying Victoria’s kerbside recycling scheme. We see land tax gouging small business people who have invested everything, all of their hard work, into a single property from which they are running their business and now being forced out of business because of the rapacious land tax rates of this government. Just today we saw the government succeed, sadly, in defeating a motion to reject the outrageous CityLink stitch-up which will see CityLink users paying higher tolls for the next 20 years to pay for a different road. This is not user pays. This is saying the non-user has to pay. There is no fairness in that. There is no equity in that. There is absolutely no justice in that.

Already in the few months of this 59th Parliament we have seen clear signs of a government drunk on power and a Premier who thinks he has the right to rule Victoria, not to govern it. Talk about arrogance. What have been the priorities of this government in the few sitting weeks so far? We have seen the government push through a bill to gag IBAC, to gag the Independent Broad-based Anti-corruption Commission, to stop them from being able to hold public hearings in the way in which they see fit. Those are fundamentally the actions of a government that wants to hide in the shadows, fundamentally the actions of a government that does not believe in accountability or transparency.
We see this government seeking to abolish four joint parliamentary committees, parliamentary committees that have done amazing work in public policy on a bipartisan basis and that have led to some of the most progressive and far-reaching reforms in law of this state. The Premier likes to boast about Victoria being the most progressive state in the country. Well, it used to be said that we had the most progressive road safety laws in the country. What is the government doing? It is abolishing the road safety committee.

This is about a government seeking to shut down any form of accountability and checks and balances. We see a government trying to push through a bill attempting to give their own MPs massive pay rises. The other place had something to say about that, and thank goodness it did. It might be the one good thing for taxpayers to come out of this entire week, that amendment to clause 6. We also see this government rigging sessional orders to make their own ministers even less accountable in question time.

We see a government that is drunk on power, that has swept into this house with a large majority and has not seen that as being an opportunity to demonstrate it can responsibly use the power the electorate has given it. It sees that as an excuse to try and reduce the amount of transparency and accountability. When you combine political arrogance, economic recklessness and left-wing ideology, you get a toxic cocktail that is just bad for Victoria. Victoria deserves better than that. We deserve much better than that, and I do look forward to leading the Liberal-Nationals opposition in this place to ensure that Victoria will have an option better than that. We will be a much better alternative for the people of Victoria at the next election in 2022.

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (17:23): I am delighted to make a contribution to the address-in-reply as presented to the Parliament by the Governor. I would like to start by thanking the electorate of Bendigo East for giving me another opportunity to represent them in this place. It is a job I enjoy enormously, and I am incredibly proud to have been given this honour for the sixth occasion—so this is my sixth opportunity to make a contribution on the address-in-reply. I was particularly pleased at the recent election, just 101 days ago, to stand alongside the member for Bendigo West and make a comprehensive set of commitments to the Bendigo community. I will just touch on these commitments because I think they demonstrate that we have been working very hard every single day over the past four years, and not just to deliver on those commitments that we took to the 2014 election. We were also working with our local community on the new ideas and the new opportunities to make our great City of Greater Bendigo and the surrounding regions an even better and stronger place to live, work and raise a family.

I want to start in the area of health and providing better health care for regional communities closer to where they live. Of course we were absolutely delighted to open our beautiful brand-new hospital in January 2017 and see the second stage completed in mid-2018. It has been a massive, massive boost for our city, and that is why I, alongside the former member for Bendigo West, fought very, very hard for this project—to get the planning money, to get the development money and to see it delivered.

What we committed to at last November’s election for the central Victorian community was the construction of a new Bendigo day rehabilitation centre, which will sit alongside our big, beautiful new hospital in Bendigo. This day rehabilitation centre will consolidate in one place all of those services—services like speech therapy, occupational therapy, physiotherapy, social work, prosthetics, orthotics, clinical psychology and neuropsychology—that are currently spread across a range of different locations in Bendigo. This is about bringing those services under one roof but also substantially improving the facilities that those services are delivered in. This will be a great boost to health care. It will support the staff—we have wonderful staff who deliver the highest quality health care in Bendigo—and with the day rehabilitation centre we will be giving them the facilities that they deserve and of course providing the patients with the facilities that they deserve as well. Also, what complements this is the commitment to more regional medical specialists. With our big new hospital, with increasing demand for health services and also with the expansion of the type of health services you can receive in Bendigo we do need to see more specialists operate out of our regional areas. It
does not just mean that people in Bendigo can get treatment closer to where they live; it means people from Swan Hill and Echuca do not have to travel as far. They do not have to go all the way to Melbourne to access those sorts of specialist services, which also helps families care for people who are going through periods of needing that support.

I would like to turn to the area of education. Bendigo has seen many great investments under Labor governments, investing in our schools and our TAFE, and this recent election was no different. Particularly in the area of Bendigo East we made a commitment to Whitehills Primary School. We are investing in funding to transform an old classroom and facilities and provide some better space for that school. It is a very popular school. It is a very large school in our city and it needs better facilities to support the great work that the teachers and staff do at that school.

I was particularly proud to visit East Loddon P–12 College, which is near Dingee in the northern part of my electorate. It is not in the City of Greater Bendigo; it is in the Loddon shire. East Loddon P–12 College provides education opportunities for young people from across the wide district. Every student who is educated at East Loddon P–12 College travels to that school by bus or car. Under the Andrews Labor government it will receive $4.5 million of investment for a major refurbishment of the school.

Acting Speaker, if I can share a story with you: after the 2014 election, when this school came into my electorate for the first time following the redistribution, I visited the school and was absolutely shocked at the neglect of the previous local member and the previous Nationals-Liberal government, which left this school almost, quite literally, to rot. After the floods of 2011 the damage that had been done to that school had not been repaired. It was causing termite problems in the school. There were significant maintenance issues at that school. I worked very hard over the last four years to get some urgent maintenance money into that school. I was very, very proud to stand in front of the school assembly and announce that only an Andrews Labor government would provide the $4.5 million for new facilities. I also particularly at this point want to thank the Deputy Premier and Minister for Education, who worked very closely with me and who visited the school himself to see firsthand what it means to live in a National Party electorate and not have the support of your local member to get your schools upgraded. I am very excited about working with the school community to deliver that upgrade.

There is also—and I want to touch on this because it is a statewide initiative—the three-year-old kinder program commitment that we made, which is tremendously exciting. Giving our youngest of learners an opportunity to get an extra year of early childhood education will set them up for the rest of their lives. I also really want to commend the former Minister for Early Childhood Education, Jenny Mikakos, who worked tirelessly on this policy area. It is a great outcome that will bring so many benefits not only to families but also our economy and our community for many years to come.

I now want to turn to the area of transport, and public transport in particular. We made a commitment at the election to introduce stage 3 of the Bendigo Metro project. You can only do stage 3 of the Bendigo Metro program if you have undertaken stages 1 and 2, and that is what the member for Bendigo West and I delivered to our communities. Now we can focus on stage 3. Part of stage 3 involves the construction of new train stations in the rural communities of Goornong, Raywood and Huntly, returning passenger rail services to those communities that have not had them for many, many decades. We all know what having passenger rail means to country communities. We have seen it right across the state with the work previous Labor governments have done in places like Ararat and Maryborough in reopening train lines that were closed by the former Liberal-Nationals government. We are continuing down that pathway with Bendigo Metro stage 3 by investing in public transport for communities. It does not matter whether we are doing the Metro Tunnel or the Suburban Rail Loop in metropolitan Melbourne or train stations in country towns, we are committed to improving public transport services for Victorians right across the state.

I also want to touch on the really important revitalisation of the central business district of Bendigo that has received big backing from the Andrews Labor government. Last year’s budget provided a $60 million commitment to revitalise Bendigo TAFE’s central city campus. We had also previously
committed to the development of a GovHub, working with the City of Greater Bendigo to bring a 1000-strong workforce into one new, modern building that would provide an one-stop shop for state and local government services for our local community. At the election we added to this investment, a massive investment in the heart of Bendigo, with a commitment of over $150 million towards the construction of brand-new law courts for Bendigo. This is important because it is about providing better services for people who are accessing justice and better facilities for those who work in the justice area. Also, it will pick up on the issues identified by the family violence royal commission about making sure there are better court facilities for people in court on those matters, and of course it will bring a massive amount of construction jobs. It will bring hundreds of construction jobs and be a real revitalisation of the central business district of Bendigo. Those are just some of the great initiatives that we have got for the Bendigo community, and I look forward to working hard every single day on delivering those commitments.

Equally, in the time I have available I would like to touch on how in my new portfolio of transport infrastructure I am tremendously excited to work with my colleagues to deliver the biggest pipeline of transport infrastructure projects the city and the state have ever seen, including the transformative Suburban Rail Loop, which is going to be that vital outer orbital connection that has long been talked about. It is an Andrews Labor government that is going to start the delivery of it. We know it is going to take a number of years, but these projects have to start somewhere. Rather than finding excuses not to do them, we are finding opportunities to get on and get these projects started, just like we did previously with the Metro Tunnel project.

There are important suburban line upgrades—the Cranbourne line duplication and the Hurstbridge line stage 2 works, which are big upgrades of these busy rail corridors—so we can provide more services and provide them more reliably. There is our Western Rail Plan, which is going to have the twin benefits of electrifying the lines to our busy western suburbs communities around Melton and Wyndham Vale and giving country passengers in Geelong and Ballarat their country rail lines back. It also gives us the opportunity to deliver faster services for those growing regional centres of Geelong and Ballarat.

Can I just take a moment to remind the house that we put to the Victorian community an honest plan about how to improve regional rail services—a plan that understands the work that needs to be done. It was not just a whole bunch of lines drawn on a map and some magical travel times plucked out of the air, like those opposite tried to do, perpetrating what I would put to be a massive hoax on country communities. We had a real plan backed up by the work we had done to date, and I look forward to delivering those vital projects over the next four years.

There is the work we committed to and started delivering for an airport rail link. I cannot forget the Waurn Ponds duplication, of course—another vitally important regional project. Then there is the addition of another 25 level crossings to our program. We got rid of 29 level crossings in our first term of government, well ahead of schedule. There is great enthusiasm for the removal of level crossings, and I was thrilled to stand with the Premier to announce another 25 level crossing removals, again right across the city, in areas like Box Hill, in areas like the west and in areas like Coburg. There are so many to be undertaken. Of course what comes with these level crossing removals is safer communities, less congestion on local roads, the opportunity to run more trains and massive amounts of construction jobs, which is really helping to fuel our economy here in Victoria.

There are a number of road projects as well. We said we would put the north-east link project to market in our first 100 days. We did that on day one, and now we are continuing with the hard work, going through the planning, procurement and early development of this much-needed project. This is another one of these big transport infrastructure projects that was talked about for a really long time, and it has taken an Andrews Labor government to deliver it. There are other road projects—the Barwon Heads Road, which is another great local road project. There is also Hall Road, a big package of works around Ballarat, the South Road upgrade and the St Kilda Road bike lanes. We have got a lot to do in the next
four years, and I am thrilled to have the opportunity to work again on the big program of transport infrastructure.

In the time I have left I just want to touch on a few thankyous and acknowledgements. I have got terrific staff in both my Bendigo office and my ministerial office, and they were a tower of support to me during the campaign. I thank them deeply for that support. Of course the great supporters and volunteers and team in the Bendigo Labor community—we have got a great team. They staffed those early voting centres, they worked hard and I really do thank them for their support. My family were absolutely amazing in their love and support during the campaign. We had some great moments together, where there was the opportunity to spend time at the early voting centre with my father, my husband and my four-year-old son all standing there helping, handing out how-to-vote cards for me. I think I should credit my two children for winning a few extra votes for me along the way. I would like to thank the electorate of Bendigo East for once again investing their confidence and trust in me to deliver on a really exciting agenda for the local community.

I would also just like to finish by welcoming everyone back to the chamber but also welcoming in particular the new members of Parliament. What has touched me over the last few weeks sitting and listening to the inaugural speeches is how every new member of Parliament, no matter where they have come from in terms of their politics or their background, has come into this house with an authentic voice. They have told their story and they have presented their passions and ideas with a wonderfully strong, authentic voice. I would encourage those new MPs to not let go of that authentic voice. It is what got you to this place, and we look forward to you making many contributions on this side hopefully for a bit longer than those on the opposite side, but we look forward to hearing you make contributions over many years ahead.

Mr SOUTHWICK (Caulfield) (17:38): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Bills

PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019

Message from Council relating to following amendment considered:

Clause 6, omit this clause.

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure) (17:39): I move:

That the amendment be disagreed with but the following amendments be made in the bill:

1. Clause 1, page 2, lines 2 to 5, omit “in relation to additional salaries and expense allowances to which certain members of the Parliament are entitled” and insert “to make further provision in relation to the additional salary to be paid to the chairpersons of certain parliamentary committees”.

2. Clause 6, lines 4 to 13, omit all words and expressions on these lines and insert “at the foot of the section, before the item in relation to the”.

AMENDMENT OF LONG TITLE

3. Long title, omit “in relation to additional salaries and expense allowances to which certain members of the Parliament are entitled” and insert “to make further provision in relation to the additional salary to be paid to chairpersons of certain parliamentary committees”.

I am now going to refer to the proposed amendment that is in the hands of honourable members and seek its consideration by the house forthwith. If I can just make a couple of brief observations—and again I appreciate the assistance of the Manager of Opposition Business to facilitate this coming to the chamber
at this point in time. I do not, however, intend to wax long and lyrical on how we got to this point. We are here. There is a message that has been received from the Legislative Council regarding the Parliamentary Committees Amendment Bill 2019. It contains some amendment which we think could benefit from some further amendment to invite our colleagues in the Legislative Council to perhaps reconsider their position in relation to the remuneration of the chairs of parliamentary committees.

This is a very straightforward amendment. I trust that in the time the opposition have had to review this that it addresses from their perspective some of the issues that they may have had with the original bill and facilitates the remuneration of those chairs of committees, while having other issues of concern perhaps addressed in another way at another time.

Mr WELLS (Rowville) (17:41): We have had about 30 seconds to go through the amendments that have been moved by the Leader of the House. The issue for us is that normally parliamentary committee bills are straightforward in that they set up committees, but when we looked at this bill we found that there were four committees that were going to be abolished, which were joint house investigatory committees. We still have great concerns and are not convinced that the work of the Legislative Assembly committees will have the same power and resources as the previous four joint house committees. So for that reason we are still going to oppose this bill. It is on the grounds that by abolishing the four joint house committees and replacing them with Assembly committees they will not have the same influence, they will not have the same resourcing and they will not have the same power.

In regard to the other part of the original Parliamentary Committees Amendment Bill 2019, we could not understand why we spent weeks negotiating through the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019 to make sure that there was that system where an independent tribunal would set the pay increases or pay adjustments, whether it be the basic salaries or whether it be the actual allowances, only to find that they were going to give a specific pay rise to the Parliamentary Secretary to the Premier, who would be entitled to a 24 per cent increase on the base and 18 per cent for allowances, and an increase for the Government Whip, the member for Thomastown, who would get an additional salary of 20 per cent.

A member interjected.

Mr WELLS: Thanks for the reminder. There would also be an increase by setting up a brand-new position for the Deputy Government Whip. And with the greatest respect to the Speaker, we still have concerns that these members of Parliament were going to be able to vote for their own pay increase. I have to admit that when the Speaker came out with a ruling from the House of Commons from 1811 it was not a ruling that I had actually read. Of all the rulings that we have covered, the one from 1811 from the House of Commons was one that I actually would have read. As the member for Warrandyte pointed out, the previous member for Box Hill probably would have read that and had it in train.

So whilst we acknowledge that the crossbench and opposition in the Legislative Council knocked out clause 6, which was one of our main concerns, we acknowledge that the government has also taken out clause 6 but added in the increase of pay for chairs of the Assembly committees. Whilst that is a positive step forward, the reality is that we still have concerns about the reduction of the four joint house committees, and for that reason we will be opposing this bill.

House divided on motion:

Ayes, 51

Addison, Ms
Allan, Ms
Andrews, Mr
Blandthorn, Ms
Brayne, Mr
Bull, Mr J
Carbines, Mr
Eren, Mr
Foley, Mr
Fowles, Mr
Fregon, Mr
Green, Ms
Halfpenny, Ms
Hall, Ms
Merlino, Mr
Neville, Ms
Pakula, Mr
Pearson, Mr
Richards, Ms
Richardson, Mr
Scott, Mr
ADDRESS TO PARLIAMENT

Wednesday, 6 March 2019

Legislative Assembly

Carroll, Mr  Hamer, Mr  Settle, Ms
Cheeseman, Mr  Hennessy, Ms  Spence, Ms
Connolly, Ms  Horne, Ms  Staikos, Mr
Couzens, Ms  Hutchins, Ms  Suleyman, Ms
Crugnale, Ms  Kairouz, Ms  Tak, Mr
D’Ambrosio, Ms  Kennedy, Mr  Taylor, Mr
Dimopoulos, Mr  Kilkenney, Ms  Thomas, Ms
Donnellan, Mr  Maas, Mr  Ward, Ms
Edbrooke, Mr  McGhie, Mr  Williams, Ms
Edwards, Ms  McGuire, Mr  Wynne, Mr

Noes, 27

Angus, Mr  McCurdy, Mr  Ryan, Ms
Battin, Mr  McLeish, Ms  Sheed, Ms
Blackwood, Mr  Morris, Mr  Smith, Mr R
Britnell, Ms  Newbury, Mr  Smith, Mr T
Bull, Mr T  O’Brien, Mr D  Southwick, Mr
Burgess, Mr  O’Brien, Mr M  Staley, Ms
Cupper, Ms  Read, Dr  Wakeling, Mr
Hibbins, Mr  Riordan, Mr  Walsh, Mr
Hodgett, Mr  Rowswell, Mr  Wells, Mr

Motion agreed to.

The SPEAKER: A message will be sent to the Legislative Council seeking their agreement.

Address to Parliament

GOVERNOR’S SPEECH

Address-in-reply

Debate resumed on motion of Mr BRAYNE:

That the following address, in reply to the speech of Her Excellency the Governor to both houses of Parliament, be agreed to by this house:

Governor:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign and to thank you for the speech which you have made to the Parliament.

And Mr HIBBINS’s amendment:

That the following words be added at the end of the motion: ‘but respectfully regret that the speech fails to outline effective measures to protect Victoria’s natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians’.

Mr SOUTHWICK (Caulfield) (17:51): Thank you very much, Speaker. It is my great privilege to stand before you and give my address-in-reply. Firstly, I want to thank the Governor for her speech and congratulate all the members that have been elected to this 59th Parliament.

Elections are a very interesting time, and for sitting members it is a four-year opportunity to present yourself to the constituency and hopefully be re-elected. In Caulfield it was a tight contest, as many of you would know, but I am very privileged by the fact that I was—

Mr Andrews interjected.

Mr SOUTHWICK: Thank you, Premier. The Premier says, ‘Not tight enough’. Well, I am very happy with the result. They say, ‘Regardless of the win, a win is a win’, and I am very, very honoured and it is a real privilege to be representing the constituency of Caulfield.

This is my third term, and I want to particularly thank a number of people who have been by my side from the very beginning, but none more than my family. I know a number of people mention their family when they are on their feet. I genuinely believe, and I know a number of my constituents and
certainly members of the Liberal Party know, that when they have elected me they have not just elected me but they have elected a team—a team of my wife, Hayley, who stands proudly beside me, attends so many events and is very passionate about everything that we do for the electorate of Caulfield; and also my two children, Tyler and Paige, who are very active Liberals. I am proud to say that my son, Tyler, has just taken up the presidency of the Caulfield Young Liberals and is very active in recruiting more members and getting more involvement of young people in the party. We believe that it is very important to ensure that we encourage young people to get involved, to express their political views and certainly to become active in political life.

I also want to thank a number of people: my campaign chair, Daniel Weil; Deb Thomas; David Jaffe; Jeremy Hear; Bernie and Justine Kuran; Warren Samuel; Benni Aroni, Benjamin Koppel; Miaosheng Yang; Frank Greenstein; Vered Harel; and also the Sossen family, who all took part in the election campaign. I also thank my scrutineers, who worked tirelessly for me and certainly were part of those very tense times, including former member Helen Shardey, Sandy Anderson, Sam Parasol, Ella Gorenstein and particularly the late David Alperstein. He was very, very passionate all the way through the campaign, and unfortunately only a few weeks after the election passed away. My thoughts certainly go to him and his family. To my staff—Jane Rapke, Alex Woff, Vincent Britnell and Abby Levy, who has been volunteering—thank you for all of the support that you have given me as well.

We are very proud of what we have been able to do in Caulfield since 2010, and we have a lot of friends, including the Friends of Caulfield Park. We have been very, very active in ensuring that we upgrade that park and get the best possible park. People like Barbara Gibson, David Wilde and Spike—Mike Cramphorn—have been very, very active in that activity. We have also been very involved in the Caulfield RSL with Colin Bradley and team. One of the things that we did more recently is celebrate the centenary of Anzac and show the active history of many residents within Caulfield who were part of the Anzac commemoration.

I want to also put on record the work of some of our schools. Mel Gordon, the president of Caulfield South Primary School, was instrumental in raising an issue about the toilets, which were not up to speed. We worked with her to ensure we got emergency funding to upgrade the toilets at Caulfield South Primary School.

We have also been able to establish Neighbourhood Watch Glen Eira, which includes an online Facebook social media page. I want to particularly thank Michael Hain for his support with that.

Some of the other schools include Caulfield Primary School, which I know needed some emergency funding, and it is great work that Peter Gray and the team do there. Caulfield Junior College has a great history in our electorate. Chris Chant, who has just taken it on, was previously the principal of Gardenvale Primary School. I look forward to working with Chris Chant in the coming years. Glen Eira College has just been through an upgrade. There is Sheereen Kindler and the team, including Ruth Gordon, who do a great job. It is the only public secondary college in our area.

One of the issues in this term of government is in terms of the Hebrew language program, which was about to be axed. Again, working with Itzik from the United Jewish Education Board we were able to have that program reinstated. It will be reinstated next year. Thanks to the work of UJEB for that. So there are a number of things that I am very proud of having been able to do, and I look forward to continuing that work.

Some of the key issues have been around livability and open space in our area, and livability particularly around overdevelopment. It was something that ran very, very hard during the election campaign and it continues to be a major issue within Caulfield in areas such as Elsternwick, which is getting squeezed in terms of intense development. The member for Kew was talking about 70 per cent of Melbourne’s 100 000 incoming population being squeezed into suburbs like Caulfield, suburbs like Elsternwick, suburbs like Caulfield South. I was there only on Tuesday to see a supermarket proposal in Caulfield South. The old Daily Planet site—I am sure many will be familiar with that particular
ADDRESS TO PARLIAMENT

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Legislative Assembly

facility, hopefully just in name—is looking at an intense development of 300-plus units being put on that site, and across the road there is a Woolworths proposal for the old ABC site with 14 to 16 storeys. These are just some examples of overdevelopment that we are having in our area, and the community is fed up. The community is saying enough is enough, and I know over this term I will be working to do my utmost to ensure that we get the balance right and that we have livability protected within our electorate of Caulfield, because it is the main focus for my constituents.

A recent issue which has flowed on from this intense development and overdevelopment is population growth. I would say certainly that I have always been a passionate supporter of population and people coming to this great country and this great state and making it their own—I think absolutely the reason Victoria is the great state that it is is immigration—but what we do need to do is we need to plan for population growth, and I know one of the things during the election campaign was the decentralisation plan to move people out to the regions. If I could put on record also my great thanks to our former leader, the member for Bulleen—it was one of his brainchildren, ensuring that we looked at decentralisation. I think it is a really important thing that we will need to look at focusing on, because suburbs like Caulfield just cannot continue to take the intense development that we are seeing. Only a few days ago we had a proposal put up by council to put a bike highway down Inkerman Road. Again, it is important to support, as we do, getting more bikes out onto the road and getting more people onto bikes and out of cars to be able to have a good balance. However, we cannot have one at the expense of the other, particularly where it is affecting many people’s livability. That is going to be one of the upcoming issues in terms of finding a suitable site, and Inkerman Road at the moment is not the right site for that particular path.

There has been a number of things that I have been very passionate fighting for. In 2009, which was leading up to the first campaign that got me elected here, one of the issues that was number one on my wish list was actually to remove a level crossing, and that was the Ormond level crossing in North Road. I certainly do stand in support of level crossing removals, and I think that is one thing that I can say that the government has been very diligent on in terms of ensuring that that has happened. But I do say—and I know, Acting Speaker Dimopoulos, that in Oakleigh we share some of those level crossings, particularly that Ormond one—that it was the last level crossing that was actually moved underground. It was a real focus for us to be able to get that one, and when I go past it now it gives me great pride to be able to think that while we may not have opened it, we certainly funded it. Literally standing outside and moving through the traffic in my hi-vis vest handing out campaign material leading up to 2010 is something I will always remember. Unfortunately, as I said, we did not get the opportunity to open that level crossing, but I am very proud that we funded that level crossing.

During the election there were additional level crossings that we made pitches for, particularly to remove the Glen Huntly Road and Neerim Road level crossings. These two level crossings have been high priority according to VicRoads as the most dangerous level crossings, and they were left off the top 50 in the government’s priority list. I have been campaigning for this since 2010. I was pleased that at the last election we, along with the government, made a commitment to have those level crossings removed. Our commitment was a rail-under-road solution to deliver the removal of those level crossings by 2022, and I would hope that the government will be doing the same, because I know that was something that the Labor Party and the Labor candidate were campaigning for. I would also like to put on record my congratulations to the candidates for putting their hands up in Caulfield. It is important in such elections to have a good fight, like we had, and to ensure we get good policies, and this is an outcome which will see, hopefully, that level crossing removed. I know many of my constituents have been asking for this for a long time. I will be holding the government to account to ensure that we see the removal of the Glen Huntly Road and Neerim Road level crossings, because it is absolutely fundamental.

Caulfield Racecourse Reserve is something that I know you, Acting Speaker Dimopoulos, have been working with me on, ensuring that we open up that space. I was very privileged to co-chair a committee that looked at the removal of the old trust and the establishment of a new trust and new Caulfield
Racecourse Reserve legislation, which was absolutely fundamental. One of the election commitments that we made was to give $4.25 million to activate that precinct with sporting fields and a pavilion to really get people out and about playing at that reserve. Sam Almaliki, the chair of the trust, is working very hard to try and achieve that. I look forward to working with him to see what we can do in terms of that outcome. That is the jewel in the crown, the Caulfield Racehorse Reserve—certainly in the middle of the reserve. I certainly believe—and I know you do, Acting Speaker—there is an opportunity for us to really get people to use it because it is the last piece of large open space in my electorate that is not being utilised. Open space is a really important thing going forward. There was a cultural precinct which we offered to fund and Labor offered to fund as well, which brings me to an important point for me to raise. Livability and open space are really important elements within my area that I will be fighting for in this term of government.

One of the pressing things—and it really disturbs me to mention this—is the growing issue of anti-Semitism that we face absolutely fairly and squarely, locally in my electorate of Caulfield. Just in January one of our nursing homes—Emmy Monash Aged Care—actually had swastikas painted on the front of the building. It disgusts me that anyone would do something like that when we know that many of the people in that nursing home are survivors of the Holocaust. It is an affront that anybody would do such a harmful and disgraceful act. It is times like that that make me understand just how important my role is here and what I need to be doing in representing my constituency to make sure that we have tolerance and respect for all people of all religions, of all backgrounds, and to ensure that we do not have such hatred, because it should not be tolerated in this great state of Victoria. It is a thing that we should all have a unity ticket on in this place, and I know we do. We should continue to do that and work whenever we can to champion that important cause.

This is a great state, and this is a great country that we are all part of. I am proud to be a member of Parliament. I really take this job very, very seriously, as I know you all do. I certainly welcome the new members of Parliament that are in here. It is a real privilege and honour to be elected into this Parliament. We have a lot of work to do for future generations to ensure that they are able to enjoy the great elements of this state that we have. I look forward to doing my bit to ensure that we preserve this great place and ensure that it thrives for future generations, and I thank the constituency of Caulfield for re-electing me.

Mr McGuire (Broadmeadows) (18:06): Sweet smell of burning eucalyptus leaves evokes a disturbing reminder: the past is never dead and buried; it’s not even past. Cloaked in a coat of possum fur, the Queen’s representative ascends the steps of Australia’s original Parliament House, acknowledging the Indigenous smoking ceremony and welcome to country from an elder of the world’s longest continuous culture. Black Rod ushers Victoria’s first woman Governor, Linda Dessau, up the red carpet to open Victoria’s 59th Parliament in a seamless convergence of Aboriginal custom and Westminster practice that belies Australia’s frontier wars, stolen generations and divisive arguments concerning our shared history. In the spirit of reconciliation I look forward to this Parliament’s attempt, unprecedented in Australia, to negotiate treaties with our First People. History condemns missed opportunity.

Vice-regal fanfare fades amid the hubbub of Bourke Street, heralding Melbourne’s rush to a metropolis. The biggest population boom since the 1850s gold rush is underwriting economic activity. Victoria is Australia’s fastest growing state. Melbourne is predicted to become the nation’s largest city within 30 years and grow to eight million people by 2051.

Driving a AAA-rated economy has delivered record investment, surpluses and an unprecedented pipeline of infrastructure projects to reimagine Melbourne and spread opportunity across our great state. Investments are not just in infrastructure projects. They are also in our most valuable asset, our people, and in attributes I have long maintained largely determine fate: lifelong learning, skills and jobs. Business trust is crucial for economic development and delivering prosperity. The message from
leaders was clear: build on the momentum. The Andrews government was fundamentally re-elected because of its record of delivering and the Premier’s progressive and positive campaign.

While the previous government cut TAFE in a jobs crisis, our government will provide life-changing opportunities by making key TAFE courses free in a jobs boom. This strategy focuses on the skills Victoria needs and, importantly, includes everyday people and their families in the state’s big picture vision. At the Strong Australia conference in Broadmeadows last year I put the essential questions: what is Australia going to make and what are the coordinated strategies to deliver results? Chief executive officer of Business Council of Australia, Jennifer Westacott, responded:

The most important thing is to get people skilled, to make sure that young people get the right pathways into the right jobs, that we don’t keep everyone at university, that we give a diversity of opportunities … the challenge is how we make sure that no community or person gets left behind.

Such priorities are emblematic of Labor in power. The contrast is stark. The Australian government’s disconnection from the needs of Victoria is highlighted by the lack of investment in infrastructure and skills. It dudded Victoria by almost $5 billion on population-based infrastructure investment over the budget and forward estimates. It also axed more than $200 million from TAFE, skills and training across the country.

These examples define why Australia must evolve beyond the hyperpartisan, hyperfractionalised era that has become economically and socially corrosive. Australians are overwhelmingly practical people, not ideological. They want politics to be a contest of ideas that resolves matters in the national and community interest to increase prosperity and deliver a fair go. Australia has proudly established the world record for continuous economic growth of 27 years. This result underscores my advocacy that place-based disadvantage must be addressed urgently. The World Bank and International Monetary Fund have highlighted the adverse impacts of inequality. Results are known and understood: higher crime, health problems, mental illness, lower educational achievements and reduced life expectancy.

We are long overdue for a new era of unity tickets to advance Australia fair between governments, business and civil society to increase jobs, growth and productivity while reducing welfare payments. Investing in infrastructure, lifelong learning and social cohesion will drive economic and cultural development, reduce disadvantage and revitalise communities, especially those struggling under deindustrialisation. All we need to make change a friend, not an enemy, is the political will to address place-based disadvantage. Such investment will create more opportunities to help Australians reap long-term rewards. This is why I have produced strategies, such as Creating Opportunity: Postcodes of Hope and Building Smarter Cities, Stronger Communities, to deliver economic and cultural development where the need is most significant. They feature initiatives to attract new industries and jobs and save a fortune by coordinating affordable housing alongside blue-chip infrastructure and create much-sought-after 20-minute suburbs.

Closing the infrastructure gap is vital. A city deal based on productivity, livability and sustainability will provide an overarching mechanism. It would leverage assets and create billions of dollars in economic value. My proposal is to designate 20-minute cities to fast-track projects where residents can work and get most of the services they need close to home, reducing congestion and increasing livability. Priority precincts would include Sunshine, Broadmeadows, La Trobe University and Clayton to harness economic engine rooms and anchor two $15 billion developments of national significance. Australian and Victorian governments have unity tickets to end the half-century wait for the rail line to Melbourne Airport and build the missing link in Melbourne’s road network, the north-east link.

Need is vital and urgent. Melbourne’s north and west are home to postcodes of disadvantage struggling under deindustrialisation and historic investment deficits. The paradox is that they offer outstanding opportunities for growth. Most of Victoria’s manufacturing businesses are located in the arc from Melbourne’s west to its north along the Western Ring Road from Werribee, crossing Sunshine, Keilor and Broadmeadows, to Preston.
Both Melbourne’s north and west will soon have bigger populations than Adelaide. Leveraging such assets would deliver greater economic and social benefits than the city deal for Sydney’s west. A city deal would also redress inequality and the tale of two cities in the Australian government’s infrastructure funding disparity between Sydney and Melbourne. It would do this by incorporating the rail link to the Melbourne Airport. The Victorian government’s preferred route is via the super-hub at Sunshine, connecting suburbs and regions to Australia’s only curfew-free international airport. This would include proposals for a northern connection via Broadmeadows. The rail link is significant because an estimated 70 million people are predicted to use Melbourne Airport annually within two decades, making it almost as busy as London’s Heathrow Airport.

Paving the way for Australia’s biggest public transport proposal is a new underground rail network circling Melbourne’s suburbs. The Suburban Rail Loop would connect every major train line from Frankston to Werribee through Melbourne Airport. Victorians would no longer have to travel into the CBD under the $50 billion proposal, featuring up to 12 new underground stations and connecting suburbs with major employment centres, universities, TAFEs, hospitals and retail precincts. Regional Victorians would also be big winners.

This city deal embraces the super-hubs designed to provide better access to jobs, education and health outside the central business district. It would help transform Sunshine, Broadmeadows and Clayton into 20-minute cities. Accelerating smart city investment would drive powerhouse precincts, including La Trobe University, Arden and the Parkville precinct, while providing affordable housing and access to lifelong learning, skills and jobs.

The Australian government will become a practical partner where jobs and growth are needed most, converting rust belts into brain belts and changing population mix to avoid entrenching disadvantage. Melbourne’s north aggregates assets—

The SPEAKER: Order! If I could ask the member to resume his seat. The time has arrived for the joint sitting to fill the Senate vacancy. I will now ask the Clerk to ring the bells and call members to the joint sitting. The Assembly will resume after the joint sitting has concluded, and the bells will ring again at that time.

Debate interrupted.

Sitting suspended 6.15 p.m. until 6.24 p.m.

Debate resumed.

Mr McGuire (Broadmeadows) (18:23): Melbourne’s north aggregates assets that communities and governments can leverage and capital crave—proximity to the heart of the CBD, blue-chip infrastructure, affordable land and population growth. Boasting Australia’s largest concentration of advanced manufacturing, the gross regional product is $37 billion. It is the most sustainable and affordable region to cope with population growth and has the highest proportion of undeveloped industrial land in Melbourne, about 60 per cent.

Melbourne Airport plans to soon build another runway, expanding its importance in air passenger and freight transport. A secondary airport is nearby at Essendon Fields. Road networks include the newly widened Tullamarine Freeway linking Melbourne’s central business district. The area also features the M80 ring-road and the Hume Highway to Sydney. Rail links include suburban and regional lines and the spur into the Ford Motor Company’s prime 87-hectare site. Ford plans to sell about half the site. As chair of the Broadmeadows Revitalisation Board, I have advocated for this strategic resource to be transformed into an industry hub for jobs and innovation. It provides the opportunity to establish a collaborative working centre between universities, major companies, three tiers of government and business start-ups.
La Trobe University’s $5 billion investment during the next decade should be leveraged into a campus city as the next evolution of the academy established just over half a century ago in a paddock behind a wildlife sanctuary. Such investment is predicted to add $3.5 billion to the gross regional product of Melbourne’s north in 10 years and create more than 20,000 new jobs. It also addresses the need for higher education and skills, which are critical to the region’s ability to adapt to changing economies and drive employment growth.

A priority precinct at Clayton would harness the economic powerhouse of Monash University and Australia’s leading science institute, the CSIRO, linking it by the aptly named Innovation Walk. Monash University would be ranked in Australia’s top 80 companies if it was listed on the Australian Stock Exchange. Combining these institutions would deliver enormous economic clout and innovation for future industries and jobs. Monash directly accounts for $5.2 billion in economic activity annually.

The Monash precinct is also the largest employer in Victoria outside Melbourne’s central business district. Australia’s first dedicated heart hospital, the Victorian Heart Hospital, is located on this site. It has the Australian Synchrotron, the nation’s most important research tool, and it has the Monash Clayton microgrid—its own network to receive and store energy from renewable sources on campus. It is a great hub for fostering innovation and driving the knowledge generation.

Australia is a world leader in medical research. Harnessing the Monash precinct helps leverage the elegant science that recently delivered an exceptional 47 per cent of funding from the independent experts, the National Health and Medical Research Council, to Victorian institutions. The lion’s share goes to the lion. I was delighted to have been reappointed as Parliamentary Secretary for Medical Research, and we will continue to help Victoria lead like the lion again this term. I also want to continue to advocate for the triumph of science over politics. If the Australian government allocates funding on merit, Victoria should receive almost half of the Medical Research Future Fund, which will rise to $20 billion—real money. Combining Melbourne’s west in a city deal provides one of Australia’s greatest economic development proposals for communities, the three tiers of government, business and civil society. Melbourne’s west is also an economic engine room of national importance. Gross regional product is almost $40 billion. The population is expected to grow in this region to about 1.1 million people by 2030, making Melbourne’s west a key to our future growth. It is the link between the two largest cities in Victoria—Geelong and greater Melbourne—and is the gateway to Melbourne for western Victoria.

New and established industries present an innovative environment for economic growth and the opportunity to support the knowledge economy, smart technology investment and higher education providers. Melbourne’s west is expected to have the highest rate of employment growth of any region in Melbourne in the next 15 years. A city deal would help drive this innovation, which would also benefit social cohesion and national security. Gainful employment is the best form of welfare. Connecting the disconnected through jobs is an astute anti-radicalisation strategy. All seven municipalities in Melbourne’s north are united in supporting a city deal. Likewise, the six local councils in Melbourne’s west are united in working towards better results and a city deal through LeadWest. This is not just the right priority but a smart one.

Postcodes of disadvantage are bearing a greater burden and complexity. We know where crime lives; half of it is in the same place as disadvantage. Fifty per cent of Victoria’s prisoners come from only 6 per cent of postcodes, so we need a whole-of-government strategy to address causes, not just symptoms. The law and order debate must rise above endless loop arguments over which political party is supposedly tougher on crime to a coordinated strategy that is smarter on crime. Such a shift requires focusing more on the causes of crime than its symptoms. A whole-of-government strategy to deliver smarter taxpayer investments where they are needed most is required. While some crimes are so heinous the perpetrators should never be released, an estimated 90 per cent of male prisoners and 80 per cent of female prisoners are illiterate. Therefore greater balance is essential when investing in the attributes which largely define where everyone ends up in life: attitude, education and opportunity.
This year marks the 20th anniversary since I founded the Global Leaning Village model in Broadmeadows to coordinate these approaches and to address inequality. Cultural blind spots and politics must be confronted, and it is a strategy that I will be advancing as the Parliamentary Secretary for Crime Prevention. Whipping up anxiety and fear is the easiest politics but solves nothing. Dividing cultures through the chain reaction of race, rights and taxes is perilous.

The forthcoming national election provides a landmark opportunity for the next Australian government to become a partner instead of a bystander. For change to be regarded as a friend, not an enemy, we must drive economic and cultural development to deliver a fairer go for all. Democracy, as always, is personal and invisible. As the first person to grow up in Broadmeadows to represent this proud, resilient community in this Parliament, I am humbled and grateful for the support of families who have underwritten prosperity through their muscle and manufacturing nous for generations. It’s time for a New Deal for the truest believers.

Mr BLACKWOOD (Narracan) (18:30): It is with pleasure that I rise to deliver my address-in-reply to the Governor’s address to the 59th Parliament last December. The Governor’s address outlined the Andrews government’s priorities for the next four years. Sadly my electorate of Narracan rarely gets a mention in the Premier’s list of priorities, so I would like to take this opportunity to remind him that if he is going to deliver on his commitment to govern for all Victorians he must do something about West Gippsland Hospital for a start. West Gippsland Hospital is under enormous pressure from massive population growth. For example, between 2011 and 2016 the population of Warragul increased by 12 per cent, Drouin by 28 per cent, Longwarry by 40 per cent and Trafalgar by 29 per cent. When the current hospital was built, the catchment that it had to service had a population of around 15 000 people. Today that same catchment has a population of 50 000 and is predicted to hit 90 000 over the next 20 years.

In 2006 the West Gippsland Hospital board of management displayed enormous foresight in purchasing a greenfield site of 59 acres between Warragul and Drouin. The site has great transport links and enormous potential for a purpose-built health hub and is located right in the middle of the residential growth centres of Warragul and Drouin. As has been the case since the current hospital site was donated by Mary Sargent in 1898, the generosity of the community has been amazing, and a bequest provided significant funds to assist in the purchase of the new site. A new hospital on the greenfield site would have been delivered by a Guy government. The people of Victoria have spoken and returned a Labor government, but this does not mean that the Premier can continue to ignore the healthcare needs of West Gippsland. The new hospital needs to be built. It is not fair for patients and staff to have to continue to deal with demand that is consistently increasing month on month. The pressure that staff, doctors, nurses and management are having to deal with has become untenable, despite the fact that the quality of care provided is still second to none. Two years of planning have been undertaken for a new hospital. The business case and feasibility studies are complete. There is no reason for a decision not to be made public on the future of West Gippsland Hospital. In fact it staggers me that West Gippsland has been ignored in favour of Footscray, Ballarat and Latrobe hospitals. The decision to provide funding for capital works at these hospitals during the election period without any planning work being completed was obviously based purely on politics and not genuine need. This makes a mockery of the Premier’s commitment to govern for all Victorians. It is an absolute insult to my community, especially the 10 000 people who signed the petition calling for a new hospital last year, and the Where’s the Funding group that coordinated the collection of those signatures in only two weeks.

While I am raising the need for more support for healthcare provision in my area, I must also mention Olivia’s Place. Olivia’s Place is a volunteer-based community organisation founded in 2012 by Kirsten Finger that delivers perinatal care and support to families in Gippsland. They are currently providing support and referral for 150 families, and demand for their services is growing rapidly. They do not receive any government funding and rely solely on community donations to survive. Our very generous community continue to support Olivia’s Place, but it seems extremely unfair that...
organisations that do get government funding actually refer people to Olivia’s Place for help. The volunteers who give so freely of their time to ensure families are given appropriate support when needed deserve to get financial assistance from the government so they can concentrate on their clients, rather than having to worry about their financial survival. There have been persistent requests to the Andrews government for support—without success. The coalition promised to provide $200 000 over four years prior to last year’s election because it understood the value of the work of Olivia’s Place and the need for it to continue and grow to meet the huge unmet need in our community.

The Labor government claim to have a priority to make Victoria the Education State, but once again you will only feel part of the Education State if you happen to be lucky enough to live in an electorate that is integral to the government holding power.

Moe (Albert Street) Primary School is in desperate need of security fencing around its grounds, which the coalition promised to provide. The safety of the students, staff and parents continues to be ignored by the Andrews government. Neerim District Secondary College is also in need of a major upgrade, but it also continues to be ignored. The hardworking teachers and staff and the parents and students all deserve better. The last upgrade they received was the redevelopment of the Delzoppo technology wing, with $300 000 provided by the Baillieu government back in 2012. There are many parts of that college that are a product of the original build back in about 1964.

The next issue I would like to raise is the current situation facing the Victorian native forest timber industry. The indecision and lack of action of the Andrews government has placed supply to our sawmills at risk and the employment of thousands of timber workers in jeopardy. The failure of the government to sign off on the timber release plan and allocation order last July that approves areas for harvesting this season has thrown the industry into crisis. VicForests are now telling their customers that they may be unable to supply their contracted volume for this financial year, and they are standing harvesting and haulage contractors down as we speak. By August or September this year, or perhaps even sooner, sawmills will run out of logs and have to put off their staff. This is going to have an enormous impact on country communities unless the Premier steps in to fix the problem. Those same contractors that the government have relied on over recent weeks and days to assist Forest Fire Management Victoria in saving lives, property and communities from bushfire are now faced with the very real prospect of having no work in coming weeks. Victoria is now facing a massive shortage in the supply of timber products, and that will affect metropolitan-based manufacturing companies as well as the building and construction sector, but of much more concern is the real possibility that our bushfire-fighting capacity for next bushfire season will be severely diminished and lives, property and communities will be put in grave danger. The Premier must step in immediately and sort this mess out. Hardworking timber families do not deserve to be hung out to dry. He must get these approvals signed immediately. The Premier claims to be about jobs, jobs and more jobs, but these are very hollow words to an industry that continues to be used as a political football by Labor and the Greens.

Can I also be so bold as to remind the Premier that the Greens coped a flogging in last year’s election. He no longer needs to be politically pressured by their ridiculous and unwarranted demands—demands that are destroying country communities, demands that cause enormous pain that they will never share or experience. Country communities are sick of losing their jobs and opportunity for their young people because of government decisions that are made to appease city-based, ill-informed Greens.

So in closing I urge the Premier to deal with this problem as a matter of urgency. My great-grandfather was a field organiser for the Australian Timber Workers Union back in the 1950s. He would be turning over in his grave at the way the timber industry that he loved so much is being treated today.

I would also like to put on the record my thanks and appreciation of the hard work that my campaign team did prior to and leading up to the election. My campaign chair did a fantastic job and all of my team did a great job. My community supported me once again for the fourth election in a row. It has been a real privilege to serve my community of Narracan. They are fantastic people even under the
extreme stress that we have experienced over the past four or five days. They really stood up and worked together to overcome the difficulties of the current bushfire situation.

Can I also put on record my absolute appreciation and thanks for— I cannot say enough about them— our fantastic firefighters and the way they worked over the weekend. It was just amazing to keep that fire north of the freeway. It was something that they did back in 2009 and they did it again over the weekend. It was just an amazing effort, and not enough can be said about how hard they worked to do that and also what they saved in achieving that outcome.

My electorate of Narracan is a fantastic place. I am very proud of it; I have lived there all my life. This is my fourth election, and I was supported very, very well by my campaign team, as I said. Also my colleagues, even my National Party colleagues, were very, very kind to me. It was great to become the member for Narracan for the fourth time.

To those new members of this house: congratulations to you all, both Labor and Liberal and the other parties. I am sure you will enjoy your next four years as I have enjoyed the last 12 years.

Thank you for the opportunity, Acting Speaker.

Ms THOMAS (Macedon) (18:40): It is a real privilege to rise today to speak on the address-in-reply. The first thing I would like to do is to congratulate all members who have been newly elected to this chamber. I of course was elected only one term ago in 2014. It is the most extraordinary opportunity and privilege of my life to be a member of this place. I extend to each and every one of you a very warm welcome, but I must say it especially and particularly to the 19 new Labor MPs who have joined this chamber. I had to double-check my counting there. Nineteen new members in this place for the Labor Party is quite extraordinary.

It has been a real privilege to hear every one of your speeches, and we have still got two more to go. Those speeches have been bursting with humanity, compassion and empathy, but also intelligence, wit and a burning desire to get out there, get on with it and get things done for the people that need it most—those in the community that need Labor governments to deliver fairness and equality. That is why we are all here. I feel so proud to know each and every one of you, and I look forward to getting to know you further over the next four years.

Of course I want to thank the people of Macedon for entrusting me with another four years as their representative. It has been an absolute privilege and honour to serve every one of them. To the Labor supporters in my community, the true believers, I say thank you. To the meatworkers, the nurses, the road workers, the truck drivers, the cleaners, the teachers, the pensioners and the single parents, it has been my privilege to serve you. To the farmers and small business owners and to the self-funded retirees who told me that they would be voting Labor for the very first time, I say thank you. To the young people, the Landcarers, the clean energy campaigners, to my LGBTI community, many of you chose to vote Labor ahead of the Greens because in the Andrews government you saw a Labor government delivering a truly progressive agenda, taking real action on climate change, environmental protection and equality. So thank you.

There is no doubt that over the last four years the Andrews government has transformed the townships and communities across Macedon for the better. More than $53 million has been invested in our local schools, including a brand-new primary school in Kyneton to replace a dilapidated and falling-down 160-odd-year-old school. We have also built—and it will be opening shortly—a training and innovation hub at Kyneton Secondary College. This hub will enable TAFE training to return to the Macedon Ranges after it was cut under the previous Liberal government. We have built a new trade wing at Daylesford Secondary College and we have made commitments to deliver new classrooms and a full-sized gym at Gisborne Primary School and a brand-new art room at New Gisborne Primary School.

We also delivered, with the member for Sunbury, $19 million to Sunbury and Macedon Ranges Specialist School. This is an incredible school across two campuses, serving the needs of children with
special needs in our community. To me this is a really important symbolic, emblematic commitment that we made, because in spending $19 million at Sunbury and Macedon Ranges Specialist School we were committing to that one school more than the previous Liberal government invested in schools in the entirety of the Macedon electorate in the four years that they were in power. Of course we are implementing Head Start apprenticeships and traineeships, which are being delivered at Kyneton, Daylesford and Gisborne secondary colleges; the school breakfast program is delivering for children at Toolern Vale, Hepburn and Daylesford primary schools; Doctors in Secondary Schools is working a treat at Kyneton Secondary College; and we have increased equity funding where it is needed most.

So when it comes to education let us be clear that there are many pockets of great disadvantage in the community that I represent, and the Andrews Labor government is ensuring that every child, no matter their background, in the Macedon electorate has the very best start in life. I am so thrilled that we took to the community a commitment to deliver universal three-year-old kindergarten. This is absolutely going to change the life chances of so many children in my electorate, together with, I might say, our commitment to bring back the dental school bus and ensure universal access to dental health care for children in government schools. Both of these initiatives are so important. As a former teacher, of course, this remains a great passion of mine, but ensuring that young children are well prepared to learn, that they are fed, that they are healthy—these are life-changing initiatives that we as a re-elected Andrews Labor government will deliver to children in my community.

I might say, Acting Speaker Carbines, when I was first elected it was really my great privilege to serve as the Parliamentary Secretary for Health, a position that you now hold. During that time, and in fact in the first few weeks, I had the great pleasure of getting to know the now member for Melton and working with him in his capacity then as the secretary of the Ambulance Employees Association to stay true to our promise to fix the ambulance crisis that we had inherited. I am proud to say that under the Andrews Labor government we have seen an incredible improvement in ambulance response times, and in regional Victoria there are some real challenges associated with delivering those improved response times. There is more work to do—I am not shying away from that—but it has been one of the great joys of this role to get to know the paramedics in my community and to really understand fully how skilled they are and what a great, incredible asset they are to our community.

And of course they are represented by a very fine union with excellent leadership, so particular congratulations to the member for Melton. To the former Minister for Health I say thank you, because another area of policy I am very passionate about is improving vaccination rates. I was really disturbed to learn when I was first elected that the Kyneton community appeared to have a very poor vaccination rate, but we worked diligently and hard and we have introduced VaxOnTime and no jab, no play, and now I am proud to say that the Macedon Ranges shire is leading in the state. We have one of the highest vaccination rates in the state. With the Minister for Health we also worked to deliver a program last term to ensure that children living in communities that do not yet have the benefit of fluoridated water are able to access a special program. This is something I worked on as Parliamentary Secretary for Health to ensure that these four-year-old children can access a program where they receive a fluoride varnish, which has both a preventative and a restorative function, to ensure healthy teeth. We delivered that in Woodend, Romsey, Trentham and Daylesford.

Of course our commitment to end family violence has seen more and better service delivery across the electorate of Macedon and some great family violence prevention initiatives, including our delivery of the Respectful Relationships program, which of course is being run out of all of my schools, but my secondary colleges were very quick to put their hands up and want to be pilot schools for that program. I am also proud that we are supporting the Rural Challenge. The Rural Challenge is a really terrific community-led family violence prevention initiative which sees family violence specialists working with football clubs and CFAs to develop their own gender equality strategies. The way in which this has been embraced in my community, including by the Kyneton Football Netball Club, the Malmsbury CFA and others, has been terrific.
When it comes to transport I am very proud that in the previous term the Andrews Labor government delivered 38 additional services on the Bendigo line and more than 500 upgraded and new car parking spaces at our V/Line stations. New bus services either have been delivered or are on their way in Gisborne, Woodend, Trentham, Daylesford, Kyneton, Romsey and Lancefield. And across Macedon you will see men and women at work upgrading and maintaining our country roads, building roundabouts and installing pedestrian school crossings. I know that roadworks can be very frustrating at times, but this is a government committed to doing what needs to be done to ensure that the roads that people in my community use every day are safe, that they are well maintained and that they are ensuring that people can get to the places they need to go for work, health care, education and so on.

The biggest project of course is the $20 million safety upgrade of the Melbourne-Lancefield Road. I am looking forward to stage 1 of that project being completed in April. And of course each and every one of our infrastructure commitments is creating jobs in regional Victoria. As a Labor government and as Labor Party members we are very proud of our record of achievement in creating jobs in this state.

On this front too, I might say, I am also very proud of the work we have done to boost tourism, grow our wine industry and promote craft beer and our artisanal produce, with more to come in this area in our second term.

A member interjected.

Ms THOMAS: I do look forward to bringing some in and sharing it with my colleagues.

Under a Labor government our major private sector employers, Hardwicks meats and Barker Trailers, have expanded their workforces, while in this term I look forward to welcoming Rationale skincare, who are transferring their global headquarters from Cremorne to Kyneton and bringing 103 jobs with them in research and development, manufacturing and head office.

The Macedon Ranges has been declared a distinctive area—the first in Victoria—and is subject to new planning rules to protect our environmental and cultural attributes. We have protected Hanging Rock, and I look forward to the delivery of our election commitment of $3 million to purchase the East Paddock.

But there is always more to do. We took a range of fabulous promises to the people of Macedon, including our commitment to build a brand-new primary school in the south of Gisborne and to deliver $11.6 million—the state’s share of funding—to build the Macedon Ranges regional sports precinct.

We now need the Morrison federal government to get behind this. I am delighted that Bill Shorten has come out with our local federal members Rob Mitchell and Lisa Chesters—good, hardworking Labor members—and put $10 million on the table. The Macedon Ranges regional sports precinct can only be built if a Shorten federal Labor government is elected. We are expanding the service and upgrading the station for our Gisborne ambos, and we have committed to a $950 000 upgrade to my busiest CFA station, Riddells Creek. There are so many more election commitments that I could share with you, but with the remaining time that I have I really wanted to take the opportunity to thank the more than 150 volunteers who joined team Macedon to ensure that we held the seat and that we increased the margin. We had a team goal of achieving an extra 1000 votes. I am glad to say that we well and truly achieved that goal and beyond. I do want to say thank you so much to those volunteers. It really was a team effort. I have got to say that whoever thought it was a good idea to get Michael Kroger and Sophie Mirabella along to the pre-poll to shout at voters, that was good for me. It was very bad for the Liberal candidate.

So, for their work during the campaign I take the opportunity to thank Greg Peachy; Jill Clutterbuck; Dan MacMillan; John Freamon; Brad Chivell; Peter Wix, who is now working for the member for Buninyong; Jenny Steele; Barry McDonald; and Margaret Leahy—all people who made an extraordinary effort for the campaign either through doorknocking or phone calling, really going above
and beyond and delivering more. In every case they put in more than 40 hours of volunteering and in Brad’s case more than 100 hours.

I want to say thank you to all the Labor Party branch members in Kyneton, Gisborne, Woodend, Romsey, Lancefield, Trentham and Daylesford for their enormous support throughout the campaign. It is great to see not just how all those members volunteered during the campaign but how our membership has grown as a consequence of this fantastic campaign. Can I also thank my electorate office staff: Lisa Ohrnraus, who I am delighted to say has now accepted a position in the Premier’s office; Liam Coventry-Poole, who has taken some time off to travel over to the UK—he is going to try his luck with the Labour Party over there, and I wish him good luck with that; and Sharon Wallace-Storm.

As other members have said, a campaign of the magnitude of the one we undertook really is a team effort. Thanks of course to my family for their unwavering support. There is nothing like a pre-poll to bring everyone together. The member for Bendigo East talked about this, but it was fabulous to have my mother down to spend some time with me on the pre-poll. Again, it is an extraordinary privilege to be elected once again to serve the constituents of Macedon, and I look forward to dutifully fulfilling my role over the next four years.

Mr Richardson (Mordialloc) (18:55): It is an absolute honour and privilege to rise and speak on the address-in-reply, and what an honour it is to be back in this place and to be serving alongside a fantastic Andrews Labor government. I wanted to share some thoughts on the journey over that first term and on the future journey that we will undertake in our second term.

I thank the many people who have been a part of my life and my family’s life. Profound thanks and appreciation to the Mordialloc electorate, running from Chelsea and Chelsea Heights through to Cheltenham—the wonderful people you meet along the journey of a campaign.

When we first came to office in 2014 I sat my staff down and we talked about having just over 1400 days to make a difference in our local community, to change our local area for the better and to not waste a moment to provide a better community than it was the day before. It was a commitment that we took with our community and one we lived each and every day.

I wanted to place on record my heartfelt thanks to my constituents, who invited me into their homes and their community groups, sporting clubs, schools, kinders and hospitals and who shared their experiences and stories with me. Literally thousands of people opened up to me on their journeys, their interests, their concerns, their cares and their ambitions for the future. I think of those as all being a patchwork quilt that goes together and that has me standing here and representing all of them in this place as their member of Parliament. I thank them deeply, and I hope to, over the next 1400 days, honour the trust that they have placed in me and the Andrews Labor government to live those values and represent their needs in this Parliament. The journey that we have been on locally has been substantial. We have seen record investments in our schools and our kindergartens. We have seen road projects that were talked about for decades, like the Mordialloc Freeway, finally come to life. We have seen level crossing removals thought not possible being undertaken. In the decade before the Andrews Labor government came to office there were eight level crossings removed. Now we are embarking on 50 over the same period of time and 75 by 2025. Eighteen out of 30 level crossings are being removed on the Frankston train line alone, and that will transform our community forever. The Mentone and Cheltenham level crossing removals will be getting underway soon, the Edithvale and Bonbeach level crossing removals will be getting underway next year and there will be the very exciting removal of all Chelsea level crossings. This will make such a substantial difference to Chelsea and my local community. I cannot wait for them to get underway.

It is stories like that of Yarrabah School, a specialist development school, that seem to have been forgotten in our community. It is those kinds of projects that are important. Many schools have had substantial growth. This is a specialist development school in my community that has grown from 19 students in the mid-1990s to 300 students now. To be rebuilding that school, investing in education,
no matter the circumstances and giving everyone a go is something that I greatly cherish. Those projects that you can be involved in, lead and champion are a true honour.

I think about some of the kindergarten improvements that we have made. Early on we embarked on a campaign to save Chelsea Heights Kindergarten, which has a significant 50-year history in our local area. We embarked on a campaign that brought everyone together. Our community in Chelsea Heights got behind that campaign and backed us in.

But you do not get to this place without a lot of support along the way. In my first speech I probably was remiss in not thanking enough my beautiful wife, Lauren, who puts up with me each and every day. She is a massive support. She is far more intelligent than I am. She is in her own right a wonderful town planner, both at council and now in the private sector, and she supports me each and every day. During that time we had our daughter, Paisley, and she is now two and a half years old. She has put up with so much over that campaign journey and that year. I put on record my profound thanks for all that they put up with and the sacrifices that they make each and every day.

The DEPUTY SPEAKER: Order! The time appointed by sessional orders for me to interrupt business has now arrived. The member may continue his speech when the matter is next before the Chair.

Business interrupted under sessional orders.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

INGLEWOOD FIRE STATION

Ms STaley (Ripon) (19:00): (226) My adjournment tonight is for the Minister for Police and Emergency Services. The action I seek is that the minister take a personal interest in finding a solution to the request by the Inglewood Lions Club that it be gifted, granted, leased at a peppercorn rental or that it otherwise obtain the old Inglewood fire station. The fire station is about to no longer be a fire station after the community ran a very long and strong campaign to get a new fire station. The original fire station was built in, I think, 1866. It was certainly the oldest in Victoria still operating. The Lions Club would like to obtain this building and use it to store their barbecue equipment—their trailers and things that they take out to do community fundraising with.

Mr Wynne: The Bunnings barbecue.

Ms STALEY: Indeed, the country version of the Bunnings barbecue. The Lions Club trailer would be very similar to the sort of equipment that is currently stored in this facility. They wrote to the minister on 26 February, noting that the fire station will be transferred fairly soon to the Treasury department. They asked her to intervene to get this given, leased or granted to them. They are pretty relaxed about how that is done, but they would like permanent access to it. They are a very worthy organisation, and I would commend any action the minister could take to achieving this outcome.

SEAFORD ROAD, SEAFORD, LEVEL CROSSING

Ms KILKENNY (Carrum) (19:02): (227) My adjournment matter is for the Minister for Transport Infrastructure, and the action I seek is that the minister provide an update on the next stage of the revitalisation works being undertaken as part of the Seaford Road, Seaford, level crossing removal project.

Last September traffic flowed for the first time under the new rail bridge at Seaford Road, and the community response has been overwhelming: no more waiting at boom gates, no more bells, no more train horns, and increased safety for everyone. The Andrews Labor government committed $10 million to revitalise the area around the Seaford Road level crossing removal project. This includes
6 kilometres of new walking and cycling paths from Eel Race Road, through Seaford and on to Frankston; a new community open space and playscape in RF Miles Reserve; and the planting of more than 100 000 trees, shrubs and low-lying vegetation.

It is also worth noting that during early works for the project significant Aboriginal artefacts and other items of cultural heritage were discovered in and around the area. These have been protected in accordance with relevant regulations. Given the area’s rich Aboriginal history, the local community has told me that they want to see Aboriginal design elements incorporated into the final revitalisation project—something I wholeheartedly endorse and support. Minister, we know that the Victorian government is leading the nation in terms of creating employment opportunities for Aboriginal and Torres Strait Islander peoples as part of our Major Projects Skills Guarantee. We know that Victoria is the first state in Australia set to enter into treaty negotiations with Aboriginal Victorians. So now I hope in the Carrum electorate we can lead the nation by incorporating Aboriginal stories and history and cultural design elements into the final infrastructure project.

Minister, my constituents look forward to an update on the next stage of the revitalisation works at Seaford Road as part of the level crossing removal project.

**PRINCES HIGHWAY EAST UPGRADE**

Mr T BULL (Gippsland East) (19:04): (228) My adjournment is for the Minister for Roads, and the action I seek is the complete resurfacing of the road between Sale and Stratford to an acceptable standard, with lines painted and old ripple strips removed. Since centre-of-the-road barriers were installed without any community consultation this stretch of road has been something you would expect to see on an episode of Keystone Cops, and the responses received by complainants are right out of the Yes Minister handbook.

Let me walk you through this roadworks disaster that has been forced on us after nobody asked for it. First of all, the new road surfacing failed, with large patches of broken areas. When it was repaired, the repairs failed. Large stretches have no lines or very faded lines—for example, near the Maffra turn-off—and drivers cannot tell if they are in the driving lanes or not. The original ripple strips are now in the driving area, so you are constantly driving over them when driving your vehicle where it is meant to be. On top of all this, the surface is uneven, with one truck driver recently telling me it was like being on the Batman ride at Warner Bros Movie World, it was that uneven. In the past week alone I have had several more complaints—this is regarding the Princes Highway—and I know my colleague the member for Gippsland South has been pulling out what little hair he has left on his head as well.

In relation to the roadworks failures and the failure of the repairs, the excuse my office has been given is ‘adverse weather conditions’. Apart from having had no rain up there in East Gippsland and being in drought, our temperatures have not been unusual for any spring or summer period. It is time to stop with the poor excuses and fix this total mess—on the Princes Highway, nonetheless—with some real action.

**ACACIA AVENUE PRESCHOOL**

Mr RICHARDSON (Mordialloc) (19:06): (229) My adjournment this evening is to the Minister for Education, and the action I seek is for the minister to join me at Acacia Avenue Preschool on its completion for its official opening and to celebrate with my local community another kindergarten having been upgraded in the Mordialloc electorate. The Acacia Avenue kinder has been providing our youngest minds with first-class education for decades. It is nestled on Acacia Avenue in Mentone and has for years been a significant part of our local community. Recently we undertook a redevelopment of this kinder in conjunction with the City of Kingston. The state government provided $650 000 to realise this kindergarten’s dreams, and it is looking absolutely magnificent next to the Southern Road Reserve and just down the road from Mentone Park Primary School, which we are providing with a master plan for their plans and needs into the future. It is an exciting time for this community in Mentone which feeds to a number of local schools in our region. It goes with our investment in early childhood education. When we think about our commitment to provide three-year-old kinder, these
upgrades will greatly assist in providing three-year-old kinder, and of course four-year-old kinder has been a substantial focus for the City of Kingston and the state government, with a number of upgrades across the region to allow for 15 hours of kinder.

The important thing, though, is that the contrast between our government and the federal government in this space is very stark when we think about the fact that in Victoria we guarantee our level of funding and commitment, and yet year on year our local kinders across Victoria have to beg, plead and campaign for extra funding just to underpin those 5 hours. A national quality framework agreement was a landmark; it did not differentiate between three and four-year-old kinder and it recognised that that investment of 15 hours is so profound and that ratios are so important. My community, each and every year that I have been the member for Mordialloc, fronts up before the federal budget and has to plead with the education minister or the early childhood minister to guarantee that level of funding.

Our kinders should not have to be subjected to that kind of treatment. Our educators do a first-class job. We know how profound the education experience is in those four years. The brain develops as much in those first four years as it does across the rest of the life of a person. It is substantial, and those first thousand days are the most profound and the most significant in a child’s life. So when we think about investment in early childhood education and a national quality framework, Labor invests in our kinders and Labor invests in early education. An example of that is Acacia Avenue Preschool, which will be substantial.

**ELSTERNWICK PRIMARY SCHOOL**

Mr NEWBURY (Brighton) (19:09): (230) My adjournment matter this evening is for the Minister for Education, and the action I seek is for the minister to commit funding to Elsternwick Primary School. Elsternwick primary is located in a part of my electorate that will see significant change over coming years. That change offers the school an opportunity as more families move into the area. Having spoken to the school council and many in the parent body, I know that parents are enthusiastic about the future, but they have impressed upon me how imperative it is for this school to receive the funding it needs.

Nestled amongst gum trees, Elsternwick Primary School has serviced the region for 130 years. There are currently 560 children at the school. Though they are historic and beautiful, managing the original buildings and maintaining the gum trees does expend a significant proportion of school funding, leaving additional works up to the hardworking parent body’s generous goodwill. The new principal has led positive change for the school. I have found his passion for children’s literacy particularly impressive. Children have been given the opportunity not only to build reading corners in each classroom but to design them in a creative way. Parents have spoken to me about the way their children are embracing books in the classroom. I remember finding my love for reading and taking part in the ‘ribbit’ reading challenge as a boy, setting myself the goal of attaining the ‘100 books read’ certificate.

Elsternwick primary is adjacent to the New Street public housing site, which is one of the sites earmarked by the government for renewal. Currently there are 127 low-level apartments there. Under the renewal project we will see the number grow to some 300 apartments, 160 of which will be earmarked for private ownership. No matter what your view of the development design, it will bring significant change and growth to the area, as too will the activation of one of the ovals at Elsternwick Park south for sport during winter and the repurposing of Elsternwick Park north into an environmental park and wetland.

In short, many more people will be living and recreating in the area over the coming years. That brings opportunity for Elsternwick primary, but only if the school’s infrastructure is ready. To meet that future demand the school will need air conditioning in their main building, repair of the historic but rotting window frames, an upgrade of their prep and gym bathrooms, refurbishment of their outdated portable classrooms, including the removal of asbestos, and improvements to their oval and tired play
equipment. I call on the minister, in the lead-up to the budget, to recognise the importance of Elsternwick Primary School and commit to investing the funds the school needs to meet future demand.

**VETERANS EMPLOYMENT STRATEGY**

Ms Green (Yan Yean) (19:11): (231) My adjournment matter tonight is for the Minister for Veterans, and the action that I seek is for the minister to provide an update on the veterans employment strategy that employs veterans on some of Victoria’s biggest infrastructure projects so that veterans may be better equipped to seek employment and be placed in jobs in Victoria’s Big Build program. I have seen firsthand how our major projects can open the door to disadvantaged jobseekers. The Mernda rail project employed an amazing number of apprentices, trainees and cadets and gave them an opportunity. Also those who were rejoining the workforce after family responsibilities—indeed after family violence—and Indigenous employees, as well as people from refugee backgrounds, have really been able to feel pride in their skills and be supported in a major project. That was really what Mernda rail did. Not only was it delivered early but it gave so many people a good start.

Labor’s veterans employment strategy was announced in last year’s state budget, with allocated funding of $1.9 million. The skills and experience gained in the Australian Defence Force are second to none; however, many veterans require public sector experience and necessary training to make them site ready. They also deal with other challenges that many workers would never have. Having been part of a command and control organisation, albeit as a volunteer with the CFA but having my own experience of trauma, I can understand the barriers that these prospective employees have. This initiative will address barriers to employment for veterans and facilitate the employment of veterans on some of Victoria’s biggest infrastructure projects. I have many, many young veterans living in my electorate, particularly around the Doreen area, and they really need that connection to the workforce.

The member for Eltham and I recently met with Glen Ferrarotto, who is a fabulous constituent of mine living in Wattle Glen. He is the CEO of Ironside Recruitment, and he is an army veteran himself. He is the current Nullumbik Citizen of the Year and he also received a Prime Minister’s veterans employment award in 2018, taking out the top honour of Outstanding Contribution by an Individual to Veterans Employment. He is absolutely passionate about this. He has helped so many people to get into work and is providing advice to the member for Eltham and I, and other people in our government. I would seek that further update from the Minister for Veterans so that veterans may be able to take their rightful place in Victoria’s Big Build.

**MILDURA MOTORSPORTS AND COMMUNITY PRECINCT**

Ms Cupper (Mildura) (19:14): (232) My adjournment matter is for the Minister for Tourism, Sport and Major Events. The action I seek is for the minister to provide $150 000 in funding and departmental support in kind to Mildura Rural City Council to advance the Mildura motorsports and community precinct. By way of background, the Mildura region has produced a number of motorsports champions, including Josh and Cam Waters, Todd and Rick Kelly and Leigh Adams. Motorsport is in our DNA. It was our community’s passion for motorsports that led to this project, forming part of the Mildura Future Ready advocacy plan. This brings me to a key point: this project is about more than just motorsports. It is part of a bigger goal to help lift hundreds of local families out of poverty and financial distress and enhance the quality of their lives through job-creating infrastructure.

In Mildura 7.3 per cent of young people receive unemployment benefits, while the national average is 2.7 per cent. Twenty-five per cent of families survive on less than $650 per week, and it is difficult for these families to turn their fortunes around without help. In trying to improve their social and economic fortunes, council and Hands up Mallee conducted an extensive grassroots community consultation. They went directly to the families who are struggling and asked what they needed from the system. The answers were very clear: they did not want handouts; they wanted a hand up. They wanted jobs for themselves and for their kids. All the Mildura Future Ready projects, including the riverfront and the Mildura South indoor sports precinct, have the capacity to produce jobs, but the motorsports...
The precinct will produce the most—to be specific, 1350 direct and indirect jobs in the construction phase and 885 direct and indirect jobs on an ongoing basis.

We have the plan, we have the stakeholder support and we have the community motivated and excited about the project. What we need next is a private sector partner, and a small government contribution at this juncture would go a long way towards finding that partner, progressing the project and ultimately unlocking the enormous economic and social potential that this project holds for the entire north-west region. So here is what we are seeking: a grant of $150 000 to appoint a specialist investment broker to liaise with Mildura Rural City Council and relevant state government departments to identify a private sector investment partner and to review, develop and disseminate an updated investment prospectus for the motorsport project. We are also seeking in-kind support from the Department of Jobs, Precincts and Regions to establish a dedicated major project management entity for motorsport to drive the project forward. We ask that the minister hear our case and provide the funding and in-kind support requested.

**BAYSWATER ELECTORATE SPORTING CLUBS**

Mr Taylor (Bayswater) (19:17): (233) I wish to raise a matter with the Minister for Tourism, Sport and Major Events. The action I seek is for the minister to visit my community and meet with some of my local grassroots sporting clubs to discuss the value of these communities in my electorate and, more broadly, the positive effect this government’s investment in sport is having on my community.

Our sporting communities are a large part of the fabric not only of my local community but also right across this state. I used to be an average cricketer back in the day. However, I can still remember fondly the great difference having a sport in my life and second family of sorts made to me. In today’s world our sporting clubs continue to be not only a large touchpoint for our community—a place for people to come and make new bonds—but also environments that nurture our young people and provide them with opportunities to grow.

It has also been great to see the growth in female participation in sport and the way that clubs in my area have embraced the new world and are ensuring that women and young girls are not left on the sidelines but are instead on the field and getting involved like never before. I am proud that the Andrews Labor government has invested heavily in levelling the playing field not only for women in sport but right across grassroot sports. In my area alone we have seen $3 million for the new HE Parker multisports complex; $2 million for the Jubilee Park pavilion; $100 000 for sports field lighting at the HE Parker Reserve; and $100 000 for female-friendly facilities at Schultz Reserve. In addition to this there are many more local projects and grants. This is a government which believes and invests heavily in our sporting community.

I made it a mission of mine to get out and meet as many people from sporting clubs as I could both during my campaign and in my first 100 days. These included St Andrews Cricket Club, East Ringwood Junior Football Club, Heathmont Baptist Cricket Club, Bayswater Park Cricket Club, Boronia Cricket Club, The Basin Cricket Club, The Basin Football Club, Heathmont United Netball Club, Boronia Hawks Football Netball Club, Bayswater Junior Football Club, Heathmont Jets Football Club, Heathmont Cricket Club, Templeton Cricket Club, Melbourne East Netball Association, Wantirna Jetbacks Basketball Club and Boronia Bolters Little Athletics Club, with a few here and there still to go. I look forward to having the minister out in my community to discuss how he can further support my local sporting clubs.

**ENERGY SUPPLY**

Mr Riordan (Polwarth) (19:20): (234) My adjournment matter is for the Minister for Energy, Environment and Climate Change, and the action I seek is for the minister to ensure that the urgent recommendations from the December 2018 Australian Energy Market Operator integrated system plan are implemented. The current plan for rolling out renewable energy by this government has been
to cheaply utilise our pre-existing energy transmission system that was designed to distribute coal-fired energy from the Latrobe Valley.

This government claims it wants a renewable future and the community has a great appetite for more sustainable and renewable energy options, but it is becoming clear that the transmission system in Victoria is at breaking point. We are now seeing individuals, companies and renewable energy companies being denied an opportunity to invest in renewable energy because there are severe and growing capacity restraints in the Victorian network. This government is as usual sounding like a stuck record, and it bizarrely continues to blame the Kennett government for every fault in the system.

Minister, your government has been in control of this system for 16 of the last 20 years. It is your job to regulate and plan our energy future, but you are doing nothing except bankrolling and fostering a renewable rollout. You have let the car take off without the driver. Sir John Monash would turn in his grave if he saw how you have ruined the marvellous distribution system that he helped found a hundred years ago. Victoria requires urgent leadership and investment in an electrical distribution system that will enable efficient and reliable renewable energy to operate to its maximum efficiency in Victoria. The people of Polwarth and western Victoria are paying a huge price for the lack of action.

ESSENDON ELECTORATE NETBALL FACILITIES

Mr Pearson (Essendon) (19:21): (235) I direct my adjournment matter to the Minister for Tourism, Sport and Major Events, and the action I seek is for a meeting to be convened between the minister’s office, Sport and Recreation Victoria, the Essendon District Netball Association, the City of Moonee Valley and Netball Victoria to discuss the provision of netball facilities in the state district of Essendon. Netball is a fantastic sport. It is very well patronised in my community. We have got some challenges in terms of local infrastructure, and I think we would all benefit by having a discussion as to what those future requirements might be. I do want to single out Richard Randall from the Essendon District Netball Association and Amanda Basu from Netball Victoria for their tireless advocacy and efforts, and I also give a big shout-out to St Johns Netball Club.

RESPONSES

Mr Wynne (Richmond—Minister for Planning, Minister for Housing, Minister for Multicultural Affairs) (19:22): The member for Ripon raised a matter for the Minister for Police and Emergency Services in relation to the re-use of the old Inglewood fire station by the local Lions club as a storage facility for their barbecues and associated activities, and I will make sure the minister is aware of that.

The member for Carrum raised a matter for the Minister for Transport Infrastructure in relation to the Seaford Road level crossing, extolling of course the significant outcomes that have occurred from that level crossing removal, and I will make sure that the member for Carrum’s longstanding interest in that level crossing is brought to the attention of the minister.

The member for Gippsland East raised a matter for the Minister for Roads in relation to the need for some urgent upgrade works on the Princes Highway in Gippsland, and I will make sure the minister is aware of that matter.

The member for Mordialloc raised a matter for the Minister for Education. Of course he has a personal, deep commitment to the Acacia Avenue kindergarten in Mentone and the critical importance of the 15 hours worth of support for three-year-old children. I will make sure his representation and the opportunity for the minister to visit this upgrade of the Acacia Avenue kindergarten is brought to the minister’s attention.

The member for Brighton raised a matter for the Minister for Education pertaining to the need for funding for Elsternwick Primary School, noting of course that there will in the future be a significant redevelopment of the public housing estate in that area. I hope the member for Brighton is a keen supporter of that redevelopment. Obviously it is one that falls within my ministerial portfolio as the Minister for Housing. I look forward to his continued advocacy for that redevelopment of what is by
any measure a very downgraded estate, as I am sure he would agree. I will make sure his representation in relation to Elsternwick Primary School is made known to the minister.

The always hardworking member for Yan Yean is seeking an update from the Minister for Veterans about a really crucial employment program placing our veterans into long-term and meaningful employment, and I am sure that sentiment is shared by both sides of the house.

The member for Mildura raised a matter for the Minister for Tourism, Sport and Major Events seeking a $150,000 grant to employ an investment broker to attract both state government support and obviously support from the Mildura Rural City Council for the motorsports precinct, which I know is very much enjoyed by the people of Mildura.

The member for Bayswater raised a matter for the Minister for Tourism, Sport and Major Events. His request is that the minister meet with grassroots sporting clubs to really look at the significant investments, which he reeled off, and the many millions of dollars for so many of his sporting clubs that he has visited and to get an understanding of just how crucial grassroots sport is in the lives of our communities.

The member for Polwarth raised a matter for the Minister for Energy, Environment and Climate Change in relation to what he alleges is a serious question about the need for transmission system upgrades, and I will make sure the minister is aware of that advocacy.

Finally, my colleague and friend the member for Essendon raised a matter for the Minister for Tourism, Sport and Major Events seeking a meeting between the Essendon Netball Club, Netball Victoria and the Moonee Valley council to further consolidate the excellent work that the government has done in terms of the provision of netball, particularly around the inner city and indeed in my own world of the City of Yarra. That is all I have got for you, Deputy Speaker.

The DEPUTY SPEAKER: The house now stands adjourned until tomorrow.

House adjourned 7.27 p.m.
Joint sitting of Parliament

SENATE VACANCY

Members of both houses met in Assembly chamber at 6.18 p.m.

The CHAIR (Hon. SL Leane): Order! I would like to start the joint sitting by inviting proposals from members for the appointment of a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins.

Mr ANDREWS (Mulgrave—Premier): I propose:

That Mr Raffaele Ciccone hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins.

Mr Ciccone is willing to hold the vacant place if chosen. In order to satisfy the joint sitting as to the requirements of section 15 of the commonwealth constitution, I also declare that I am in possession of advice from the Victorian state secretary of the Australian Labor Party that the nominee is the selection of the Australian Labor Party—the great Australian Labor Party—the party previously represented in the Senate by Senator Collins.

The CHAIR: Before I call for a seconder of the proposal, I acknowledge that the President of the Senate, the Honourable Scott Ryan, is in the house.

Mr M O’BRIEN (Malvern—Leader of the Opposition): I second the proposal.

The CHAIR: Are there any other proposals for the vacancy?

As there has only been one person proposed, I declare that Raffaele Ciccone has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins. I will advise the Governor accordingly.

I now declare the joint sitting closed.

Proceedings terminated 6.20 p.m.