

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Thursday, 27 October 2016

(Extract from book 16)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

HANSARD¹⁵⁰



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 20 June 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016]	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills, Minister for International Education and Minister for Corrections	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms G. A. Tierney, MLC

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O'Donohue, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

Standing Committee on the Environment and Planning — #Mr Barber, Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, Mr Eideh, #Ms Hartland, Mr Melhem, #Mr Purcell, #Mr Ramsay, Ms Shing and Mr Young.

Standing Committee on Legal and Social Issues — Ms Fitzherbert, #Ms Hartland, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Barber, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Joint committees

Accountability and Oversight Committee — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

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

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

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

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

Family and Community Development Committee — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy and Ms McLeish.

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

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

Law Reform, Road and Community Safety Committee — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

President:

The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

Ms Dunn, Mr Elasmr, Mr Finn, Mr Melhem, Mr Morris, Ms Patten, Mr Ramsay

Leader of the Government:

The Hon. G. JENNINGS

Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of the Greens:

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Luke Bartholomew ⁴	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ³	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

² Appointed 15 April 2015

³ Resigned 27 May 2016

¹ Resigned 25 February 2015

⁴ Appointed 12 October 2016

PARTY ABBREVIATIONS

ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals;
SFFP — Shooters, Fishers and Farmers Party; V1LJ — Vote 1 Local Jobs

CONTENTS

THURSDAY, 27 OCTOBER 2016

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE	
<i>Reporting date</i>	5645
CONSUMER UTILITIES ADVOCACY CENTRE	
<i>Report 2015–16</i>	5645
POLICE REGISTRATION AND SERVICES BOARD	
<i>Report 2015–16</i>	5645
VICTORIA LAW FOUNDATION	
<i>Report 2015–16</i>	5645
OFFICE OF THE PUBLIC ADVOCATE	
<i>Report 2015–16</i>	5645
PAPERS	5645
BUSINESS OF THE HOUSE	
<i>Adjournment</i>	5646
MINISTERS STATEMENTS	
<i>Wild dogs</i>	5646
<i>Aboriginal children and young people</i>	5647
<i>Regional assemblies</i>	5647
MEMBERS STATEMENTS	
<i>Ambulance services</i>	5648
<i>Anti-Poverty Week</i>	5648
<i>Stephanie Hechenberger</i>	5648
<i>Alan Lilly and David Plunkett</i>	5648
<i>Cranbourne employment</i>	5648
<i>Belfast Coastal Reserve</i>	5649
<i>Victorian Early Years Awards</i>	5649
<i>Patchewollock Music Festival</i>	5649
<i>Abbotsford Convent</i>	5650
<i>JOY 94.9</i>	5650
<i>Sustainability initiatives</i>	5650
<i>Ron Iddles</i>	5650
<i>Police numbers</i>	5651
<i>Women’s Health Victoria</i>	5651
<i>Albert Park College Art Show</i>	5651
VICTORIAN FISHERIES AUTHORITY BILL 2016	
<i>Committee</i>	5651
<i>Third reading</i>	5657
LAND (REVOCATION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016	
<i>Second reading</i>	5657
<i>Third reading</i>	5664
POWERS OF ATTORNEY AMENDMENT BILL 2016	
<i>Second reading</i>	5664, 5675
<i>Committee</i>	5676
<i>Third reading</i>	5679
QUESTIONS WITHOUT NOTICE	
<i>Minister for Corrections</i>	5667, 5668, 5669
<i>Aboriginal children and young people</i>	5669, 5670
<i>Belfast Coastal Reserve</i>	5670
<i>Dairy industry</i>	5670
<i>Wild dogs</i>	5671
<i>Written responses</i>	5672
SUSPENSION OF MEMBER	
<i>Mr Dalidakis</i>	5669

QUESTIONS ON NOTICE	
<i>Answers</i>	5672
CONSTITUENCY QUESTIONS	
<i>Eastern Metropolitan Region</i>	5673
<i>Northern Metropolitan Region</i>	5673
<i>Western Metropolitan Region</i>	5673, 5674
<i>Eastern Victoria Region</i>	5673
<i>South Eastern Metropolitan Region</i>	5673, 5674
<i>Northern Victoria Region</i>	5674
<i>Western Victoria Region</i>	5674
MELBOURNE COLLEGE OF DIVINITY	
AMENDMENT BILL 2016	
<i>Second reading</i>	5679
<i>Declared private</i>	5679
<i>Third reading</i>	5682
ADJOURNMENT	
<i>Bushfire preparedness</i>	5682
<i>Royal Melbourne Hospital stroke unit</i>	5683
<i>Wyndham police numbers</i>	5683
<i>Silo Art Trail</i>	5684
<i>Aboriginal justice agreement</i>	5684
<i>Drug harm reduction</i>	5685
<i>Western distributor</i>	5685
<i>Renewable energy</i>	5686
<i>Carlton heritage property</i>	5686
<i>Illegal waste disposal</i>	5687
<i>Geelong–Melbourne rail service</i>	5687
<i>Responses</i>	5688

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

14 OCTOBER TO 27 OCTOBER 2016

<i>Ridesharing regulation</i>	5689
<i>Australian Border Force</i>	5689
<i>Youth justice centres</i>	5689, 5692
<i>LaunchVic</i>	5690
<i>StartCon</i>	5690
<i>Wyndham crisis accommodation</i>	5690
<i>Craig Minogue</i>	5691
<i>Malmsbury Youth Justice Centre</i>	5691
<i>Respectful relationships education</i>	5693
<i>Hunting regulation</i>	5693
<i>West Gate Bridge truck ban</i>	5694
<i>Timber industry</i>	5694
<i>Australian Paper</i>	5695
<i>Regional development programs</i>	5695
<i>Chisholm Institute</i>	5695
<i>Major events strategy</i>	5696

Thursday, 27 October 2016

The **PRESIDENT** (Hon. B. N. Atkinson) took the chair at 9.34 a.m. and read the prayer.

**STANDING COMMITTEE ON THE
ECONOMY AND INFRASTRUCTURE**

Reporting date

The **PRESIDENT** — Order! I wish to apprise the house that I have received a letter from Joshua Morris, chair of the Standing Committee on the Economy and Infrastructure. He wrote:

I am writing in relation to the economy and infrastructure standing committee's inquiry into ride-sourcing services, which it self-referenced on 24 May 2016, pursuant to sessional order 6.

The committee resolved at its meeting on 24 October 2016 to extend the reporting date for this inquiry to 16 March 2017.

**CONSUMER UTILITIES ADVOCACY
CENTRE**

Report 2015–16

Mr **DALIDAKIS** (Minister for Small Business, Innovation and Trade), by leave, presented report.

Laid on table.

**POLICE REGISTRATION AND SERVICES
BOARD**

Report 2015–16

Mr **HERBERT** (Minister for Training and Skills), by leave, presented report.

Laid on table.

VICTORIA LAW FOUNDATION

Report 2015–16

Mr **HERBERT** (Minister for Training and Skills), by leave, presented report.

Laid on table.

OFFICE OF THE PUBLIC ADVOCATE

Report 2015–16

Mr **HERBERT** (Minister for Training and Skills), by leave, presented report.

Laid on table.

Ordered to be published.

PAPERS

Laid on table by Clerk:

Adult Parole Board of Victoria — Report, 2015–16.

Agricultural Industry Development Act 1990 — Ministerial Order of approval in relation to Murray Valley Wine Grape Industry Development (Extra-Territorial), dated 20 October 2016.

Alpine Resorts Co-ordinating Council — Minister's report of receipt of 2015–16 report.

Asset Confiscation Operations — Report, 2015–16.

Confiscation Act 1997 — Report 2015–16, pursuant to section 139A by Victoria Police.

Consumer Affairs Victoria — Report, 2015–16 (*Ordered to be Published*).

Country Fire Authority — Report, 2015–16.

Emergency Services Telecommunications Authority — Report, 2015–16.

Forensic Leave Panel — Report, 2015.

Greyhound Racing Victoria — Report, 2015–16.

Harness Racing Victoria — Report, 2015–16.

Justice and Regulation Department — Report, 2015–16.

Legal Practitioners' Liability Committee — Report, 2015–16.

Metropolitan Fire and Emergency Services Board — Report, 2015–16.

Office of the National Rail Safety Regulator — Report, 2015–16.

PrimeSafe — Minister's report of receipt of 2015–16 report.

Racing Integrity Commissioner — Report, 2014–15.

Regional Development Victoria — Report, 2015–16.

Residential Tenancies Bond Authority — Report, 2015–16.

Sentencing Advisory Council — Report, 2015–16.

Subordinate Legislation Act 1994 —

A document under section 15(1) in respect of the Road Safety Act 1986 — Guidelines for Assessing Fitness to Drive.

Surveillance Devices Act 1999 —

Report 2015–16, pursuant to section 30L for the Australian Criminal Intelligence Commission.

Report 2015–16, pursuant to section 30L for the Department of Environment, Land, Water and Planning.

Report 2015–16, pursuant to section 30L for the Game Management Authority.

Report 2015–16, pursuant to section 30L for the Independent Broad-based Anti-corruption Commission.

Report 2015–16, pursuant to section 30L for the Victoria Police.

Taxi Services Commission — Report, 2015–16.

Tourism Victoria — Report, 2015–16.

VicForests — Report, 2015–16.

Victims of Crime Assistance Tribunal — Report, 2015–16.

Victims of Crime Commissioner — Report, 2015–16.

Victoria Legal Aid — Report, 2015–16.

Victoria Police — Report, 2015–16.

Victoria State Emergency Service Authority — Report, 2015–16.

Victorian Commission for Gambling and Liquor Regulation — Report, 2015–16.

Victorian Equal Opportunity and Human Rights Commission — Report, 2015–16 (*Ordered to be published*).

Victorian Inquiry into the Labour Hire Industry and Insecure Work — Final Report, 31 August 2016 (*Ordered to be published*).

Victorian Legal Services Board and the Legal Services Commission — Report, 2015–16 (*Ordered to be published*).

Victorian Public Sector Commission — Report, 2015–16.

Victorian Responsible Gambling Foundation — Report, 2015–16.

Yorta Yorta Traditional Owner Land Management Board — Minister's report of receipt of 2015–16 report.

Youth Parole Board — Report, 2015–16.

BUSINESS OF THE HOUSE

Adjournment

Ms PULFORD (Minister for Agriculture) — I move:

That the Council, at its rising, adjourn until 12.00 p.m. on Tuesday, 8 November 2016.

Motion agreed to.

MINISTERS STATEMENTS

Wild dogs

Ms PULFORD (Minister for Agriculture) — I rise to update the house on a new Andrews government initiative: the establishment of a ministerial advisory committee on wild dog management and the establishment of a bigger, better bounty for next year. Wild dogs create a significant challenge for land managers and are estimated to cost Victoria's livestock industry up to \$18 million in livestock losses every year. The new wild dog management advisory committee will be chaired by a member for Eastern Victoria Region, Harriet Shing, and will have up to six additional members representing a cross-section of stakeholders.

In recognition of the role that hunting can play in supporting the management of wild dogs, a bounty of \$120 will be introduced. Collection of skins from within control zones in northern Victoria and Gippsland will occur between March and October 2017. This is in addition to the \$10 fox bounty. The wild dog control program also includes measures to protect dingoes, which play an important role in the natural environment, controlling both foxes and feral cats, and it includes things such as 3-kilometre buffer zones on public land. The advisory committee will evaluate the use of the bounty and evaluate buffer zones and all other measures that combine to ensure good wild dog control and management and the prevention of stock losses from dog attacks. The new measures follow an independent evaluation of Victoria's wild dog management program, which also includes poison baiting, trapping, exclusion fencing, fumigation, hunting and supporting appropriate animal husbandry. We are supporting farmers across regional Victoria with a comprehensive suite of measures, which importantly gives local communities a voice on how this important issue should be managed.

Aboriginal children and young people

Ms MIKAKOS (Minister for Families and Children) — I rise to address the release of the Commission for Aboriginal Children and Young People's report, *Always was, always will be Koori children*. I want to thank the commissioner for Aboriginal children and young people, Mr Andrew Jackomos, for his passionate advocacy for Aboriginal children. This landmark report was tabled in this house yesterday and represents nearly three years of work by the commissioner for Aboriginal children and young people together with the Department of Health and Human Services and Taskforce 1000 members. In fact in our first budget our government committed \$1 million to assist the recommendations of the Taskforce 1000 inquiry, that forms the basis of this report, to be implemented.

As part of that process 980 Aboriginal children's files were reviewed. The disturbing findings were that Aboriginal children represent 20 per cent of children in out-of-home care, and this over-representation is just unacceptable. All of the recommendations contained in the *Always was, always will be Koori children* report that relate to the Department of Health and Human Services have been accepted in full, in part or in principle, with some already completed.

We are making significant efforts to improve the safety and wellbeing of Aboriginal children and young people in or at risk of entering out-of-home care. This is why our government is taking action through our ambitious \$168 million *Road Map for Reform*, including \$16.5 million in initiatives specific to Aboriginal children. This includes supporting more funding for cultural planning, more Aboriginal kinship care placements, more Aboriginal foster care placements and the first boost in a decade for the Aboriginal Child Specialist Advice and Support Service.

We have established the Aboriginal children's forum, that I co-chair together with the Aboriginal community, and have been making significant progress in transitioning placements to Aboriginal community organisations, as well as being the first state in Australia to implement section 18 legislation, which gives Aboriginal legal guardianship to Aboriginal organisations.

Mr Jackomos calls for bipartisanship on these matters. In fact I would urge members to get behind this particular report and support it.

Regional assemblies

Ms PULFORD (Minister for Regional Development) — I rise to update the house on a new initiative of the Andrews government, specifically the Wimmera Southern Mallee, Great South Coast and Loddon Campaspe regional assemblies. Regional assemblies provide an opportunity for our new regional partnerships and the Victorian government to engage with the community directly on their local priorities. These regional assemblies are a unique opportunity for communities to have a direct conversation with senior members of the government about what matters to them the most. Prior to each regional assembly taking place there has been a period of pre-engagement and consultation across each of the nine regions throughout Victoria through online forums and the ability to vote on priorities and themes.

The first regional assembly was the Wimmera Southern Mallee. Pre-engagement saw 784 people visit the Wimmera Southern Mallee website and 316 people provide feedback on a range of priorities, such as local jobs, connectivity and education. On 5 October at the Horsham Town Hall 170 people attended, with ages ranging between 16 and 88 years. There was a terrific buzz in the room, and the major priorities identified by the end of the night were infrastructure and digital connectivity, health and community services, environmental initiatives, education and economic development.

The second regional assembly was the Great South Coast. Pre-engagement saw 812 people visit the Great South Coast website and 249 people provide feedback on a range of priorities, including local jobs, infrastructure and livability. On 6 October in Port Fairy 110 people attended the regional assembly. Again, the community came with great ideas about solving problems and addressing challenges, including food and fibre, skills and connectivity, the visitor economy, infrastructure and environment and cultural opportunities.

The third regional assembly last week was in Bendigo. Loddon Campaspe pre-engagement saw 895 people visit the website and 398 people provide feedback. More than 200 people attended in Bendigo on 19 October, and the main themes and priorities identified were investment and jobs, digital connectivity, environment, renewables and health and wellbeing. I look forward to the next six regional assemblies.

MEMBERS STATEMENTS

Ambulance services

Ms WOOLDRIDGE (Eastern Metropolitan) — Before the last election Daniel Andrews claimed ambulance response times were in crisis and he said that he would fix it. He also said that solving the paramedics pay dispute would solve this ambulance crisis. Well, the fact is that after nearly two years as Premier he is nowhere near his target, with response times essentially similar to what they were under the previous government when Daniel Andrews claimed it was a crisis.

Let me go through it. This is particularly poor for regional Victoria, where they are disadvantaged, with response times well below targets. In fact 21 rural and regional local government areas are not even meeting response time targets half of the time. Let us have a look at it. In just under two years response times for code 1 incidents have dropped only 11 seconds, from 13 minutes and 18 seconds to 13 minutes and 7 seconds. Code 2 response times have dropped from 29 minutes and 27 seconds to 29 minutes and 18 seconds, which is 9 seconds — a tiny fraction. While it is an improvement, it is not the solution to the crisis that Daniel Andrews said he would provide.

At the same time we have also seen increases in the time it is taking ambulances to get to hospitals. The proportion of ambulance patient transfers within 40 minutes has dropped from 88.4 per cent to 84.9 per cent, and the median time for ambulance transfers in emergency departments has risen by 10 per cent, from 20 minutes to 22 minutes.

This is not what Daniel Andrews promised to do, and it is another example of him talking big before the election and not delivering for the Victorian community afterwards.

Anti-Poverty Week

Dr CARLING-JENKINS (Western Metropolitan) — Last week I took part in Anti-Poverty Week by volunteering at St Mary's House of Welcome in Fitzroy where I assisted in providing breakfast for the homeless. Minister Wynne from the other place was also in attendance, and together we made great tea ladies on the day. St Mary's House of Welcome has an open-door policy in assisting people who are homeless or living in poverty. The centre is open six days a week, providing emergency relief, showers and meals for people in need as well as information and referrals. Longer term support programs are also provided.

However, there was one particular element that impressed me the most. Guests did not have to line up for a scoop of their breakfast. Instead they were served by volunteers who brought the food to them. Great care was even given to ensure that each dish was presented well, just as one would expect in any of Melbourne's many great restaurants. Simple acts of kindness and service can often have the biggest impact.

As St Teresa of Calcutta once said, 'Not all of us can do great things, but we can do small things with great love'. The breakfast service has become very popular, experiencing a 25 per cent jump in the last couple of months, highlighting the increasing number of vulnerable Victorians who are living below the poverty line.

Stephanie Hechenberger

Mr LEANE (Eastern Metropolitan) — Today I want to pay tribute to the former Victorian and Tasmanian manager of the Leukaemia Foundation, Stephanie Hechenberger, who recently moved on from that role after many years of great service. She did a wonderful job in that role, and one of the great things she did was get the Building of Hope built across from the Victorian Comprehensive Cancer Centre, which is accommodation for families of people that are receiving treatment for a blood disease at the comprehensive cancer centre, so that those families do not need to be too concerned about where they will be staying during that period of time of care for their loved one.

Alan Lilly and David Plunkett

Mr LEANE (Eastern Metropolitan) — On another matter, but a very similar one, I want to pay tribute to the CEO who has recently left Eastern Health, Alan Lilly. Alan Lilly was a great man to work with. Once again, similar to Stephanie, there were many great health projects that he advocated for and saw delivered over his time at that particular organisation. I wish him well. I also wish well the new CEO of Eastern Health, David Plunkett, who has been at Eastern Health for a long time and knows the network very well, so I think that is a great appointment.

Cranbourne employment

Mr RICH-PHILLIPS (South Eastern Metropolitan) — Daniel Andrews is failing on his promise to deliver new jobs and opportunities for the people of Cranbourne. Figures released by the Australian Department of Employment reveal that since the election of the Andrews government in December 2014 the number of unemployed people in the suburbs

of Cranbourne has surged by almost 30 per cent. The number of unemployed people has risen by more than 900 to a figure of nearly 4000 since December 2014, and this includes a 63 per cent increase in the number of unemployed people in Cranbourne East.

These figures follow the failure of the Andrews government's \$100 million Back to Work scheme, which failed to deliver even one-tenth of the jobs required in Cranbourne to keep unemployment down. This is on the back of Labor's failure to invest in major infrastructure projects in the Cranbourne area, which is adding to pressure on employment. Across Cranbourne we have seen in the suburb of Cranbourne unemployment rise by 18 per cent, in Cranbourne East by 63 per cent, in Cranbourne North by 32 per cent, in Cranbourne South by 38 per cent and in Cranbourne West by 24 per cent. It is simply not good enough for the Andrews government to continue to ignore the infrastructure needs and the employment needs of the people of the south-east.

Belfast Coastal Reserve

Ms DUNN (Eastern Metropolitan) — The Greens are very concerned about the impact that commercial horse training is having on the fragile hooded plover habitat at the Belfast Coastal Reserve between Port Fairy and Warrnambool. Hooded plovers cannot coexist with commercial horse training. Hooded plovers and international migratory birds are supposed to be protected under our national and state environmental laws and international agreements, but horses are destroying their habitat. In the case of the beach-nesting hooded plover, horses churn up the sand where they nest, disturb the chicks and nesting birds, crush eggs and damage protective nest fencing. To date we have heard radio silence from the Minister for Energy, Environment and Climate Change even though this matter falls within her portfolio responsibilities and obligations under state environmental laws.

There is of course a solution, and that would be the construction of a purpose-built sand track away from the reserve for trainers to use so that we can continue to support this industry. We do not let race car drivers train on public roads, so why would we let racehorses train on public beaches? 'Hoodie central', located within Belfast Coastal Reserve between Port Fairy and Warrnambool, is one of the most important sites for hooded plovers in Victoria, providing habitat for up to 52 birds. We need action on this, and we need to do something about the plight of the hooded plovers.

Victorian Early Years Awards

Mr EIDEH (Western Metropolitan) — For 11 years the Victorian Early Years Awards have been recognising the hard work and dedication of Victoria's early years professionals and recognising the exceptional work they do in the most important stage of a child's development. I was indeed proud to hear that two organisations in my electorate received \$15 000 each to support the development of their programs. I congratulate the East Sunshine Kindergarten, which have developed their childhood access and participation project with the help of the Victorian Foundation for the Survivors of Torture. They are the recipients of the award in the category of improving access and participation in early learning. This partnership supports newly arrived refugees from Burma as well as vulnerable and disadvantaged families, and it has worked towards identifying and addressing cultural barriers to inclusion.

The Family Early Learning Partnership, led by Hume City Council, were also rewarded for their work in supporting parents to engage in more positive interactions with their children and enhance children's learning and play. The commitment shown and the contributions made to the lives of young Victorians are outstanding and these awards are well deserved. I congratulate all winners of these wonderful awards and applaud the hard work and dedication of all the early years professionals who are leading the way to improve outcomes for young children during the most important years of their development.

Patchewollock Music Festival

Mr O'SULLIVAN (Northern Victoria) — On Saturday, 15 October, I attended and opened the fourth annual Patchewollock Music Festival. Patchewollock is a small town in north-western Victoria and the festival was attended by over 1200 people. The town was awash with caravans and people from all over Victoria and beyond who make the annual pilgrimage to Patchewollock for the event. The organisers of the event are to be congratulated on the magnificent effort they put in. I congratulate festival president Greg Wallace, secretary Fiona Hulland, music coordinator Robin Yetman, sheep race coordinator Ash Jackson and head chef Roger Young, who prepared over 1000 camp oven meals on the Saturday night.

There was an amazing array of acts on display, in particular one of Australia's leading singer-songwriters, Eric Bogle, who played a favourite song, *And the Band Played Waltzing Matilda*. Also on display was a stage dedicated to young local talent. Of particular note was

the performance of Ruby Jowett on the trumpet and Aden Pengelly from Ouyen who played the guitar and performed a very impressive rendition of Vance Joy's *Riptide*. I would also like to pay tribute to those unsung heroes who do all the work in the background and often do not get credit for the work they do. They are the ones who sell the raffle tickets, organise all the caravans, empty the bins, serve the drinks and prepare, cook and sell all the food. They also pick up people from the airstrip. They do a tremendous job and often do not get the credit they should.

Abbotsford Convent

Ms PATTEN (Northern Metropolitan) — Last week I attended a meeting at Abbotsford Convent to welcome the new CEO, Collette Brennan, and hear her vision for this wonderfully unique place. The plan is ambitious and if it is realised the 6.8 hectares of gardens and buildings will be developed, renovated and connected not only with the city but with the Yarra River and surrounding suburbs. I was impressed that they want to move from 60 per cent usage of the buildings to 100 per cent, and their plans to achieve this appear sound. They will use commercial leases to subsidise community leases. This will create the largest and, in my opinion, most interesting arts precinct in Australia.

JOY 94.9

Ms PATTEN — I would also like to congratulate radio station JOY 94.9 on their 24th year on air. I was pleased to attend their annual general meeting. I would also like to congratulate the 200 volunteers that make this wonderful resource for the LGBTI community possible, as well as outgoing president Jed Gilbert; David McCarthy, for being awarded the coveted award of life membership for his dedication and 12 years on air; Matt McDonnell for the Addam Stobbs broadcasting excellence award on his program coverage of the Orlando massacre; and Josh Pearson, the winner of the Anne Hamilton award for tireless volunteering. May I also congratulate Anne Hamilton herself for her volunteer work in the HIV/AIDS and LGBTI sector, both here and in Canberra, over 25 years.

Sustainability initiatives

Ms TIERNEY (Western Victoria) — I rise to speak about the exciting work of an innovative group in my electorate, Geelong Sustainability, whose efforts culminated in Sustainable House Day Geelong on 16 October. This open house gave an opportunity to see inside 14 houses and gardens designed, built, renovated

or retrofitted with sustainability in mind across Geelong, the Bellarine and the Golden Plains shire. Sustainability involves not doing environmental harm, not depleting natural resources and thereby supporting long-term ecological balance into the future — a concept supported by the Andrews Labor government statewide and in action at a grassroots level through the Geelong Sustainability group and its members.

The St Leonards home I visited is purpose built with a specific goal of energy efficiency, beginning with house orientation and ensuring thermal mass. Houses can also be retrofitted, adding new technologies such as heating systems that deliver thermal efficiency and achieve coolness in summer and warmth in winter. Owners do this through effective sealing to draughtproof homes, solar control through reflective blinds, effective heat transfer, window glazing and insulation in ceilings, walls and under floors.

I am equally pleased that the Geelong Cemeteries Trust last week won the Premier's sustainability award for environment protection in constructing the Moonah Memorial Walk at the Queenscliff Cemetery in a nature reserve within a protected coastal moonah woodland area. The creation of the memorial walk followed extensive community consultation and thoughtful environmental planning. It offers graves and memorials in a unique, beautiful and natural setting as its part of a planned larger development.

I congratulate everyday people who are working at a local level, using their skills, knowledge and experience to make Victoria a more sustainable place.

Ron Iddles

Mr O'DONOHUE (Eastern Victoria) — I rise to make a statement on Detective Senior Sergeant Ron Iddles, OAM, who has served the Victorian community for decades with selflessness, humility and courage. Known as one of the most effective murder investigators in Australia, Ron has helped solve hundreds of homicides and in doing so has brought criminals to justice and given comfort to grief-stricken families.

As secretary of Police Association Victoria, Ron has been a fierce advocate for his members and has campaigned vigorously for more police on our streets. Ron successfully negotiated an enterprise bargaining agreement that was good for his members, good for the community and did not require industrial action. Already highly decorated, Ron was awarded the Order of Australia Medal in 2015 in recognition of his work protecting and serving the community. On behalf of the

Liberal-Nationals coalition I wish Ron, his wife, Colleen, and his children every success for the future.

Police numbers

Mr O'DONOHUE — I would like to take this opportunity to put on the record my admiration and respect for the men and women of Victoria Police. Sadly, they themselves are at threat, it appears, like never before. From the increase in the number of rammings of police vehicles to more than 100 in the last year, including several in recent days, to the attacks on police, we are lucky to have such an outstanding police force in Victoria, but the simple fact remains there are simply not enough police on the beat to respond to the crime wave that Victoria has experienced. We have had cuts to frontline police numbers and police stations closed, while the brazen crimes continue unabated. Premier Andrews needs to stop dithering and to commit to more police now.

Women's Health Victoria

Ms FITZHERBERT (Southern Metropolitan) — On Monday night I had the pleasure of attending the Women's Health Victoria annual general meeting, which was a very well attended and well supported meeting, and an excellent time for the organisation to reflect on its achievements over the past year. There are many — too many to mention now. One I want to focus on briefly is BreaCan, an organisation that provides support for women with gynaecological and breast cancers as well as support for their families. It does this in a number of ways — through group sessions, one-on-one sessions, webinars and the Bridge of Support program at the Royal Melbourne Hospital.

Albert Park College Art Show

Ms FITZHERBERT — I also want to mention the opening of the Albert Park College Art Show, which I attended last Friday night. This is a regular event in the local calendar. I was pleased to see that it was even more well attended than last year. It was absolutely packed. It is a great night to see some fantastic artwork both by students and by professional artists, and it is a major fundraiser for the school. I congratulate the school on this annual event, which is a brilliant showcase for the school and what it does.

VICTORIAN FISHERIES AUTHORITY BILL 2016

Committee

Resumed from 25 October; further discussion of clause 7.

Honourable members interjecting.

Mr Dalidakis — You're a hypocrite — not a very good one either.

The DEPUTY PRESIDENT — Order! Mr Dalidakis, I ask you to withdraw.

Mr Dalidakis — Which part, Deputy President?

The DEPUTY PRESIDENT — The remark 'hypocrite'.

Mr Dalidakis — The Liberal Party are hypocrites. I withdraw against Ms Crozier.

The DEPUTY PRESIDENT — Order! Without qualification, please. I ask you to withdraw.

Mr Dalidakis — Yes, withdrawn.

Clause agreed to.

Clause 8

Mr BARBER (Northern Metropolitan) — One of the promises from the Target One Million policy is to undertake a statewide recreational catch survey. Getting data from these voluntary angler diaries that we get now is not a reliable way to get information on the overall size of catch, although it is a reasonable way to get data on trends and recruitment to the fishery. The best data in Port Phillip Bay always comes from commercial fishing, which has been phased out. Does the government propose to estimate the annual recreational fish take; if so, how, now that we have got no commercial fishing, is it going to get data? And if that survey has already commenced, please let us know.

Ms PULFORD (Minister for Agriculture) — The survey that Mr Barber refers to has not yet commenced, but we are very confident that it will be completed before the end of this term. The government is also, through Fisheries Victoria, making improvements to the angler diary survey, where anglers can provide information on their catch. This will transition from a paper-based survey to an online tool that people can use from their phones.

Clause agreed to.

Clause 9

Mr BARBER (Northern Metropolitan) — So this authority is the new regulator replacing the old regulator. What does the minister know about the rumours that I have heard that fishers are being bussed into Sorrento pier to catch fish — apparently recreational fishers — but the fish is then being provided to the Springvale market?

Ms PULFORD (Minister for Agriculture) — In response to Mr Barber's question about a rumour he has heard, which I note is a pretty broad interpretation of clause 9, there is no evidence to suggest that there is anything unusual occurring in the take. But if Mr Barber or anybody else has information of inappropriate activity in our fisheries, then we encourage them to contact Fisheries Victoria by calling 13FISH, and Mr Barber could provide further evidence, if he would like to, to me now or later today or through that mechanism that is available for all Victorians.

Mr BARBER (Northern Metropolitan) — It is in relation to the powers of the authority of the new regulator. If a black market for fish that are caught recreationally and then sold commercially is occurring now and the old regulator is not doing anything about it, then what new powers will the new regulator have in order to take action on this ongoing issue?

Ms PULFORD (Minister for Agriculture) — The powers will be the same. The example Mr Barber has given by his own description is a rumour. I am advised that there is no evidence that is known at the moment to substantiate that rumour. If Mr Barber has information about this, then I would encourage him to bring it forward, but the powers of the regulator will not be changed.

Clause agreed to; clauses 10 to 13 agreed to.**Clause 14**

Ms BATH (Eastern Victoria) — Clause 14 defines the principle of equity and states it means equity between all persons and all generations, but it does not actually define what equity is, so I would be pleased if the minister could inform us of that.

Ms PULFORD (Minister for Agriculture) — Can I suggest that seeking a definition of a word that is in common use —

Mr Davis — Is it in the *Macquarie Dictionary*?

Ms PULFORD — Yes. There is actually a *Macquarie Dictionary* right here. I might just borrow it.

Mr Davis — Do you want to read that into the *Hansard*? That will give us a definition. There you are.

Ms PULFORD — Yes; righto. Let us just humour everybody for a minute. Why not? I kind of question the value of exploring dictionary definitions of words in common use in the committee stage. It does not go to any of the policy questions or indeed any matter relating to the function of the legislation or the authority either as it operates at the moment or as it will operate in the future, but let me humour Ms Bath. I am quoting the *Macquarie Dictionary*. It is actually right there where Ms Bath is asking about it, by the way. This is a bit of fun. Here you go. For Ms Bath and all members of The Nationals:

1. the quality of being fair or impartial; fairness; impartiality.
2. that which is fair and just.
3. *Law* a. the application of the dictates of conscience or the principles of natural justice to the settlement of controversies. b. a system of jurisprudence or a body of doctrines and rules developed in England and followed in other common law countries, serving to supplement and remedy the limitations and the inflexibility of the common law. c. an equitable right or claim.
4. a. the interest of a shareholder ...

well, that one probably does not apply; 5 is about stocks and shares, and 6 is about market value of a debtor's security, so that one probably does not apply either, but I think we have probably provided enough, have we not, to help Ms Bath?

Mr BARBER (Northern Metropolitan) — So in line with those principles, Minister, through you, Deputy President, because someone will have to interpret this in recommending policy to you or a future minister, how does one determine equity between not just different classes of fishers — commercial, Aboriginal, recreational — but also people who do not own the boats and tackle or have the capacity to go out and get their own fish and rely on commercial fishing operations to supply them with fresh Victorian fish?

Ms PULFORD (Minister for Agriculture) — What is the question?

Mr BARBER (Northern Metropolitan) — The question is: how will this principle that you are inserting and creating for your new entity be applied in relation to the particular question, which goes to people who want to go out and catch their own fish versus people who would want to buy fish and therefore get that through a commercial operator?

Ms PULFORD (Minister for Agriculture) — This is a standard provision that exists in a lot of legislation. If Mr Barber is asking if the government is proposing to

set a fixed price for a plate of fish on a table in a restaurant, our government is not.

Clause agreed to.

Clause 15

Mr BARBER (Northern Metropolitan) — Here, Minister, you create another principle, which is the principle of an evidence-based approach, which of course, like equity, like community participation and like all the other principles, we would agree with. But the question arises as to how the principle is to be met. If I could just read you a little bit from a recent Auditor-General report into the management of freshwater fisheries. I am sure your department has briefed you on this one, but I will read a little bit of it anyway. They say:

A significant proportion of DPI's research projects are focused on fishery productivity and fishing outcomes. While this research is best practice, it is not balanced with research efforts to improve ecological, habitat and ecosystem information and data. DPI contends that some of this research is the responsibility of others, but there is no evidence of whether DPI is obtaining or using this information in its planning activities.

So is it not the case that your new agency will ignore the evidence-based approach principle by simply failing to collect evidence apart from the evidence that it is interested in, which is how to promote recreational fishing?

Ms PULFORD (Minister for Agriculture) — Again I would reassure Mr Barber that the transfer of functions from the department to the new entity will not result in any change to the function, as I have described on multiple previous occasions in this committee stage. However, as we also canvassed on Tuesday evening, when we were last talking about this, the development of fisheries management plans does draw on the expertise and advice from those organisations that are best placed to provide that information, be it Melbourne Water, catchment management authorities or others.

Mr BARBER (Northern Metropolitan) — Minister, that is in fact what worries me. We are creating a new agency with a new principle of an evidence-based approach and you are saying that nothing is going to change. I hope that there would be a change and that with a new principle for them to apply they will start collecting the necessary evidence. Previously you were regaling us with some of your stories about the fun you had had in getting involved with fish stocking activities, so let me just read a little bit of what the Auditor-General had to say about that:

Stocking activities have intended and unintended impacts. In terms of intended consequences, DPI's annual stocking program regularly exceeds short-term targets set for improved recreational fishing opportunities as determined by catch and effort data. One-off monitoring programs have also demonstrated that stocking programs have restored depleted recreational freshwater fisheries ...

DPI has a framework to manage a range of unintended potential ecological and habitat impacts associated with its stocking program. This framework is considered better practice by other state fishery managers. However, there are gaps in its implementation. For example, despite the significant conservation and environmental value of some of the areas that are stocked, the impacts of stocking activities on non-target fish species, fishery habitats and supporting ecological processes are not adequately assessed.

So, Minister, now that you have introduced this new principle, the principle of evidence-based approach, does that mean the new agency will be required to actually go out and measure some of these significant impacts that the Auditor-General says are not currently adequately assessed?

Ms PULFORD (Minister for Agriculture) — Fisheries Victoria currently use an evidence-based approach. The new authority will use an evidence-based approach. Stocking has, Mr Barber may be interested to learn — and I know he does not like recreational fishing one iota — —

Mr Barber — I am a recreational fisher, thank you.

Ms PULFORD — Right, okay. Pardon me for being confused by the way you approach these issues here.

Our fish stocking program has been instrumental in restoring the populations of endangered native species and indeed has been recognised around the country as having led some excellent outcomes in that regard. If I could just give you three examples: trout cod, Murray cod and golden perch.

Clause agreed to.

Clause 16

Mr BARBER (Northern Metropolitan) — I guess this will be a quick question along the same lines. Here we have the principle of stakeholder engagement. Commercial fishing was instrumental in the development of some regional towns — Lakes Entrance, Port Welshpool, Apollo Bay, Port Fairy — and remains important. How is the government going to guarantee that the views of commercial fishers are given equal weight to the recreational fishing industry, albeit that they do not have the same voting numbers?

Ms PULFORD (Minister for Agriculture) — Voting numbers on what?

Mr BARBER (Northern Metropolitan) — Like out there in the world. We have got a broad principle here called stakeholder engagement and community participation, so I am referring to the community. Who does the government think is a stakeholder and how are they going to ensure that stakeholders get equal weight under this principle?

Ms PULFORD (Minister for Agriculture) — The government will be taking the same approach to stakeholder engagement through the new entity that it currently does. We certainly engage with the commercial fishing industry on a regular basis and with recreational fishers as well. No change to the high quality of stakeholder engagement that you would expect from any government is proposed as a consequence of this legislation.

Mr BARBER (Northern Metropolitan) — Does the department currently engage with consumers who wish to buy locally caught wild fish?

Ms PULFORD (Minister for Agriculture) — No.

Mr BARBER (Northern Metropolitan) — So is that going to change under the new legislation? That is my question. Are consumers of fish stakeholders for the purpose of this principle?

Ms PULFORD (Minister for Agriculture) — There is no change proposed, in the same way that consumers of cheese are not high on our list to engage when we talk to people about the dairy industry, or that people who like a glass of wine on a Friday night are not actively engaged in consultation about matters pertaining to viticulture or the wine industry.

Clause agreed to; clause 17 agreed to.

Clause 18

Ms BATH (Eastern Victoria) — I note the minister's very fulsome answer to the principle of equity and that it requires impartial treatment of people. Would there be some circumstances where partial treatment is required? I will give the minister an example that she might like to respond to. Aboriginal persons or groups within the state of Victoria often have specific relationships with a particular body of water; if that is so, how would their case be considered under this bill?

Ms PULFORD (Minister for Agriculture) — In the same way that is currently the case.

Clause agreed to; clauses 19 to 21 agreed to.

Clause 22

Mr DAVIS (Southern Metropolitan) — I move:

1. Clause 22, page 15, line 12, omit "science." and insert "science; and".
2. Clause 22, line 12, after this line insert—
“(k) fishing industry operations.”.

These are the amendments that I foreshadowed and circulated earlier. They are very important but simple amendments. They will guarantee that fishing industry operations are represented properly on the board. I believe they will make a sensible and practical change to the legislation.

As I have indicated in my second-reading debate speech, the opposition does not oppose the bill — it has asked a series of questions — but this is a practical improvement. I know that Mr Young intends to move a further amendment, and the opposition has said it will support that too. That will make an additional change. I will let him speak to that, but the two in tandem will make practical and sensible changes to the requirements in terms of the board. The arrangements will be better and will better represent the fact that industry operations need clear definition on the board.

Mr YOUNG (Northern Victoria) — I move:

1. In Amendment 2, for ““(k) fishing industry operations.”.” substitute—
“(k) fishing industry operations; and
(l) recreational fishing.”.

This will amend Mr Davis's amendment 2 in the interests of the Shooters, Fishers and Farmers Party's belief that the sole addition of 'fishing industry operations' to the list of criteria of skills of directors to be appointed to the board may present a slightly unbalanced check on the composition of the board and that in all fairness recreational fishing should be added to that as well.

Mr BARBER (Northern Metropolitan) — First of all, this is a curious clause. Subclause (1) of clause 22 provides that in appointing directors to the board a range of skills is sought, most of which would be common to any board and then a number that relate specifically to fisheries management.

Then we have subclause (2), and I will just read the relevant bit:

The Minister must not appoint a person to the Board unless the Minister is satisfied that the person—

...

- (b) is not, at the time of appointment—
 - (i) the holder of a current commercial fishery licence or aquaculture licence; or
 - (ii) associated with a person or entity who is the holder of a current commercial fishery licence or aquaculture licence ...

We already have conflict-of-interest provisions that operate in relation to boards requiring people to step out if they are dealing with a matter that relates to their own personal interests, but with this bill the government has decided that they are going to take no chances and they are not even going to allow onto the board anybody who is a participant in the current commercial fishing industry. However, the bill makes no such exclusion in relation to recreational fishing. I could own a string of bait and tackle shops across the state and be perfectly entitled to sit on this board, but if I own a small commercial fisheries licence, I am banned by law from sitting on this board.

Mr Davis's amendment does not really address that. It does not seek to get rid of the exclusion — —

Mr Davis — It adds to the knowledge core.

Mr BARBER — Well, it is interesting, because the way Mr Davis has drafted his amendment is to add to the skills-based subclause something called 'fishing industry operations'. I think in his comments he actually said this meant commercial fishing industry operations, but that is not what the amendment says. Mr Davis, for some reason, has not imported the definition of 'commercial fishing industry' from elsewhere but has just said 'fishing industry operations', which to me could mean anything that occurs on a commercial basis, including various things we discussed earlier in the debate. So in my view Mr Davis's amendment does not get rid of the ban on commercial fishers participating on this board. It does not even necessarily add a requirement that someone with commercial fishing experience is to be on the board. Now we have Mr Young adding to it saying that recreational fishing, though, is definitely going to be on the list.

It is a mixed and confusing situation. It is not particularly confusing what the bill does. It provides for a deliberate ban of commercial fishers but no ban on

people who make their money through recreational fishing industries. Mr Davis's amendment does not really do what it says it does. Mr Young is certainly reliable. He is sticking up for the name of his party. It is not the Recreational Fishers Party; it is just the Shooters, Fishers and Farmers Party. He never said 'Recreational Fishers Party'. Maybe the minister can shed some light on how she thinks this clause is going to operate and how it would operate with Mr Davis's amendments and maybe Mr Young's amendment in place.

Mr RAMSAY (Western Victoria) — I just wanted to take an opportunity to make some remarks in relation to clause 22. I note the comments of Mr Barber. It seems we are tiptoeing around the issue of whether or not commercial fishing interests are going to be represented on this board. The legislation before us clearly indicates they are not. I am having some trouble here because at clause 22(1)(e) you have the term 'fisheries management', yet we have inserted an amendment with the term 'fishing industry operations'. I am trying to work out what the distinction between those two are. Nevertheless, I think our intention was to make sure that it was a fuller representation of commercial interests. They do not have to be fishermen in relation to this skills-based board, but they must have knowledge and skill.

As Mr Barber indicated, the Shooters and Fishers are at least a little bit less subtle about making sure that recreational fishing is front and centre. Rex Hunt would be very proud of Mr Young for being so blatant as to identify one section of the industry while we have all been tiptoeing around the industry as a whole. I think my views are very well known about the whole sorry saga of fishing, whether recreational or commercial, in the areas I represent along the Bellarine Peninsula. I have to say that many of those small traders have been severely impacted by the change in election policy of the Andrews government in relation to banning netting.

That aside, the point we are trying to make is that we want to make sure that there is an opportunity for all that skill and knowledge from all parts of the fishing industry to be represented on the board, hence the amendment that Mr Davis has foreshadowed. Having said that, I have some sympathy with Mr Barber saying that we all seem to be tiptoeing around. The essence of the issue is making sure that we have that broad and fair representation that provides all that skill and knowledge from the total fishing industry. In that respect I would like the minister to make it clear in fact that the legislation and the proposed amendment will provide that broader skill and knowledge from the whole fishing industry.

Ms PULFORD (Minister for Agriculture) — When Mr Ramsay asks about what the coalition means by ‘fishing industry operations’, that is probably a question best answered by Mr Davis, but I am inclined to agree with Mr Barber’s assessment that it does not actually do half as much as what Mr Davis would like us to believe it does. What Mr Davis’s amendments and Mr Young’s amendments do is add to an already pretty long list of things that the minister needs to take into account in identifying the skills, knowledge and expertise that will be collectively held by members of the board of the new entity. Mr Davis wants to add ‘fishing industry operations’, and Mr Young wants to add ‘recreational fishing’. The government is more comfortable with Mr Davis’s amendments on account of Mr Young’s amendments being there. The Liberal Party has sought through its amendment to tip the balance of interests to knowledge and expertise, and Mr Young has, I think, sought to tip it back to the neutral spot in which we were proposing it would be already in the first place.

The government will not oppose either of these amendments because, with due respect to Mr Davis and Mr Young, they are actually not going to limit clause 22(2), which is importantly about limiting conflict of interest and ensuring the good function of the board. I know that there are commercial fishing representatives or interests that reckon they ought be entitled to a spot as a right on the board. Similarly, recreational fishing interests will feel the same.

On balance, the decision the government has made — and the legislation we have prepared proposes this — is that whilst expertise and knowledge is required, active involvement is not a desirable feature for the board. So in response to Mr Barber’s question about where the clauses that restrict the participation by activists of the recreational fishing sector are, I draw Mr Barber’s attention to clause 22(2)(c), which follows immediately after the bits that he was quoting to us a minute ago:

- (c) is not, at the time of appointment, a senior or executive officer of a representative body ...

That is the bit that balances the other bit. Clause 22(2)(b) and (c) need to be seen together in much the same way that Mr Davis’s and Mr Young’s amendments need to be seen together. I am certainly happy to take into account in the appointment process for the board of the new entity this kind of skill, knowledge or experience, but I am happy to do so on the basis that both sets of amendments do not seek to upset that important principle that is enshrined in clause 22(2).

Further, in response to Mr Barber’s question about the bait and tackle shop proprietor who might otherwise not

be involved in a representative body, the Victorian Fisheries Authority regulates commercial fishing licences. It does not regulate bait and tackle shops. In regulating commercial fishing it sets fees and it sets catch limits and restrictions on types of gear.

It is important for board members, of course, as I am sure we would all appreciate, to be objective. It is proposed that senior or paid representatives across both sectors, including VRFish, the Future Fish Foundation, Native Fish Australia and other recreational fishing groups, are also excluded, as are abalone and rock lobster committees and Seafood Industry Victoria. It treats them equally in every respect, and Mr Young’s proposed amendments to Mr Davis’s proposed amendments combine to do the same thing. So we are happy for those both to be incorporated in the list at clause 22(1).

Mr BARBER (Northern Metropolitan) — Thank you for that explanation, Minister. I agree with most of what you said right up until the end. You then connected clause 22(2) and the need to ban commercial fishers.

Ms Pulford — And recreational fishing representatives.

Mr BARBER — No, no. I understand there is also a (c) and a (d), but I am homing in particularly on subsection (b), which is the current commercial fishery licence-holders.

Now, you say that the reason it is there is in relation to the regulatory functions of the body, but the body does a lot more than just regulate. The body is a promotional body. The body is given the job of delivering Target One Million, which is an expansion by one-third of the number of recreational anglers under your target. Whether they manage to expand the number of fish by one-third, we will wait and see. Nevertheless individuals on this board will be making decisions about how to deliver that target that could involve stocking, that could involve expansion of boat ramps and that could involve looking after one recreational fishery or one region versus another, and they may or may not be said to have a conflict of interest in that by virtue of their participation in the recreational fishing industry. That would have to be decided on a case-by-case basis.

But for commercial fishing — netting — they are not being given that opportunity. You are basically saying, ‘You’re out’, whereas no matter how big your financial stake in recreational fishing is, you can still participate in the work of this board, whose whole job is to expand

your industry and, in some cases, make specific decisions around subsections of that industry which could benefit you. I take the minister's point about the regulatory function. There is not a lot of regulation of recreational fishing; there is some, and there could be more in terms of the issues that I have been raising during this debate. But I still do not accept that there is a big difference here that requires the banning of commercial fishery licence-holders from being on the board.

Amendment on amendment agreed to; amended amendments agreed to; amended clause agreed to; clauses 23 and 24 agreed to.

Clause 25

Mr DAVIS (Southern Metropolitan) — I move:

3. Clause 25, page 21, line 2, omit "science." and insert "science; and".
4. Clause 25, page 21, line 2, after this line insert—
“(k) fishing industry operations.”.

Mr YOUNG (Northern Victoria) — I move:

2. In Amendment 4, for ““(k) fishing industry operations.”.” substitute—
“(k) fishing industry operations; and
(l) recreational fishing.”.

Amendment on amendment agreed to; amended amendments agreed to; amended clause agreed to; clauses 26 to 177 agreed to.

Reported to house with amendments.

Report adopted.

Third reading

Ms PULFORD (Minister for Agriculture) — I move:

That the bill be now read a third time.

In doing so I thank all members for their contribution to this debate.

Motion agreed to.

Read third time.

LAND (REVOCATION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016

Second reading

Debate resumed from 15 September; motion of Mr HERBERT (Minister for Training and Skills).

Mr DAVIS (Southern Metropolitan) — I am pleased to rise and speak on the Land (Revocation of Reservations — Regional Victoria Land) Bill 2016. This is one of those regular land management and revocation bills that comes to the Parliament. One of the great and ancient traditions of the state Parliament is the management of land. The state Parliament's control and decision-making, its planning decisions, its environmental decisions and its role in managing land are absolutely central. They are central to guaranteeing we have a great state. They are central to ensuring that we have sufficient protection for our parks and our private lands. They are incredibly important in our metropolitan areas and elsewhere to ensure that we actually have a system where the future of the state's land is protected and guaranteed.

This bill fits firmly in that tradition. It is a small bill and a bill that the opposition will not oppose. It is a bill about which there has been consultation by the opposition with stakeholders and communities. The bill provides for revocations in a number of areas. In Burkes Flat it revokes a redundant permanent reservation for the mechanics institute and free library and a restricted Crown grant. The mechanics institute was in fact never used for this purpose. A mechanics institute was built on the adjoining allotment and later demolished in 1994. In reference to the image which people have seen in the bill briefings and so forth, the land surrounding the mechanics institute land will not be impacted and thus will most likely be sold. So again, there is just a long tradition of reservations or decisions made about the usage of land by the state Parliament and the relevant ministers.

In relation to Campbelltown there is a revocation in this bill of a redundant permanent reservation for a site for livestock watering purposes. This site is no longer used for this purpose. That is the reason the Parliament is changing the controls and reservation. The adjoining landowner currently has a licence to use the land, and it too will most likely be sold.

At Lake Charm the bill revokes a redundant permanent reservation for a mechanics institute and free library. The mechanics institute was built on the site and later demolished in 1946. I am making my point here about

the long stretch of these reservations, the long history of land management through this Parliament and the central role that the state Parliament and the state government play in managing our land and husbanding and protecting our land for the future. The mechanics institute, as I said, was built on the site and later demolished in 1946. The site is vacant and not used. This will most likely also be sold.

In Walpeup we see a revocation of a redundant permanent reservation for experimental farm purposes over six different Crown allotments. The site is known as the Mallee Research Station or the Walpeup Agricultural Research Station. The site was closed in 2009. The total area of the site is 1040 hectares. There is valuable vegetation, buildings and suitable land for agriculture available. The future use of the land is said to be mixed, given these various values. The public and the local council are keen to see some action take place. This is a revocation that was introduced by the previous government that in fact did not come to fruition due to the time constraints and, dare I say, the misbehaviour of the Labor Party in the Legislative Assembly. So the bill in its essence is a routine bill. It will have minimum impact but is generally supported by the relevant communities. Walpeup perhaps is the only one there that there may be some discussion about.

I did want to say something about Lake Charm, the small town that sits up near the Murray. It is interesting to look at the Kerang wetlands, situated in the centre of those, and again think of the theme of land use management. The Auditor-General has done a very good report on Victoria's responsibility in meeting obligations to protect Ramsar wetlands. He talks in his comments about the importance of these points. The wetlands, he says, 'provide refuge, breeding sites and food to animals and plants'. He talks about the global loss of wetlands, and he talks about his assessments in the report. He says:

Monitoring of Ramsar sites also requires improvement. Some short-term output-focused monitoring takes place, but there is limited ongoing monitoring with a focus on outcomes. As a result, management effectiveness is not systematically monitored, reviewed or evaluated. Failing to maintain the ecological character of these sites risks breaching Australia's international obligation under the Ramsar convention.

We had a discussion in the chamber yesterday about Ramsar and its importance for the government's proposed sky rail in the — —

Mr Barber interjected.

Mr DAVIS — As you would well know, Mr Barber, I do not necessarily agree with every action of federal governments of either political colour, and I

have never been afraid to make my points about either of them. Having said that, this is an important point. I do think the debate yesterday was important, and I welcome the fact that the chamber supported Mrs Peulich's discussions and key point that this is a matter that needs to be focused on.

The sky rail issue is significant, and even at the economy and infrastructure committee meeting last night I think many of us were shocked to hear the testimony of Mr Devlin. It was shocking testimony with regard to the state architect — another important part of land management in the state. What is clear is that the Level Crossing Removal Authority (LXRA) bullied the state architect. It is pretty clear from the FOI that was tendered at the hearing last night that the state architect is now compromised in the sense that her advice was moderated after the direct impact from the Department of Premier and Cabinet and the direct input from the LXRA. This was directly in response to matters raised in this house and media inquiries. This is an extraordinary development in terms of land management, given the importance of the architect — someone, I might add, whose appointment I strongly supported in this chamber. As I said earlier, land management is a critical and ancient role for this Parliament, and key independent officers like the architect have a critical role.

It is interesting to look at this broader issue of land management. We have seen the terrible outcome with the Corkman Hotel in Carlton in recent days, and we cannot be too careful in protecting key parts of our heritage. Richard Wynne, the Minister for Planning, has been ponderous and slow to respond. The state government has not taken steps; it has only today got to a position where it is starting to take some real action. This is a terrible loss though, I have to say, and I have certainly spoken to a number of people closely connected with the action against this terrible loss of the Corkman Hotel. It is an emblem. It is an example of a building that is very much part of Victoria's heritage.

These buildings are very much part of Victoria's heritage too, because our livability and our future as a state where people want to be and want to live is driven by protecting that heritage and protecting that ambience that is very much part of Victoria's livability — Melbourne's livability in that case, which is a big part of us winning the most livable city award over six years running. We need to maintain that title, and the way things are heading at the moment we are waiting now to see what comes out in the Plan Melbourne refresh.

It appears that the state government is launching a strong attack on the neighbourhood residential zones,

which are also about protecting heritage, vegetation and the ambience of particular areas. It is also the case that the Infrastructure Victoria report that came down that looked at the future said, 'Here we go. We are going to go hard at densification'. That is their word, and it is one of their three principles which have a direct impact on land management in metropolitan Melbourne. The densification objectives that are — —

Mr Barber interjected.

Mr DAVIS — I have got to tell you that they have allowed that as one of their three great objectives, and they are pushing forward. They have targeted — —

Mr Barber interjected.

Mr DAVIS — One was charging for access to — —

Mr Barber — Congestion pricing.

Mr DAVIS — Yes, congestion pricing. Having said that, Infrastructure Victoria is pushing ahead. They have actually singled out some parts of the metropolitan area. The south and the east are going to bear the brunt of this densification, and I think the community is very agitated about this. They can feel the congestion. They can feel the failure of this government to tackle many of these issues, and they know that the ambience and the livability of Melbourne is directly at risk.

Talking of land management, I was at a public meeting on Monday night. There were well over 100 people at that meeting on the Ormond station issue. Here is a level crossing removal that all support. In fact the previous government funded it. This level crossing removal is fundamentally about what we are going to do to make our transport system work better. But on top of that the government in its desperate push for additional value capture has built a huge pad that, we now understand, is able to carry a tall building greater than 20 storeys. The community were not consulted about that. The council was not consulted about that.

That is not the way our land management system should operate. When we are changing controls on land, when we are changing reservations on land and when we are changing the protections on land or allowing development to occur, there has to be proper consultation. That is the case with this revocation bill, but it is not the case with many of the other government decisions that are being made on land management now. It is seriously not the case with the Ormond sky tower. It is very much the case that the community has been rolled over and the council has been rolled over.

I am here to tell you that the community was furious the other night about the impact of this tower. Nobody has looked at the overshadowing. Nobody has looked at the heritage streets that are right next to the station and will be directly impacted. Nobody has looked at the impact on the movement of traffic and vehicles. All of this is about baseline planning decisions and planning approaches. If the government wants to build transport-orientated development — —

Mr Barber — On a point of order, Acting President, unless Mr Davis's sky tower is in Burkes Flat, Campbelltown, Lake Charm or Walpeup, I believe he might have strayed a little bit from the bill. I am seeking your guidance because when it comes to my turn to speak, following his lead, I could talk about almost anything under the realm of land management.

The ACTING PRESIDENT (Mr Ramsay) — Order! I will not uphold the point of order. However, I must say I was seeking some relevance between Ormond railway station and Burkes Flat, Campbelltown, Lake Charm or Walpeup, but I am sure there is a connection. I ask Mr Davis to continue his contribution on the bill.

Mr DAVIS — The connection is that in the case of these four reservations there has been community consultation on the ancient activities of land management. In the case of the sky tower in Ormond there has not. In the case of the Corkman Hotel, there has obviously been a terrible outcome, and the community do want to see this rebuilt. They do want to see an outcome. They do want to see that this does not occur again.

I had only a few comments to make on this point, and I commend the opposition's position. I am not opposed to that.

Mr BARBER (Northern Metropolitan) — The Greens have considered carefully the issues associated with the revocation of the reservations over four parcels: Burkes flat, which in 1890 was permanently reserved for a mechanics institute and free library but was never used for that purpose; the site at Campbelltown, reserved in 1875, which was used for livestock operations and is no longer used for that purpose; Lake Charm, which was permanently reserved in 1910 for the purposes of a mechanics institute and was demolished in 1946; and the former agricultural research station at Walpeup, which I remember quite well. I visited there as a university student. We were working on a project in the Mallee, and we based ourselves out of that Walpeup site. As well as having all of the buildings there it actually has some significant

native vegetation, so we are agreeing to this removal of the reservation on the basis that the government will then be able to reconsolidate the site and protect the native vegetation that needs protecting while working out what to do with the buildings and the agricultural land.

Our overall comment on this bill relates to one that we have made on several land revocation bills that have been before the house, and that is what we would see as inadequate consultation with potential traditional owner claims for land use activity agreements. It seems that on a number of occasions when these reservations have come before the house it is the Greens who have had to approach Native Title Services Victoria to make them aware that a piece of land which either right now or in the future could be subject to a claim under the Traditional Owner Settlement Act 2010 was being impacted.

I know the government is trying to do some good work in the area of traditional owner settlement and also in relation to a treaty, but it would help if, rather than ignoring not just those claims that are on foot but potential claims that the government, the Attorney-General's office, ought to know about or ought to be aware of, the government consulted — although it is not legally required to — those traditional owner groups or people who in the future may be interested in such land before the bills hit the Parliament, because the area of traditional owner settlement is quite a difficult area. It is a large project for the government. We have a huge amount of work to do in the future on reconciliation and, for that matter, reparations, and when parcels of land are being treated in this way by the Parliament we would be a lot more confident if we were told that the government had engaged properly on all aspects of that Crown land with all interested Aboriginal parties. But in this case the Greens will not oppose the bill.

Ms TIERNEY (Western Victoria) — I am pleased to rise this morning to speak on the Land (Revocation of Reservations — Regional Victoria Land) Bill 2016. Permanent reservations can only be revoked by an act of Parliament, and for this reason we are proposing the revocation of permanent reservations over four areas of Crown land in regional Victoria, which will enable the land to be used for other purposes or to be sold. All four were reserved for specific purposes in either the distant past or in the early 20th century, and all four related to purposes which tell us a good deal about the history of Australia and in particular Victoria.

Two were designated sites for education for working Australians, one was for watering of stock and the

fourth was a farming research facility in a difficult environment. Those original designated purposes are now redundant. On the face of it revocation of reservations is a routine aspect of government administration — dealing with areas of public land in regional Victoria which are no longer appropriate for the uses to which they were originally assigned. Times change, and as economic activity moves into different phases, the needs of communities change too.

The four sites affected by this bill are in the electorates of Northern Victoria Region and Western Victoria Region, of course the latter being an electorate that I represent along with Ms Pulford, Mr Morris, Mr Ramsay and Mr Purcell. Two relatively small pieces of land — Burkes Flat, approximately 30 kilometres east of St Arnaud, and Lake Charm, about 15 kilometres north-west of Kerang — were designated sites for mechanics institutes. Mechanics institutes originated from a Scottish movement in the 1830s which had the goal of educating those who were termed 'workingmen'. It was a movement of its day and one which was enthusiastically adopted in Australia and especially in Victoria following the heady days of the 1850s gold rush. 'Mechanic' was a general term meaning a workingman, a tradesman or an artisan.

The institutes did have a vision for the future, as they offered adult education classes, often free lending libraries and also the use of their community halls. In Victoria the movement took on strongly, and we had more institutes than anywhere else in Australia. Indeed we had over 1000 towns with a mechanics institute. But after playing an important role in communities in the mid-19th century the task of raising funds took its toll, and from the 1950s, a century later, many institutes had closed their doors, overtaken by rates-supported council libraries and eventually technical schools and of course TAFEs.

At Burkes Flat the institute was not built on the designated site but nearby, and that building was demolished in 1994. At Lake Charm the hall fell victim to decay and was pulled down in 1946. The third site, land originally reserved for watering of stock in an era when stock were driven to market, is at Campbelltown, 20 kilometres north-west of Daylesford. As with Burkes Flat and Lake Charm, it is most likely that the land will ultimately be sold.

The land at Burkes Flat and Campbelltown has some native title considerations. In these cases the Department of Environment, Land, Water and Planning has engaged with the Dja Dja Wurrung Clans Aboriginal Corporation. Both lie in the Dja Dja Wurrung Clans Aboriginal Corporation recognition and

settlement area. The land at Lake Charm is part of the area that was the subject of an unsuccessful native title claim in 2000 by the Wamba Wamba, Barapa Barapa and Wadi Wadi peoples. This does not equate to the extinguishment of native title, and if there is a future decision to sell the land, further appropriate consultation will be undertaken with the prospective claimants.

The fourth site is the land of the Walpeup agricultural research station, also known as the Mallee Research Station, comprising three permanent reservations totalling 1034 hectares about 30 kilometres west of Ouyen. Established from the 1930s at a time when the Mallee was regarded as marginal land suitable only for dryland farming, the research station operated for 75 years until its activities were relocated elsewhere, and the station closed in 2009. In the five years which followed, several uses were tried or proposed until the previous government included the station in the Parks and Crown Land Legislation Amendment Bill 2014. This bill, which would have revoked the permanent reservations that formed the Walpeup agricultural research station, was not debated, and the 2014 state election intervened before the bill could be dealt with.

This is a large area of land with diverse values on the site, including built infrastructure, vegetation of high significance and other land that is suitable for agriculture. It is anticipated that the land with higher environmental values will be retained as Crown land and subject to greater protection as wildlife corridors, while the land better suited to farming may be sold. Some of the land and built infrastructure may be suitable for community use. This land has not been subject to a native title claim, but the government guarantees that it will engage in consultation with any known prospective claimants under the Native Title Act 1994 to ensure no loss of potential interest.

The revocation of land associated with the decline of these activities might be seen as a sign of regional decline, but nothing could be further from the truth. The Andrews Labor government is committed to revitalising and extending regional and rural education as part of a very positive agenda for regional Victoria, and of course \$200 million will be shared across 61 projects for upgrades, planning and land acquisition to give students modern facilities in country Victorian schools. Of course there is the \$320 million TAFE Rescue Fund that has saved campuses across Victoria, and 10 new tech schools will be built from a \$110 million investment.

This spending will ultimately translate into jobs in regional Victoria. Jobs start with skills. This

government is addressing the problem of regional unemployment. In June the unemployment rate in regional Victoria was 6.1 per cent, down from 6.6 per cent under the Liberals. Labor has created close to 25 000 regional jobs to date in contrast to only 5400 during the entire coalition term. While there is still a lot of work to be done, we are reversing the trend. The 2016–17 budget delivered \$1.3 million to regional rail for upgraded carriages and increased services.

The bill before us this morning provides for the revocation of four Crown land reservations. As Minister Neville said in May, this will enable future and appropriate uses of those lands, providing certainty to communities and affected individuals. I am pleased to note that there has been no opposition expressed to the revocation of these reservations. I commend the bill to the house.

Mr MORRIS (Western Victoria) — I rise to make a contribution to the Land (Revocation of Reservations — Regional Victoria Land) Bill 2016 second-reading debate. In terms of its purpose I note that this is a fairly routine bill. The purpose is just to remove some permanent reservations over Crown land that can only be amended by an act of Parliament. These particular pieces of land, four in total, have been reserved for a particular purpose historically, and these reservations are now defunct and no longer required because of either a change in land use or the fact that the land was never used for the purpose given for the reservation.

One of these particular land reservations is Burkes Flat, which Ms Tierney noted is in the electorate of Western Victoria Region — my electorate as well as Ms Tierney's, Mr Ramsay's, Ms Pulford's and Mr Purcell's. Indeed this particular piece of land is in the lower house seat of Ripon. It is sort of halfway between St Arnaud and Wedderburn, up in the area where the North Central Football League play their games. I played a few games for Wycheproof, which was quite an enjoyable time.

These particular land uses are no longer required. However, I do note that within Ripon there is a land use that is required — that is within the growth area of Ballarat, in Lucas, where a primary school is desperately needed — but the Andrews government has failed as yet to commit to building a primary school for that growing community. I note that the Liberal-Nationals coalition prior to the 2014 election did commit to building that primary school for that growing community, but we are yet to see the Andrews government do the same.

The Catholic education office in Ballarat is building a school in Lucas, and that should be open for the 2018 school year. It is very pleasing to see that those who choose a Catholic education will be able to have the option to send their children to school in their very own home suburb, but those who choose to send their children to a government school will not have that same option. That is something which needs to be addressed. There is a growing community in Lucas, and it is incredibly important that their needs are met, particularly in an educational sense.

That particular piece of land at Burkes Flat was a permanent reservation for a mechanics institute and a free library, and this is something that can only be removed by this act of Parliament. I do note that the land was never actually used for this purpose and the mechanics institute was built on an adjoining allotment and later demolished, in 1994. The mechanics institutes across the length and breadth of Victoria do provide a great history of Victoria. I note that the Ballarat Mechanics Institute is having an event very soon, which I look forward to attending. The Ballarat Mechanics Institute is a great organisation and has one of the greatest old book libraries that I have ever seen, with magnificent books.

Mr Ramsay interjected.

Mr MORRIS — Mr Ramsay is very right in his interjection that the former Liberal-Nationals government did indeed provide funding for the Ballarat Mechanics Institute to fund some of the important work they do. Its building has got a magnificent facade, and it has wonderful spaces for meetings. Actually, one of the later meetings that I have been to at the mechanics institute was a Public Transport Victoria consultation session that related to the disastrous implementation of the regional rail link by the Andrews government. It is something that caused the absolute meltdown of train services across regional Victoria, and the replacement buses cost million upon millions of dollars. One would imagine that if those funds had gone into the improvement of V/Line services rather than to paying for buses, regional Victorians would have been getting a much better service than they currently are.

I do note that the Minister for Public Transport was recently gloating about the fact that the — —

The ACTING PRESIDENT (Ms Patten) — Order! Mr Morris, the land revocation bill.

Mr MORRIS — Yes; thank you for your guidance, Acting President. I might move on to Campbelltown.

Campbelltown is also a site where there is going to be a revocation of a permanent reservation. The site was for livestock watering purposes. It is no longer used for this purpose; I am not sure if it was actually ever used for this purpose, like the Burkes Flat permanent reservation. However, I believe the landowner currently has a licence to use the land, and that may be sold too. We will follow that with great interest.

The third purpose, which relates to Lake Charm, is again to revoke a permanent reservation for a mechanics institute. I note that the institute was built on the site but was later demolished, in 1946, which was a few moons ago now. The site is vacant and I believe also likely to be sold. I would be interested to find out what that land is going to be used for in the future. I might consider the work that that mechanics institute at Lake Charm may have done for the community there, because I know that mechanics institutes do provide a breadth of information to our community. That is important to ensure that the history of a community is not lost, particularly in our regional communities, many of which unfortunately are shrinking but which do have a very proud history. The mechanics institutes are often great organisations to hold that history for people to go and examine.

I know that the Ballarat Mechanics Institute has a magnificent collection of photographs of Ballarat back in a time when the main streets of Sturt Street and Lydiard Street, which is also a magnificent street, had many of the original buildings, some of which unfortunately are no longer there but many of which are. That is why *The Dr Blake Mysteries* are filmed in Ballarat — because of the magnificent buildings and facades that we still have in places like Sturt and Lydiard streets. I note that Mr Davis made some commentary around the demolition of a pub recently that had great historical significance and was one that I think the people of Victoria are the poorer for no longer having.

I will come back to the fourth piece of land whose reservation is going to be revoked, and that is at Walpeup. This bill revokes the permanent reservation for the use of an experimental farm. I am pleased Mr Ramsay is here because I think it is important that innovation in agriculture continue, and I can certainly see it continuing under a Guy government in 2018. However, I believe the experimental farm was over six different Crown allotments, and indeed the site was in the Mallee. Now, the Mallee is near the Wimmera, and the Wimmera is where my family settled way back in the late 1800s, when Timothy Morris aboard the *Donald McKay* landed in Melbourne and made his way to Minyip. He was a single gentleman at that time —

his wife had died — and he decided to come to Australia with his many, many children. I often contemplate how difficult an existence that might have been.

I believe the total land area at Walpeup is 1040 hectares and that the research station was closed in 2009. I believe there are valuable vegetation and buildings, and this land is suitable for agricultural use. I think it is critical that we ensure that all of our prime agricultural land is reserved for that purpose because, as we well know, we have a growing population and that population needs to be fed. This type of land can be used for agricultural purposes, including the many pursuits that can be undertaken in the agricultural field. I am always pleased to see that those agricultural pursuits are undertaken, and undertaken with vigour, to feed our growing population.

I note that the public and local council are keen to see some action take place at the Walpeup site. I also understand that this revocation was introduced under the previous coalition government, back when Victoria had a responsible government. However, the revocation did not come to fruition due to some game playing by the Labor Party, which is unfortunate. I am glad that Labor members have seen the error of their ways and are introducing this piece of legislation now.

Mr RAMSAY (Western Victoria) — I was not going to speak on this bill given the time constraints, but I just want to take the opportunity, in response to a couple of contributions, to comment on the Walpeup Mallee research station revocation, as I was intimately involved in the decision to close that station as chair of the Victorian Farmers Federation in 2009, as mentioned by other speakers.

Overall the bill is a fairly stock standard bill in relation to revocations. There are four permanent Crown land revocations in regional Victoria, which spikes my interest. I am always worried about losing land that has been preserved historically for specific use for regional Victoria, so when we revoke a reservation, we lose that land and that permanency in that legislation that enshrines that reservation.

I have looked at each of them and, as has been mentioned, all parties in the chamber are not opposing the bill. But I did want to make the comment that in Burkes Flat, as mentioned, the land was set aside for a mechanics institute and free library; in Campbelltown, it was set aside because there was a specific need at the time for a livestock watering site; and in Lake Charm, a mechanics institute site was preserved. In the instances

of Burkes Flat and Lake Charm, the institutes were built on adjoining land.

But in Walpeup there was a lot of discussion around 2008–09 about what to do with this very large research station — as Mr Morris has indicated, it is over 1000 hectares. During last night's adjournment debate I made a speech in which I expressed my concern about the loss of knowledge, skill and commercial work that goes into these research farms that provide ultimately a great benefit to the farming community, particularly in relation to the work that they do in innovation, including trying new species. In Walpeup's case — because obviously it is in the Mallee — a lot of work went into grain growing, new species, new patent species, work with genetically modified organisms, water-resistant plants and herbicide-tolerant plants et cetera. A lot of work came out of that research station that directly benefited Mallee farmers. It is perhaps with a sense of loss that we go through these revocations in regional Victoria, because we actually lose a significant part of the history of the work that goes on in those centres. The point about Walpeup was that not only was it a research station — —

Ms Mikakos interjected.

Mr RAMSAY — Ms Mikakos, are you going to laugh through my whole contribution, or are you going to show some respect to the chamber and maybe have your conversation somewhere else?

Honourable members interjecting.

Mr RAMSAY — Well, I am talking about a serious issue, and with the cackling going on — —

The ACTING PRESIDENT (Ms Patten) — Order! Thank you, Mr Ramsay. Please continue.

Mr RAMSAY — Just a sign of respect in the chamber.

Ms Mikakos interjected.

Mr RAMSAY — Ms Mikakos has continued her conversation.

Ms Mikakos interjected.

The ACTING PRESIDENT (Ms Patten) — Order! Ms Mikakos! Mr Ramsay, please continue.

Mr RAMSAY — What I wanted to flag with the chamber was in fact that the Mallee research station at Walpeup was actually a training ground for the Country Fire Authority (CFA). The concern I have is suddenly we have 1040 hectares that are going to remain vacant,

and it will be up to the local council or the community itself to make sure that that land is actually able to be managed. Obviously, given the community of Walpeup does surround the research station, we need to make sure that any potential fire hazard or work that the local fire brigades do in relation to using that as a staging ground will not be impacted.

We already know the state government has total disregard for our CFA volunteers in regional Victoria. It is of concern to me, given we have the closure of Fiskville where many of those volunteers trained, that we are closing a facility which used to be a staging ground for the local CFAs in that region. I raise concerns about the loss of that opportunity to train our volunteers in the northern part of the state with the revocation of this land and also the potential hazard of having this land lie dormant for a long period of time.

Nevertheless, we are not opposed to this bill. I hope the funds derived from the sale of this land are actually returned to regional Victoria. These mechanics institutes and local town halls are extremely important to local communities. We saw the success of the Regional Growth Fund under the previous coalition government, where a considerable amount of funds were applied to local community assets — halls, football grounds and tennis centres — but unfortunately all of that has been cut by the Andrews government, so any profits from the sale of land that was going to accommodate halls or mechanics institutes should be put back into the local communities for their benefit.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

POWERS OF ATTORNEY AMENDMENT BILL 2016

Second reading

Debate resumed from 15 September; motion of Ms PULFORD (Minister for Agriculture).

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I am pleased to make some brief comments this morning on the Powers of Attorney Amendment Bill 2016. This bill largely makes some relatively minor but important technical amendments to

the powers of attorney legislation which was enacted in 2014 following a wholesale review of the way in which powers of attorney operated in the Victorian jurisdiction. Of course powers of attorney are very important instruments for many Victorian citizens, because they are the instrument by which a citizen can assign to another party or multiple parties the capacity to act on behalf of the principal as if that person effectively was the principal who granted the power of attorney, so they are instruments of great importance.

Powers of attorney are often used by elderly people to empower their relatives, their children, to act on matters on their behalf. They are used by people who may be located out of a jurisdiction or who do not reside in Australia but who have matters or affairs in Australia that need to be managed, so that is done via a power of attorney. They are used not only in matters financial, which has been the broadly recognised area in which powers of attorney have traditionally been used, but also in matters relating to medical treatment. While people still have the capacity to create a power of attorney for circumstances where they no longer have the capacity to act in their own interest they can, through a power of attorney, provide that capacity to someone they trust who will act in their interest. They are an incredibly important instrument, and one of longstanding application in our legal system.

In 2014 the previous government enacted a new Powers of Attorney Act, which reflected the way in which modern practice has changed the use of powers of attorney, including changes in the ways in which they have been and could be used and recognising a change in the scope of people who may have an interest around powers of attorney — not just the principal or the person who is granted that power but also their use in family situations, and I think Ms Pennicuik may come to this later in her contribution, and where there are third parties who have an interest in the making and use of powers of attorney. The legislation was replaced with a new act in 2014 to recognise modern practice around the use of powers of attorney.

What we are doing today with this bill is making some technical amendments which have become necessary after the first 18 months to two years of use of the Powers of Attorney Act 2014. What this bill seeks to do at clause 4 is clarify that an enduring power of attorney can be confined to financial matters or personal matters or to matters specified in the instrument of appointment.

Clause 5 clarifies that more than one alternative attorney or alternative supportive attorney can be appointed for each attorney or supportive attorney

respectively. It clarifies that an alternative attorney or alternative supportive attorney can be appointed for more than one attorney or one supportive attorney respectively.

Clause 6 provides for the automatic revocation of an old enduring power of attorney or an old enduring power of guardianship or an enduring power of attorney under the act where a new enduring power of attorney or respective instrument is made, regardless of the matters covered by the new instrument. It clarifies that the making of a new power of attorney revokes the old power of attorney, which is obviously important in respect of having clarity as to which instrument is operative, particularly where there is overlap between the scope of powers granted by the instrument.

The bill is quite limited in its scope; indeed, as with the Legal Profession Uniform Law Application Amendment Bill 2016 that the house dealt with on Tuesday, it extends to no more than 10 pages and in this instance 17 clauses. The coalition sees these as necessary amendments to the 2014 act to tidy up those matters which I touched on briefly on the way through. It clarifies the operation of the principal act with respect to those matters, and it ensures that the framework under which the powers of attorney issue is put in place in Victoria is a sound one.

As I said, these instruments are incredibly important for Victorian citizens in the management of their affairs. It is important that Victorians, in making powers of attorney, have confidence in those instruments, in the way those instruments will be used and in ensuring the use of those instruments reflects the will of the party that makes them, including when the principal making them chooses to make changes to those instruments. This bill does clarify that operation and it does enhance that clarity for the principals making powers of attorney, and for that reason the coalition will not oppose this legislation, is happy to see these amendments made to the 2014 act and is keen to ensure that there is continuing integrity in the powers of attorney framework here in Victoria.

Ms SYMES (Northern Victoria) — It gives me pleasure to rise to briefly speak on behalf of the government on the Powers of Attorney Amendment Bill 2016. The Powers of Attorney Act 2014 followed a thorough review process that commenced under the former Labor government. I was actually in the Attorney-General's office when that work was going on; that work was picked up by the coalition government, and what we had was an act in 2014 that commenced operation on 1 September 2015. The objective of that act is to encourage more Victorians to

make enduring powers of attorney, providing better safeguards against abuse of these arrangements, which are often instituted at a time of great vulnerability in a person's life. These legal documents, which allow an adult with decision-making capacity to appoint another to make financial, personal or medical decisions on their behalf, can make a world of difference to families experiencing trauma and tragedy by taking the stress and volatility out of the situation knowing that their loved one had appointed an attorney and stated their wishes at a time of sound decision-making capacity, which can now be called on as a guide to any necessary actions related to their care.

Prior to the act commencing on 1 September 2015 there were four types of powers of attorney across three acts in Victoria. The original legislation consolidated enduring powers of attorney for financial matters made under the Instruments Act 1958 and enduring powers of guardianship made under the Guardianship and Administration Act 1986 into a new consolidated enduring power of attorney that allows a principal to make an enduring power of attorney for personal or financial matters or both in the one document. The original act, which received the full support of both houses of Parliament, improved protections against abuse of enduring powers of attorney, created the new role of a supportive attorney, provided better guidance on assessing a person's decision-making capacity and consolidated enduring powers of attorney for financial matters, which I have already alluded to.

The act made welcome and long-overdue improvements by consolidating and simplifying the law. Governments of all persuasions should hopefully be driven by a primary aim and goal to protect the vulnerable, and this legislation is a way in which we have sought to fulfil this objective. However, since it commenced last year users of the act have brought a number of ambiguities in its operation to the attention of the government, and as a government that of course prides itself on its ability to listen and learn from the experts and take on board suggestions and feedback we have proposed amendments to the act to improve both its functionality and its effectiveness.

The proposed amendments contained in this bill are predominantly technical in nature, as Mr Gordon Rich-Phillips has outlined, but of course we all agree they are necessary to resolve some of the ambiguities. Once implemented they will indeed improve the operation of this act. Some of our key stakeholders, including the Office of the Public Advocate, State Trustees, Victorian Civil and Administrative Tribunal (VCAT) and the Law Institute of Victoria, all raised issues with the operation of the act. I would just like to

thank them for their valued contribution to the development of the bill. It is greatly appreciated. While the proposed amendments are minor, the stakeholders have advised that the underlying issues are a common source of questions and uncertainty when people in the community are preparing their enduring powers of attorney.

The bill itself is straightforward and will address these concerns through a number of changes. It will clarify the scope of powers that can be conferred by an enduring power of attorney. Under the bill a principal can authorise an attorney to do anything on their behalf but can also limit an attorney's authority to personal or financial matters only or to matters specified in that appointment. The bill will remove the option to make an enduring power of attorney for both personal and financial matters, which is included in the 'do anything' power. The duplication of the options has been one of the main sources of confusion for prospective attorneys and their advisers.

The bill will also clarify that more than one alternative attorney or alternative supportive attorney can be appointed for each attorney or supportive attorney respectively. It also provides more consistency in revoking existing enduring powers of attorney or enduring powers of guardianship. The bill will enable a principal, unless they specify otherwise in a new enduring power of attorney, to automatically revoke an old enduring power of attorney or guardianship or an enduring power of attorney made under the Powers of Attorney Act by making a new enduring power of attorney. It will also provide that where an old enduring power of attorney or guardianship has not been revoked under the act a principal can revoke it using the new revocation requirements. Currently a principal still has to use the old processes for revoking financial enduring powers of attorney and enduring powers of guardianship made under the previous legislation.

Of course enduring powers of attorney help prevent elder abuse, help people make decisions for a family member or loved one who has lost capacity and help prevent family conflict in times of high stress and emotion, and if these proposed amendments are not implemented, it may discourage Victorians from making enduring powers of attorney. It is important that the legislation be clear and easy to understand and use.

If a Victorian does not have an enduring power of attorney and loses decision-making capacity, their relatives or friends or the public advocate will ultimately need to apply to VCAT for an administration or guardianship order to manage their affairs. This can be stressful for family and friends, costly for the state

and detrimental to the person for whom decisions need to be made. We simply cannot have that when the mechanisms are in place to promote a smooth, stress-free decision-making process that protects and puts the needs of the vulnerable at the forefront.

In commending the bill to the house I do note that there are forthcoming amendments that have been discussed between the parties. I will leave them to the minister to outline in the committee stage. I commend the bill to the house.

Ms PENNICUIK (Southern Metropolitan) — The Powers of Attorney Amendment Bill 2016, which we are discussing this afternoon, is mainly a technical bill. It clarifies some provisions in the Powers of Attorney Act 2014, which came into operation just over a year ago following the enactment of the bill that was introduced in Parliament in 2014. The bill which led to the Powers of Attorney Act 2014 was introduced to implement a majority of the recommendations of the Victorian parliamentary Law Reform Committee report *Inquiry into Powers of Attorney*. That report was tabled in Parliament four years earlier, in August 2010.

Amongst many things that that bill and the new act consolidated were the legislative provisions for enduring powers of attorney that fell under the former Instruments Act 1958 and those which came under the Guardianship and Administration Act 1986. The act created supportive attorneys to assist a principal in their decision-making. While the act made important, positive reforms in this area, which we supported, a few problems in terms of its operation have been identified by key stakeholders, including the Office of the Public Advocate, State Trustees Limited, the Victorian Civil and Administrative Tribunal and the Law Institute of Victoria following the commencement of the act in September 2015.

This is an extremely important area of the law, especially as we are all living longer — which is a good thing of course, but it also means that more people will be requiring assistance with legal, financial and medical decisions. This was highlighted by Senior Rights Victoria in its submission to the parliamentary inquiry. Unfortunately we also know that the potential for elder abuse to affect a significant number of people is very real. The Australian Law Reform Commission stated recently in regard to its inquiry into elder abuse that it is crucial that we look at providing better safeguards for older people from this type of abuse. Senior Rights Victoria told the Royal Commission into Family Violence about the financial abuse of vulnerable older people, mostly by trusted family members and usually by their adult children, which also commonly involves

the misuse of powers of attorney. It is very distressing to know that people behave this way.

We need to ensure when looking at this type of legislation that we certainly protect the principals who are making these powers of attorney and giving over their rights to make decisions about financial and other matters to a third party or third parties. We really need to do the best we can to guard against the potential for this type of abuse or misuse of powers of attorney.

It is also concerning to note the sometimes unwitting involvement of lawyers in these cases, which also highlights the importance of lawyers in these cases making their own independent inquiries. More generally on the issue of powers of attorney we have to create a balance between looking after someone's interests and making sure they are, as much as possible, still in control of their own decision-making. We have to ensure not only that those who are appointed as attorneys are the best qualified people to act in the best interests of the principal but also that the attorneys, the supporting attorneys and the alternative attorneys have all the support they need to fulfil their duties and that their powers, duties and responsibilities are clear under the act, and that is what this bill aims to do.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Minister for Corrections

Mr RICH-PHILLIPS (South Eastern Metropolitan) — My question is to the Minister for Corrections. The Premier has previously said:

The Victorian people rightly expect the highest standards of behaviour from those in public life — including me as Premier, and all government ministers.

Minister, you have confirmed in the media that you are aware that at least one of your former drivers was concerned because you had raised your voice to her. What were the circumstances that led you to raise your voice?

Mr HERBERT (Minister for Corrections) — I thank the member for his question, and I reject the allegation. Can I say there have been no complaints made — —

Honourable members interjecting.

Mr HERBERT — No; I reject that.

Supplementary question

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I thank the minister for his response. Minister, when there was an allegation of verbal abuse by former Minister Somyurek he stood down, and the Premier at the time said:

As a government we have set the standard on these issues and, be in no doubt, every member of my team will meet those standards.

Given the Premier has set that benchmark, why is your conduct in the allegations against you exempt from the same scrutiny that Mr Somyurek was subject to?

Mr HERBERT (Minister for Corrections) — I thank the member for his question. Can I say there has been no complaint made, and I reject the allegations that are implied in the question.

Minister for Corrections

Ms FITZHERBERT (Southern Metropolitan) — My question is to the Minister for Corrections. Minister, why are you now on to your fourth ministerial driver in less than two years?

Mr HERBERT (Minister for Corrections) — I thank the member for her question. I am not on my fourth ministerial driver in less than two years. I have had three, and that is a fact.

Honourable members interjecting.

The PRESIDENT — Order! Thank you, Mr Dalidakis. I have heard enough.

Supplementary question

Ms FITZHERBERT (Southern Metropolitan) — Minister, did you sack your previous ministerial drivers, or did they ask to no longer drive you?

Mr HERBERT (Minister for Corrections) — Thank you for the question. I do not have the capacity to sack or not sack; they are employed by the parliamentary pool.

Minister for Corrections

Mr O'DONOHUE (Eastern Victoria) — My question is to the Minister for Corrections. Minister, given you were aware of the public airing of allegations of bullying and of rorting in relation to your ministerial car almost 24 hours ago, why have you not yet spoken to the Premier about it?

Mr HERBERT (Minister for Corrections) — I reject the premise of bullying and roasting. I said today publicly, as I have said, that I made a mistake. I apologised for that. And I have asked the department to calculate the costs of repaying the amount.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) — Minister, given you have refused to answer the question about whether you have spoken to the Premier, perhaps by way of supplementary you can answer this question: have you spoken to the Special Minister of State or any staff in the Premier's office about this matter, and if so, who?

Mr HERBERT (Minister for Corrections) — In regard to 'the matter', I assume you mean the matter that is in the paper today. As I said, I have been very clear. I made a mistake. I apologised, and I have asked the department to calculate the costs of repaying the amount, as the Premier made clear at question time today in the Assembly. I just point out that as for the Special Minister of State, perhaps the members have forgotten that it is their side that refused to let him into this Parliament.

Minister for Corrections

Mr ONDARCHIE (Northern Metropolitan) — My question is to the Minister for Corrections. Minister, I note your admission that you made a mistake and you have apologised. Minister, ministers are required to sign ministerial driver logs for the activities of their drivers. Did you personally sign the logs when Ted and Patch were chauffeured in your ministerial car?

Mr HERBERT (Minister for Corrections) — Thank you very much. In regard to the issue of my driver, as opposed to chauffeur, as you would put it, I have said and I will continue to say this: I made a mistake and I apologised, but I have asked the department to calculate the costs of repaying the amount.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) — Minister, in May 2014, when you were a member of the Legislative Assembly, you said, and I quote:

It is central to the public's faith that their taxpayer dollars are spent for the good of the public and not for the good of politicians or their mates and friends.

How does the signing off on the chauffeuring of your two best friends meet the standard you set down, as the Premier said he expects of all his ministers?

Honourable members interjecting.

The PRESIDENT — Order! Mr Dalidakis, I did draw particular attention to your remarks across the chamber — not just the nature of those remarks but the fact that they are incessant. Mr Herbert, without assistance.

Mr HERBERT (Minister for Corrections) — I thank the member for his question. I take the expenditure of funds as very important. That is why we are spending so much money on fixing the TAFE system that was destroyed under your government. That is why we are rebuilding our training system, and that is why we are improving the corrections system from the shambles it was left in and — —

Mr Ondarchie — On a point of order, President, that goes to relevance, the question was around the use of taxpayer dollars in relation to him travelling with his good mates Ted and Patch. It had nothing to do with the TAFE system. I ask you to bring him back to the question.

The PRESIDENT — Order! Minister, let me just say that in respect of substantive questions I accept that context is important and there is in fact time to expand on a question that is provided and to provide the context. When it comes to the answer to a supplementary question we are dealing with a much shorter time frame. I think context is therefore less admissible in terms of those questions. There is an opportunity in fact, and a necessity, to go to the direct response rather than to debate or to enter into other matters. Certainly in respect of the point of order that has been raised the area that I would have concern with is that it is looking at a matter of debate and is not relevant to the actual question that was asked on this occasion. The minister, to continue.

Mr HERBERT — As the Premier said in the other house today in response to a similar kind of question, I made a mistake, I have apologised and I have asked the department to calculate the cost of repaying that amount.

Minister for Corrections

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Minister for Corrections. Minister, this revelation — —

Mr Dalidakis interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Mr Dalidakis

The PRESIDENT — Order! Mr Dalidakis, 15 minutes, thank you.

Mr Dalidakis withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Minister for Corrections

Questions resumed.

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Minister for Corrections. Minister, this issue of chauffeuring your dogs is one of a series of issues you have been involved in, and I ask: since December 2014 how many times have your dogs been transported by your ministerial driver?

Mr HERBERT (Minister for Corrections) — I thank the member for her question. In regard to the issue of my dogs being transported, as she says, I can make it clear again that I made a mistake, I have apologised and I have asked the department to calculate the cost of repaying that amount. Thank you.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) — Minister, you have previously been caught out spending thousands of dollars on coffee machines and charter flights around Victoria. You have been accused of verbally abusing a female driver, which the Premier has previously seen as grounds for investigation and dismissal. You have now been caught using taxpayers money to chauffeur dogs in your funded car around Melbourne at a time when people are sitting in congested traffic. Splurging, inappropriate spending, bullying and now rorting your ministerial car, is it not time you did the honourable action and resigned?

The PRESIDENT — Order! I did not hear the first part of the question. Could you repeat it, please?

Ms WOOLDRIDGE — Minister, you have previously been caught out spending thousands of dollars on coffee machines and charter flights around Victoria. You have been accused of verbally abusing a female driver, which the Premier has previously seen as grounds for investigation and subsequent dismissal. You have been caught using your taxpayer funded car to chauffeur dogs at a time when Melburnians are stuck in traffic. Splurging, inappropriate spending, bullying

and now being caught rorting your ministerial car, is it not time you did the honourable action and resigned?

Mr HERBERT (Minister for Corrections) — Can I say just because you say something does not mean it is the fact. I reject the premise — —

Honourable members interjecting.

Mr HERBERT — I reject the premise of that question and the aspects of it. I will say it again — —

Ms Wooldridge interjected.

Mr HERBERT — Well, the coffee machine was purchased by the former Liberal minister in my office, for a start. I inherited it. But as I have said — —

Honourable members interjecting.

The PRESIDENT — Order! The minister, without assistance.

Mr HERBERT — As I have said, I made a mistake, I apologised and I have asked the department to calculate and I will repay the amount.

Aboriginal children and young people

Ms SPRINGLE (South Eastern Metropolitan) — My question is to the minister representing the Special Minister of State. Yesterday the Commission for Children and Young People released its second report in a week into the failures of Victoria's child protection system with respect to Aboriginal children and young people. Last week's report, *In the child's best interests*, found that between January 2013 and December 2014 not one Aboriginal child experienced complete compliance with all Aboriginal child placement principle requirements. Yesterday's report from Taskforce 1000 found multiple systemic failures in the child protection system with respect to Aboriginal people — failures that are contributing to the over-representation of Aboriginal children in out-of-home care. Victoria is now removing Aboriginal children from their families at a rate that is even greater than during the period of the stolen generation.

The Minister for Families and Children has announced publicly that all recommendations that involve the Department of Health and Human Services have been accepted. Can the minister tell me if the recommendations that pertain to other government departments, namely the Department of Justice and Regulation and the Department of Education and Training, will also be accepted?

Ms PULFORD (Minister for Agriculture) — Firstly, there is no minister in the house representing the Special Minister of State. He is absent because the Greens and the coalition have suspended him for an unprecedented six months. Ms Springle might like to propose her question to Mr Jennings in another form. These are very important and serious matters no doubt, but unfortunately Mr Jennings is not here and so he is unable to answer them.

Supplementary question

Ms SPRINGLE (South Eastern Metropolitan) — Thank you for that answer that is not really an answer. I am not quite sure who is actually going to answer the question in that case.

Ms Pulford — On a point of order, President, we have been through this a bit over the period since May when the Greens and the coalition chose to suspend Mr Jennings for an unprecedented six months. He is not here because of your actions. He is not represented by any of us in this place. You may have noticed earlier that he is not here. I am sorry that he is not here to answer your question. If you would like, we can rescind the motion right now. He would be here in just a jiffy, and I am sure he would be happy to answer.

Ms SPRINGLE — I am not quite sure I know what to say to that. I think this is a really serious issue and the government actually have a responsibility to respond. My supplementary question is: if all departments have accepted the recommendations of the report, can the minister advise when these recommendations will be implemented?

Ms PULFORD (Minister for Agriculture) — I will pass Ms Springle's inquiry on to Mr Jennings.

Belfast Coastal Reserve

Ms DUNN (Eastern Metropolitan) — My question is for the minister representing the Minister for Energy, Environment and Climate Change. Commercial horse training on beaches in the Belfast Coastal Reserve is significantly endangering the state's most significant hooded plover population, which nests in these dunes and beaches. Has the minister taken or does she intend to take any action to move commercial racehorses away from these sensitive areas to protect the hooded plover population, or will she leave these decisions to her colleague the Minister for Racing?

Ms PULFORD (Minister for Agriculture) — At risk of being accused of tedious repetition, the minister representing the Minister for Energy, Environment and

Climate Change is not here and therefore is unable to answer the question.

Ms Shing — Why isn't he here?

Ms PULFORD — Why is he not here, Ms Shing? The Greens and the coalition suspended him from the house. There is a lovely empty chair here, even with a new cushion and all since he was suspended. Mr Jennings, I am sure, would be delighted to provide a response upon his return.

Supplementary question

Ms DUNN (Eastern Metropolitan) — It is extraordinary how quickly the government abdicates its responsibility in a whole range of areas that are really critical. My supplementary question is: will the minister declare the Belfast Coastal Reserve as a coastal park so that Parks Victoria can introduce regulations with real teeth to ban commercial racehorse training from these public beaches and take action to protect the hooded plover population?

Ms PULFORD (Minister for Agriculture) — It is very cute of the Greens to suspend Mr Jennings and then come in here hoping that he can magically answer questions from his suspension. I will pass Ms Dunn's interest in this matter on to Mr Jennings, and he will respond in due course.

Dairy industry

Mr PURCELL (Western Victoria) — My question is to the Minister for Agriculture and Minister for Regional Development. One of the shining lights in the troubled dairy industry has been Murray Goulburn's plans to build a new infant formula milk plant in Koroit near Warrnambool. The \$260 million plant for Koroit has now hit a massive hurdle. Newspaper reports have revealed that Murray Goulburn is now considering building its plant in Laverton due to the excessive costs associated with building in a regional area. The report states that building in Koroit is \$50 million dearer than in the Melbourne location because of lack of power, gas and effluent infrastructure. This is another blow to the dairy industry and the region and highlights issues with decentralisation. So my question to the minister is: does the government have any plans to remove the infrastructure barriers facing regional industries to support decentralisation?

Ms PULFORD (Minister for Agriculture) — I thank Mr Purcell for his question, for his interest in the dairy industry in the south-west and for his strong commitment to creating and supporting jobs in the region that Mr Purcell both represents and hails from. I

am aware of the media reports that Mr Purcell refers to. What I can confirm for Mr Purcell is that Regional Development Victoria is working closely with Murray Goulburn in relation to a possible expansion at the Koroit milk processing and dairy products manufacturing site.

It is a proposed \$300 million expansion — so a very, very significant proposal indeed. It is a large and complex project that will, as Mr Purcell indicated, require significant infrastructure improvements and upgrades to occur, in particular I understand the upgrading of electricity and trade waste services. To date, specialist investment facilitation assistance has been provided to Murray Goulburn regarding development approvals and planning for the infrastructure upgrades required by the project. I understand that a planning permit application for the project is likely to be lodged with the Moyne shire and a works approval application lodged with the Environment Protection Agency before the end of this year.

As Mr Purcell rightly points out, it has been reported that Murray Goulburn are investigating an alternative site for this project, but I would certainly assure Mr Purcell that Regional Development Victoria's close involvement with the company and discussions on this potential investment are ongoing. Assisting businesses with projects like this is absolutely what Regional Development Victoria does and does best, and our \$500 million Regional Jobs and Infrastructure Fund is there to assist with such projects.

So we certainly look forward to an application by Murray Goulburn to the Regional Jobs and Infrastructure Fund and certainly look forward to some good news for a dairy industry that has had a very difficult time in the last six months.

Wild dogs

Mr YOUNG (Northern Victoria) — My question today is for the Minister for Agriculture. It is in regard to the recent epiphany of the government that hunters are an effective management tool for the control of wild dogs. This has been done in the form of a reinstatement of what the government calls a 'bigger, better' wild dog bounty. Bigger and better is a debatable point when it seems the bounty will only take place in particular control zones. Minister, why has the government limited the areas that apply to the bounty when this is a statewide issue that covers many areas?

Ms PULFORD (Minister for Agriculture) — I thank Mr Young for his question and for his interest in

Labor's bigger, better bounty. The wild dog control zones — —

An honourable member interjected.

Ms PULFORD — Which was an initiative of the Bracks Labor government, as it turns out.

The wild dog control zones are what is perhaps best described as a big slab of land in terms of the areas where dog control effort occurs. There are maps that are available on the Department of Environment, Land, Water and Planning website, but for the assistance of the house it is really the area to the east of Woori Yallock and to the north of the Princes Highway. So it is a very large area in the east of the state and a smaller but also significant area north-west of Rainbow in the north-western part of the state.

Annual management plans are developed with communities through workshops. Community and government, as members here would know because we have talked about the wild dog bounty on more than a handful of occasions in this place, continue to be an important part of the effort. As I indicated in a ministers statement earlier today, Ms Shing will be playing a very important role in the program going forward.

The 3-kilometre buffer between private and public land has existed for quite a number of years, so people wanting to avail themselves of the bounty can do so by the agreement of private landholders on private land within those control zones or on public land in that 3-kilometre buffer area. There is certainly a great deal of work for all involved to do to effectively manage wild dog activity, and I am very pleased that hunters now are recognised for their efforts in this important work.

Mr Young — On a point of order, President, the minister has described the conditions of the bounty, which is common knowledge already, but has not actually given us an indication of the answer to the question, which is why those areas were put in place.

The PRESIDENT — Order! Well, you do have a supplementary question to pursue, so I would invite you to now take that supplementary question.

Supplementary question

Mr YOUNG (Northern Victoria) — Thank you, President. It would be nice if that first question was answered in the answer to my substantive question, but further to that, how will it be determined where dogs that are submitted to the bounty come from when dogs

may be easily transported in various ways from one part of the state to the other?

Ms PULFORD (Minister for Agriculture) — I thank Mr Young for his question. There has been no change to the areas that have been applied previously, so I think the premise of Mr Young's question might be incorrect. The collection centres will be the same as they have been under previous bounties, so people who have participated in the bounty in the past will be familiar with those. All of this information will be made available to those who are interested.

QUESTIONS ON NOTICE

Answers

Ms PULFORD (Minister for Agriculture) — I have answers to the following questions on notice: 7509, 7521.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! In regard to today's questions I have some concern about Minister Herbert's responses in the sense that I think that the expectation of the house is that the opportunity for ministers to provide a written response is really designed to ensure that ministers are able to check facts and provide both comprehensive and accurate answers. In respect of a number of the questions that were put today, which I am going to in some cases seek some written responses to, I am not sure that those questions would actually need to be given further consideration or that the details necessarily need to be explored. I think that we might well have had some more direct responses to those questions today rather than a line that has been adopted where the minister has shown contrition.

In respect of the questions, therefore, on Mr Rich-Phillips's first question to Mr Herbert, the substantive question, I seek a written response, and that is one day; in regard to Mr O'Donohue's questions to Mr Herbert, both the substantive and supplementary questions, I seek written responses, and that is one day; in regard to Mr Ondarchie's question to Mr Herbert I would seek a response to the substantive question, and that is one day; in regard to Ms Wooldridge's question to Mr Herbert I seek a response to the substantive question, and that is one day; and in regard to Ms Springle's questions to Ms Pulford, both substantive and supplementary, I seek written responses, and that is two days.

Yes, I heard Ms Pulford say that it did not go to the minister, but the point is that the questions are in order and they have to go somewhere. If I do not get a response, then the house can consider that matter, but the point is that the questions do not just exist out in the ether. The questions have been put, they have been put to a minister and where a minister is not available for whatever reason — if they are travelling, if they are ill; whatever reason — there is a facility for them to have that question answered anyway.

Yes, I understand that the government's position is that the minister would love to be in the chamber and would love to answer those questions directly. I understand the government's position, but the point is that from my position as Presiding Officer the questions are there and I am asking for a written answer. The government's response is a matter for the government.

Ms Pulford — On a point of order on that matter, President, as has been the practice when questions have been asked of Mr Jennings, I will convey those to Mr Jennings.

The PRESIDENT — Order! And that is all I asked.

Ms Dunn's question to Ms Pulford, both the substantive and the supplementary questions, I refer for a written response, and that is two days. Mr Young's question — the substantive question — I also refer for a written response. He felt that whilst the answer was informative it did not actually go to the specifics of the question he asked. That is one day for the substantive question.

Ms Pulford — On a point of order, President, I am not trying to be particularly argumentative, but I did respond to that perhaps more fulsomely in my response to the supplementary when I indicated that the boundaries that Mr Young is asserting have changed have actually not changed. I am not sure if that has perhaps satisfied his needs.

Mr Young — On the point of order, President, the question goes to why the boundaries are as they are, not the fact that they have changed from how the previous arrangements were.

The PRESIDENT — Order! The minister will consider the question and look at that.

In regard to Ms Fitzherbert's question to Minister Herbert, I am not going to provide direction on that one but I would advise the minister to consider whether or not the information that he did provide to the house in response to Ms Fitzherbert was accurate, because obviously if it was not it would be of some

considerable concern. This was particularly in terms of the number of drivers.

CONSTITUENCY QUESTIONS

Eastern Metropolitan Region

Ms WOOLDRIDGE (Eastern Metropolitan) — My constituency question is for the Premier, and I ask: what additional state government funding will be provided to health, community services and schools in Nillumbik to specifically ensure that the Syrian refugees settling in Eltham can genuinely access the support that they need?

St Vincent's Care Services and CatholicCare have invested millions to renovate 60 units in Eltham to house 120 Syrian refugees: women, children and couples with a child. This is an important initiative which will help them settle, get a renting history and integrate into Victoria's welcoming, safe and peaceful way of life. These units will transition to affordable housing services for seniors in two years.

These refugees have had unimaginable experiences, and St Vincent's Care Services cannot do it on their own. It is vital for success that their transition gets the ongoing support needed in schools, in health and in dealing with the trauma and the range of issues they have experienced. The community has stepped up, and the state government now needs to also step up to make sure the support is there.

Northern Metropolitan Region

Mr ELASMAR (Northern Metropolitan) — My constituency question is for the Acting Minister for Veterans. It relates to the Victorian Veterans Council ANZAC Day Proceeds Fund. By way of explanation, Melbourne Legacy provides invaluable ongoing support and advice to the partners, children and families of our veterans. I understand that Melbourne Legacy has applied for funding through the Victorian Veterans Council to assist with a number of projects they are seeking to deliver to the families of veterans over the coming months, which include a summer camp for students with a disability.

I believe successful grant applicants will be announced in the lead-up to Remembrance Day, 11 November 2016, and I ask the acting minister: how will the constituents of my Northern Metropolitan Region access these services and grants?

Western Metropolitan Region

Ms HARTLAND (Western Metropolitan) — My constituency question is for the Minister for Roads and Road Safety. As the minister would be aware, there are some 21 000 truck movements through the inner west each day. Now that B-doubles are going to be banned on the West Gate Bridge from 1 November, it has raised a great deal of concern in the local community, especially because the way we all found out was when we saw it in the media on the day of the announcement. Nobody had actually spoken to any of the local groups, and one of their main concerns now is how many of these B-doubles will actually be travelling on residential streets each day.

Eastern Victoria Region

Ms BATH (Eastern Victoria) — My constituency question is to the Minister for Agriculture. The Brickworks annual report released recently states:

After many years of negotiation, the Victorian state government continues to frustrate efforts to make the required investments in our East Gippsland timber mills, by denying certainty of log supply.

These operations have now only nine months supply contracted, with no clarity being provided beyond that term. As one of the largest employers in the region, these investments would provide an important boost for the local community as well as enabling Auswest to cost effectively meet strong demand for product from these mills. However, if an acceptable log contract is unavailable to be secured, the East Gippsland facilities will be closed.

My constituents have grave concerns about their future livelihoods. Minister, rather than waiting for the Forestry Industry Taskforce report, which is already overdue, my constituents are asking: what will you do to step up and ensure longer term security of supply to the local timber industry?

South Eastern Metropolitan Region

Ms SPRINGLE (South Eastern Metropolitan) — My constituency question is for the Minister for Public Transport. The last available statistics from Public Transport Victoria that pertain to train station patronage are from 2013–14 and show that 67.4 per cent of people entering Sandown Park station arrived by car. There is still no bus connection at Sandown Park station. Is there a plan to connect Sandown Park station with the bus network?

South Eastern Metropolitan Region

Mrs PEULICH (South Eastern Metropolitan) — My consistency question is for the Minister for Local Government, who may need to confer with the Special Minister of State, and it is in relation to a council candidate who contested the most recent council election in the City of Greater Dandenong in, I believe, the Silverleaf ward. This is one of the few attendance voting councils, where people go along and vote on the day. It is my understanding that one of the candidates, who polled substantially, had sold a residential property in April and was not entitled to be on the roll on the grounds of having a business because it was a stall in the market that she owned. We have heard nothing about this, even though complaints have been raised and this matter has been raised with me by candidates, so I wish to know whether indeed the minister will take action to investigate whether the candidate had the right to be on the roll and therefore contest the election or not.

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is to the Minister for Roads and Road Safety. As the minister I am sure is aware, there is more than a suggestion that as a result of the western distributor deal with Transurban there will be an extended toll regime in place on the Tullamarine Freeway for 12 years — —

Mr Morris — At least.

Mr FINN — A minimum of 12 years — indeed, Mr Morris. I would ask the minister to explain to me what exactly is the benefit that motorists on the Tullamarine Freeway will receive for these 12 extra years minimum of tolls.

Northern Victoria Region

Ms LOVELL (Northern Victoria) — My question is for the Minister for Health, and it is regarding her announcement that a growth area infrastructure grant of \$1.5 million has been secured to purchase a block of land as a future site for an ambulance station in Mernda. The press release acknowledges that the government has not yet identified a piece of land to purchase and also does not include any funding for a new station or time lines for completion of the station.

Labor governments are very good at misleading communities by trying to convince them that they are delivering when all they are doing is stalling projects, and the lack of detail around this project indicates that

delivery of an ambulance station in Mernda is most probably years away. In 2014 the then Liberal government took a funding commitment to the election to build a new ambulance station in Mernda. Two years have since passed, and Labor has still not committed one cent to construction of this station. My question is: when will the minister commit funding for construction of the station, and will she immediately outline the time line for construction, completion and expected operational date of this project?

Western Victoria Region

Mr MORRIS (Western Victoria) — My consistency question is for the Minister for Public Transport, and my question is: why will the government not even consider introducing an express Ballarat train service with the new timetable? I note that many commuters have been concerned about the impact that the Caroline Springs station, which is expected to come online sometime next year, will have on the length of time it takes to get from Ballarat to Melbourne. Indeed there are some significant concerns that the introduction of the Caroline Springs station will make the trip even longer for those travelling from Wendouree and/or Ballarat. However, there was some suggestion from commuters that they would like to see the reintroduction of the express service that Ballarat did once have, but the government have said that they are not even going to consider it. I would like to know why it is that the government will not even consider this possibility.

Western Victoria Region

Mr RAMSAY (Western Victoria) — My consistency question is to the Minister for Public Transport, the Honourable Jacinta Allan. It concerns an issue that I have raised in this chamber on many occasions, and that is the relocation of the North Geelong railway stabling yards. Mr Stan Larcombe has a property that I understand is under consideration for the land that would be provided for the new stabling yards outside Waurn Ponds, and I understand Public Transport Victoria (PTV) is looking at potentially some acquisition of that property in conjunction with the old Boral site, which is just further up rail, so to speak.

The issue I have is that the Larcombe family has not been contacted by PTV in relation to the survey work that is going on, if in fact his property will be either divided or impacted by the acquisition of land for the stabling yards. I ask the minister to speak to the Larcombe family and clearly articulate what the intention of the government is in relation to his land.

POWERS OF ATTORNEY AMENDMENT BILL 2016

Second reading

Debate resumed.

Ms PENNICUIK (Southern Metropolitan) — Before question time I was just about to refer to the key provisions in this bill, which is a fairly straightforward bill of only 10 pages and 17 clauses. Clause 4 provides that an enduring power of attorney can be confined to financial matters or to personal matters or to matters specified in the actual instrument — so it clarifies the scope of the powers of a particular attorney acting on behalf of a particular person, which had been drawn to the attention of the government. Clauses 5 and 11 clarify that more than one alternative attorney or alternative supportive attorney can be appointed for each attorney or supportive attorney respectively and also that an alternative attorney or alternative supportive attorney can be appointed for more than one attorney or supportive attorney respectively — and I defy anyone to say that three times fast!

One of the questions I would like to ask the minister in the committee stage is just a practical question with regard to keeping track of the number of supportive attorneys and alternative attorneys that are appointed for each attorney or supportive attorney or alternative attorney. How is that practically kept track of? It is a good idea to have the alternative attorneys — for example, if something happens to the principal attorney; they may become ill or they may be overseas or something when they are required to act. So it is a good idea to have these alternatives and supportive attorneys, but my question is really about how they are all kept track of in terms of being appointed by the principal.

Clauses 6 and 15 make it clearer regarding the revoking of old enduring powers of attorney made under the former acts that I mentioned earlier, basically providing that where an old enduring power of attorney or enduring power of guardianship has not been revoked under the act a principal can revoke them using a new procedure but also that the existence of any new enduring power of attorney would automatically mean that any old one is automatically revoked.

Clause 16 amends the Privacy and Data Protection Act 2014 to ensure that a supportive attorney can access information on behalf of the principal as part of his or her role to support the principal in making his or her own decisions.

The main clause the Greens want to raise in relation to this bill is clause 13, which amends section 130 of the Powers of Attorney Act 2014. Clause 13 amends section 130 so that under section 130(1)(b) a person can apply for a rehearing at the Victorian Civil and Administrative Tribunal (VCAT) if the person was given notice of the hearing of the application in the first instance but was not a party to the hearing of the application with the leave of VCAT, or, in the case of the public advocate, without seeking the leave of VCAT. However, while this amendment under clause 13 makes it clear that the public advocate can apply for a rehearing without having sought leave and that a person who was advised but was not a party can seek leave for a rehearing, it does not provide for people to seek a rehearing who truly should be able to.

When we consulted with the law institute it alerted us to situations where, for example, a family member may have a hearing at VCAT to seek to change the scope of a power of attorney or make other changes or even seek to make a gift to himself or herself or use it to pay off a debt without other members of the family — other people who have a special interest with the principal who has made the original enduring power of attorney — knowing. Those other members, in finding out about the hearing, may be of the view that what was sought at VCAT was not in the best interests of the family member who is the subject of the power of attorney and seek a rehearing. However, under the bill, given they would not have been notified in the first instance — maybe deliberately — by the person who was appearing at VCAT, clause 13 as it is worded at the moment would not afford them any right to seek a rehearing at VCAT, when they should have that right.

I did have an amendment drawn up to the effect that if a person has that interest but was not advised earlier of the hearing, they could apply for a rehearing with the leave of VCAT. I circulated that amendment to all parties earlier this week, including to the government, and I have heard back from the government that in fact they are supportive of that amendment, but they raised some issues with me with regard to the way the amendment had been originally drawn up and circulated by me. They have had an alternative amendment drawn up and have run that by me, and I am happy with the alternative.

It was basically to do with the ordering of the subsections of the amended section to make clear the particular provision applying in a case where a person has been notified but has not appeared, a new subsection for a person who has never been notified and still wants to apply to VCAT for a rehearing and then a separate subsection applying to the public advocate. So

I am happy with the reformulation of clause 13 such that it would now replace the current section 130 in the principal act. In fact I think it will actually make the whole section clearer, which is the purpose of this bill in the first place — to clarify some sections that are not that clear.

I understand that the government will be seeking to move that amendment, which will probably supersede my amendment because government amendments usually go first. I want to assure the house that the aim is to improve the bill and to make sure that we are protecting the interests of the principal person and the people who are looking after their interests in terms of if a mistake has been made in that regard and deliberate subterfuge has been perpetrated by a person. As I was saying earlier, before question time, unfortunately there are some people who may want to do that sort of thing, and we are protecting the principal here — that is, the person who is having their financial and other affairs looked after under a power of attorney.

In terms of the committee stage, I just have that other practical question with regard to the numbers of supportive and alternative attorneys. I have spoken to other parties in the house about the intent of the amendment, and I understand that most people, pretty well everyone, are supportive of the intent of that amendment.

Mr HERBERT (Minister for Training and Skills) — I firstly thank all people who spoke on this important bill, which is designed to resolve a range of urgent issues with the operation of the legislation. Whilst the proposed amendments are relatively minor, they have come from some very key stakeholders who seek clarity on a number of underlying issues and certainty about enduring powers of attorney.

I will not go into the details of the bill. I will, however, provide some information on the question that Ms Pennicuik asked and just talk a little about the house amendment. On the question about keeping track of alternative attorneys, I am advised that in practice this already happens, that it is in fact a matter for the principal to identify their alternative attorneys in the documents, that they are appointed, and keep track of them. For example, if an attorney moves overseas or dies, the principal should update their enduring power of attorney in those circumstances. I hope that answers the question. If not, I am sure —

Ms Pennicuik — No.

Mr HERBERT — Okay. On the house amendment, as Ms Pennicuik says, the issue was raised with the

government by Ms Pennicuik, and we saw merit in that amendment and just sought to technically change it a little. What it does is it makes clear that the Office of the Public Advocate has the right to apply for a rehearing under division 4 of the principal act at the Victorian Civil and Administrative Tribunal (VCAT) without having been a party to the hearing of the application in the first part.

Currently the only people who can seek a rehearing of an application are persons who were previously a party to that hearing or, with the leave of VCAT, a person who was given notice of a hearing but was not party to the hearing. The government agrees with the proposition that there are special interests in the affairs of the principal that may need to be addressed, so the amendment basically inserts a provision to the effect of Ms Pennicuik's issue.

As amended, the bill would now allow the following people to apply for a rehearing at VCAT, and they are: a person who was a party to the hearing of the application at the first instance; a person who was notified but was not a party to the hearing, who must obtain leave from VCAT, which is a new subsection; a person who was not notified but who has a special interest in the affairs of the principal, with the leave of VCAT — that is another new subsection; and the public advocate, without the leave of VCAT. I think these amendments enhance the bill. I recommend the bill and the house amendment to the house. I thank all those who have spoken on it and Ms Pennicuik for raising the issue.

Motion agreed to.

Read second time.

Sitting suspended 12.55 p.m. until 2.05 p.m.

Committed.

Committee

Clause 1

Mr HERBERT (Minister for Training and Skills) — I ask that my amendment to clause 13 be circulated.

Ms PENNICUIK (Southern Metropolitan) — I am asking a question on clause 1 because the purpose set out in clause 1(a)(ii) is:

to further provide for the appointment of alternative attorneys and alternative supportive attorneys ...

I did pose a question during my earlier contribution about this matter, and the minister gave an answer which posed more questions. So my question really was: under the act and under the amendments made in this bill, the principal can appoint an attorney, alternative attorneys, supportive attorneys and alternative supportive attorneys. That could — who knows? — end up with a lot of people being appointed to those roles.

The minister said to me that, if the attorney was not able to fulfil the role, the principal needed to appoint a different attorney. Well, there may be many occasions where the principal is not capable of doing that, which is the whole point of having an attorney in the first place — to assist in dealing with that person's affairs when they are not capable of doing so themselves. My question was not really about that, but that does raise a question. It raises the question that if the attorney is not able to fulfil the duties and the principal is not able to appoint another attorney, then automatically the alternative attorneys are required to step in — I would assume that is the case — and if they are not, then the public advocate would take over.

But my question was more about if a principal, for example, appoints an attorney, then on another occasion appoints an alternative attorney and then on another occasion appoints another alternative attorney and then supportive attorneys, there could be a lot of people who are appointed to these roles maybe not necessarily knowing about each other. What occurred to me was the practical keeping track of who is acting on behalf of that principal person. That is the question, really.

Mr HERBERT (Minister for Training and Skills) — On the first point, which was kind of a point in running, I am advised that if an attorney is not able to fulfil their functions and if the principal is not able to appoint another attorney, then if there is an alternative attorney, that person would step up. If there is no alternative attorney, then it would lapse. So the public advocate would not come in unless there was another process, such as an application for guardianship through the Victorian Civil and Administrative Tribunal (VCAT). That could then result in the public advocate stepping up.

In regard to your principal question, I am advised that a supportive attorney is a separate category in the legislation. It applies if the principal still has decision-making capacity. On the issue of the principal having multiple attorneys, I am advised that best practice is for all alternative attorneys to be advised when they are appointed. If that does not happen, then it

is difficult, if not impossible, to legislate for that very issue. That is what I am advised.

Ms PENNICUIK (Southern Metropolitan) — If I could just follow up on those answers — and I thank the minister for them — it sounds as if what I thought might be the case is in fact the case, which could make it difficult, particularly if those persons have been appointed by the principal at different times. Best practice might dictate that they all know about each other, but they may in fact not know about each other. I just wanted to clarify also that if the enduring power of attorney lapses, the public advocate would not necessarily automatically take over the affairs of that person. So who would make an application for guardianship in that case?

Mr HERBERT (Minister for Training and Skills) — I am advised that in the case where it has lapsed and there is no enduring power of attorney, then another family member can apply to VCAT for that right, or if the public advocate is aware of the circumstances through the health system or through any other system, then the public advocate can apply to VCAT.

Ms PENNICUIK (Southern Metropolitan) — Minister, thank you for that answer. Yes, that helps, but it also points to some gaps too. If there is no other family member — for example, if a person does not have a family member to do that or they have a family member who is not taking any interest in doing that — then it is up to the health system, I suppose, to notify the public advocate. In most cases I presume that would happen, but you cannot necessarily know that it would happen, so there is a bit of a gap there.

In terms of best practice regarding the different classes of attorneys that can be appointed by the principal at different times, is there any guidance provided to solicitors with regard to best practice? If principals are appointing an attorney and an alternative attorney, is there any advice to solicitors to make sure the principal knows they should make sure that everyone knows about each other or that they keep a record of that to make things easier when it actually needs to be acted upon?

Mr HERBERT (Minister for Training and Skills) — I will seek some advice on that. One would hope that the solicitor, with their education in having that role, would be au fait with it. But let me just see if there is any other advice for solicitors.

I am advised that when the principal act came into force in September last year, the Office of the Public

Advocate (OPA) website was loaded with advice, including take-control guidance materials. Those materials were also widely circulated to various support groups and right across the legal profession. I am told there was a major effort to circulate guidance materials, which I imagine are still on the OPA website.

Ms PENNICUIK (Southern Metropolitan) — Thank you, Minister. I had a look on the Victoria Law Foundation site, but I did not have a look at the Office of the Public Advocate site, so that is good guidance and is reassuring. Of course people might not be acting in nefarious ways, but they may be acting in cross-purposes unbeknownst to themselves. If the principal is no longer able to advise, then people might find themselves caught up and not know what one or the other are doing, so I think it is an important question to have answered.

Clause agreed to; clauses 2 to 12 agreed to.

Clause 13

Mr HERBERT (Minister for Training and Skills) — I move:

Clause 13, lines 25 to 31, omit all words and expressions on these lines and insert—

- “(b) if the person was given notice of the hearing of the application at first instance but was not a party to the hearing of the application, with the leave of VCAT; or
- (c) if the person was not given notice of the hearing of the application at first instance and the person has a special interest in the affairs of the principal, with the leave of VCAT; or
- (d) if the person is the Public Advocate, without the leave of VCAT.”.

As I said earlier, the government’s amendment to this clause comes from an issue raised by Ms PennicuiK for a bit of clarification in terms of which people could apply for a rehearing involving VCAT. Currently the only person who can seek a rehearing of an application is a person who was previously a party to that hearing or, with leave of VCAT, a person who was given notice of the hearing — so they obviously had involvement — but who was not a party to the hearing.

What the amendment does is define a broader group of people who may have an interest and who could then apply. They are: a person who was a party to the hearing of the application in the first instance; a person who was notified but was not a party to the hearing, who must then obtain leave from VCAT, which is a new subsection; a person who was not notified but who

has a special interest in the affairs of the principal, with the leave of VCAT, which is a new subsection; and the public advocate, without the leave of VCAT. I do not have a lot to say about the amendment. I think it is a further clarification that enhances the bill.

Ms PENNICUIK (Southern Metropolitan) — As I mentioned in the second-reading debate, this is an issue that the Law Institute of Victoria alerted us to. We looked at it and thought there was a bit of a gap in terms of the possibility of someone holding a power of attorney or someone appearing at VCAT deliberately not notifying other people who that person knew had a special interest in the hearing going ahead. Without those people even being notified it was going ahead, the outcome of that whole process may not be in the best interests of the principal person. It just makes sure that if that was to happen, there would be recourse for a person who then later finds out that something has happened without their knowledge when they did have an interest. I see it as protecting the interests of the principal.

Mr RICH-PHILLIPS (South Eastern Metropolitan) — The coalition will support this amendment proposed by the minister and which I understand is drawn from the amendment Ms PennicuiK was to propose, which the coalition was also going to support. It is interesting. Obviously Ms PennicuiK has outlined her intent in moving or posing the original amendment, which is now replicated. I guess the only counter to that is that Ms PennicuiK presents the argument as a third party wanting to act in the interests of the principal. Equally of course widening the pool of people who will have an entitlement to participate in a hearing opens the scope for people who may not wish to act in the interests of the principal as well. That is the only caveat I would put on the support for this provision.

Obviously the intent is there, but I have certainly seen through my own electorate office a number of instances where matters relating to powers of attorney have been challenged and the people seeking to challenge the use of powers of attorney have not necessarily been acting or wanting to act in the interests of the principal. While the intent is certainly there, and it is a good intent, this provision could also be used by parties who are not necessarily wanting to act in the interests of the principal as opposed to their own interests.

Ms PENNICUIK (Southern Metropolitan) — Yes, of course that could happen, but the other could equally happen and probably would happen more often. That is why I think it was important. I also point out that they still need the leave of VCAT to be able to have a

rehearing. I think that is a safeguard there, that VCAT would have a look at all that, and if it was not satisfied that there was a need for a rehearing, there would not be a rehearing; it is not an automatic rehearing.

Amendment agreed to; amended clause agreed to; clauses 14 to 17 agreed to.

Reported to house with amendment.

Report adopted.

Third reading

Motion agreed to.

Read third time.

MELBOURNE COLLEGE OF DIVINITY AMENDMENT BILL 2016

Second reading

Order of the day read for resumption of debate.

Declared private

The ACTING PRESIDENT (Mr Melhem) — Order! Having had the opportunity of examining this bill, in my opinion it is a private bill.

Mr HERBERT (Minister for Training and Skills) — I move:

That the bill be dealt with as a public bill.

Motion agreed to.

Second reading

Debate resumed from 15 September; motion of Mr DALIDAKIS (Minister for Small Business, Innovation and Trade).

Mrs PEULICH (South Eastern Metropolitan) — The opposition obviously will not be opposing the Melbourne College of Divinity Amendment Bill 2016. The purpose of this bill is to amend the Melbourne College of Divinity Act 1910 to reflect that the institution has changed its title to University of Divinity and to make necessary transitional and consequential amendments.

The Melbourne College of Divinity is a private university which accredits colleges to deliver education on its behalf. The bill promotes the right of freedom of thought, conscience, religion and belief. It supports cultural rights by assisting persons with particular religious backgrounds to declare and practise their

religion, but at the same time it does not discriminate against people who do not share that religion.

The model was established in 1972 when the act was amended to allow for the recognition of ‘associated teaching institutes’ to teach the degrees offered by the college. While a familiar model is found in Europe and North America, it is not found anywhere else in Australia. In 2012 the college commenced operation as an Australian university of specialisation with the approval of the Victorian Registration and Qualifications Authority. It was subsequently given permission by the commonwealth and the Australian Securities and Investments Commission to trade under the name University of Divinity to reflect its changed status.

This bill will bring the college’s governing legislation into alignment with its new name, status and operation as a university. In some of the technical arrangements it also removes the position of registrar and fellows of the college as these positions no longer exist, and it extends the appointment terms of the chancellor and deputy chancellor from one year to a period of up to three years.

There has been consultation with the appropriate stakeholders. Certainly the former coalition government supported the Melbourne College of Divinity in its bid to become Australia’s very first university of specialisation. This bill tidies up state legislation to reflect that change. In having a look at that — and it is not a particularly controversial bill — I saw that the Scrutiny of Acts and Regulations Committee (SARC) raised the issue of the delayed commencement of the bill. The response provided by the minister responsible, Mr Herbert, basically said that this is a default commencement date, that there is every intention to implement this as soon as royal assent is achieved and that the 12-month default commencement date, which is SARC’s rule, takes into account the debating time here in this chamber and the date that the bill is anticipated to receive royal assent.

With those few words, I wish the Melbourne College of Divinity Amendment Bill 2016 a very speedy passage and commend the bill to the house.

Ms PENNICUIK (Southern Metropolitan) — The Melbourne College of Divinity Amendment Bill 2016 is a very simple bill which amends the legislation to reflect the changes the college has made to its name and to some of its governance arrangements. The bill amends the act by changing the name from Melbourne College of Divinity, which it had been since 1910, to the University of Divinity and replacing references to

the president, dean and vice-president with references to the chancellor, vice-chancellor and deputy chancellor to reflect the changes that the organisation has made to itself and how it refers to these positions. It removes the references to the registrar, a position that no longer exists. It removes references to the fellows of the college as the college no longer appoints fellows. It consolidates two separate duplicate provisions, which empower the college to award a doctorate, into one provision. It gives its council greater flexibility to appoint its chancellor and deputy chancellor for up to three years but no longer than the term of the elected member's existing appointment.

All of these changes reflect what is in fact the status quo within the organisation. I note that Acting President Melhem declared that this was a private bill and the minister asked the permission of the Council to deal with it as a public bill, but the question as to why we need an act of Parliament for this particular organisation is possibly the wider question.

Ms PATTEN (Northern Metropolitan) — I rise briefly to speak to this bill. When I first looked at it I looked up what a private act is. I thought this is a very interesting piece of legislation — a private act — where a private organisation can come to the Parliament and request that it has a private act and a private bill. Generally speaking in previous centuries this was paid for, and it was very expensive. In fact just on the weekend I was looking through some of my family history and found that my ancestors had had to petition for a private bill to get divorced in the mid-19th century in London, England. As an aside to that, it cost them a lot of money and the wife of the person who asked for the divorce lost out on any alimony even though it had been promised to her because the parliamentarians knocked it out of the bill.

Ms Pennicuik — They were all men.

Ms PATTEN — Yes, Ms Pennicuik, they were. These bills were used in the past to provide some regulation and organisation for banks and certain trusts. Now they are predominantly and almost only used for religious organisations. Again I have to ask: why? When you look at the bill, the Parliament does not really have any oversight over the Melbourne College of Divinity, or the University of Divinity as it will soon be called — although it has been called that since 2013. We are having this debate on this bill to change the name of an organisation that changed its name three years ago.

I am certainly hoping that the minister will be able to explain to me why we have waived the fee. This is an

organisation that has a \$14 million turnover. I understand that putting a private bill up in this house is not cheap. It goes through parliamentary counsel, it goes through cabinet, it goes through the papers office, it goes through the table office — it goes through a whole range of things. It goes through this place, and it goes through the other house. I understand that this runs to tens and tens of thousands of dollars.

Also I wonder about setting up an organisational structure for this university which is different from other colleges. There is the Harvest Bible College, which provides the same instruction on pastoral care and theology. It provides the same levels of graduate diplomas, diplomas and bachelor degrees. It does not have its own private bill, yet it is providing the exact same educational services as the Melbourne College of Divinity.

The Melbourne College of Divinity sits outside the Corporations Act 2001 because it is incorporated under a private bill. I was looking at its website, and the office-holders of the Melbourne College of Divinity are indemnified under the act. You cannot indemnify office-holders under the Corporations Act, so this bill does give it special treatment. I do not particularly care if the university wants to have special treatment, but I do care that this seems to be a real waste of money. It seems to be an archaic throwback to the times when we used to have to petition the Parliament for a divorce, like my ancestors did. This is really a historical relic, and I think we just have to ask: why are we doing this? When the college came to the Parliament, why did we not say, 'Pop down to the Australian Securities and Investments Commission, hand in your constitution and get yourself incorporated there. You can receive government funding'? It is listed on the different education registers — and that is fine — as are many that do not have their own private bill that we pay for.

I just cannot see any practical reason why we have this bill. I do not mind if the University of Divinity wants this, but I do think that in 2016 the time has come for us to move away from these private acts and private bills — and we have done for the most part; there are very few. I was looking at this the other day. We have done a handful of them, and we waive the fee every time. We have waived the fee pretty much since the late 1990s. We do not charge people. We consider them private bills, but then we consider them public bills for the sake of not charging.

My questions are really around this, and to avoid going into the committee of the whole I ask: how much does it cost for the parliamentary counsel to give up time to draft this piece of legislation, for it to go through

cabinet, for it to go through the papers office and go through debate in both houses? And why are we waiving the fee for a relatively wealthy organisation? It has a \$13 million turnover. As a higher education provider established by an act of Parliament in Victoria, the University of Divinity is already accountable to the Minister for Training and Skills. Does this change because they have this private bill? I would be interested in that.

As I say, I am not going to oppose this, but I do think it is time that we consider phasing out private bills that do not need to be here. We have perfectly good public service infrastructure to allow for these universities and colleges to be accountable and responsible. I just find this to be a fairly pointless piece of legislation.

Mr ELASMAR (Northern Metropolitan) — I wish to speak briefly to the Melbourne College of Divinity Amendment Bill 2016. This is a relatively simple housekeeping bill which seeks to make some technical amendments to the Melbourne College of Divinity Act 1910. The Melbourne College of Divinity was established by the Victorian Parliament in 1910. The college was originally founded by a group of churches based in Victoria and was administered by a president and a registrar.

Today it is a private university and receives commonwealth government funding for research and training through the Higher Education Support Act 2003. The college sought and was granted permission to change its trading name to the University of Divinity by the appropriate commonwealth minister, the then Minister for Tertiary Education, Skills, Jobs, Science and Research, and the Australian Securities and Investments Commission. The college is currently registered as an Australian university of specialisation and is on the national register of higher education providers.

At the request of and in consultation with the Melbourne College of Divinity a series of amendments were suggested that will bring the college further in step with other teaching institutes. In 1972 the act was amended to allow for the recognition of associated teaching institutes to teach the degrees offered by the college. Over the years there have been several amendments to the act of 1910, specifically in 2005 when the legislation was further updated to reflect the college's modernisation and adherence to other university academic standards and to allow for the establishment of a council and an academic board. The act authorises the college to confer degrees and award diplomas and certificates in divinity and associated disciplines. The act includes the provision for the

council to be the governing authority, which includes members appointed by the churches, and an academic board to oversee academic programs. In 2012 the college began operating as an Australian university of specialisation with the approval of the Victorian Registration and Qualifications Authority.

In conclusion, specifically the bill will amend the act by renaming the Melbourne College of Divinity to the University of Divinity. It will also replace previously designated titles of 'president', 'dean' and 'vice-president' with 'chancellor', 'vice-chancellor' and 'deputy chancellor'. These changes will reflect the new governance structure. In addition several previously designated titles will now reflect the standard terminology utilised by other universities in Victoria. The bill will legitimise the college's governing legislation by aligning its new name, status and operation as a university. By commending the bill to the house I would like to congratulate the minister. I am glad to see him in the house. He is a good minister, and he is doing very well in higher education, skills and other areas.

Mr HERBERT (Minister for Training and Skills) — I was going to make this the shortest summing up in history and say this bill elevates the college of divinity to a higher place, but I have a number of questions to respond to. One was raised by Ms Pennicuik and there were a number by Ms Patten. I will just attempt to address those questions in summing up.

Firstly, Ms Pennicuik asked why make it a public bill when they are a university, and Ms Patten had something similar. It is fair to say that the convention for Parliament is to waive this requirement in the case of private bills that are considered for the public good. There may be some debate on that from different parties here, but that is the rationale. The bill purports to advance education in Victoria by updating the status of the college and modernising its governance arrangements to reflect the current practice we have across the sector. We believe that meets the criteria for a public bill, and that is why we have moved that.

In regard to how much it costs for parliamentary counsel to draft this piece of legislation and for matters to go to cabinet, to the papers office and through debate in both houses, I simply cannot answer that question. It may be possible to find out. It would be an interesting thing I guess for all bills, but I do not know that there is a tabulation of the cost of parliamentary counsel and cabinet processes per bill as a separate item as opposed to — —

Mrs Peulich interjected.

Mr HERBERT — I do not know that that is the way the financial accounting works.

Honourable members interjecting.

Mr HERBERT — I can see that we are going to get into debate now on this very simple bill.

In terms of the question of oversight, I can advise that there will have to be an annual report tabled in both houses of Parliament. That is the major oversight in the bill. Apart from that, I as a state minister do not have oversight capacity further on that.

Mrs Peulich interjected.

Mr HERBERT — Well, if it is a university, it is mainly through the commonwealth. It is quite right to say that they have been trading under the name of the University of Divinity after getting permission from the commonwealth minister for education and the Australian Securities and Investment Commission, which has already happened. However, in Victoria universities are governed by legislation which kind of provides a guarantee about the future objectives of the university. We have that legislation in place; we have already passed that legislation. This changes the name to get in sequence with the legislation. It is in Parliament because it means that the university cannot change the objectives without coming back to Parliament. There is the precedent that universities are there and are established by legislation.

The technical aspects of the bill, apart from the name change, bring the legislation governing the university in line with how a university operates. For instance, the president, dean and vice-president that were the titles under the college of divinity are now changed to chancellor, vice-chancellor and deputy chancellor, which is the convention of a university. They are small things I know, but nevertheless these are important in legislation.

The bill replaces redundant parts of legislation that refer to recognised teaching institutions and those things that applied to the Melbourne College of Divinity as a college are taken out of it. ‘Registrar’ is a redundant term. But the bill also ensures that the council have greater flexibility to appoint the chancellor and deputy chancellor for a period of three years but not longer than the terms of the elected members existing on the council.

Basically, whilst I understand Ms Patten’s point about this, there are a number of technical things in here

which all come together to, hopefully, finalise the transition that the college of divinity has gone through to become a university of divinity. I commend the bill to the house.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

ADJOURNMENT

Ms PULFORD (Minister for Agriculture) — I move:

That the house do now adjourn.

Bushfire preparedness

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Emergency Services, and it is regarding excess fuel loads in Victorian forests and the risk these will pose to life and property during the impending 2016–17 fire season. The action I seek from the minister is that he puts in place a strategy, which he will publicly release, that details to the Victorian community the state’s ability to prevent and respond to bushfires, the risk of which has increased significantly due to the Andrews Labor government’s failure to adequately meet fuel reduction targets, thereby leaving unacceptably high levels of fuel load in Victorian forests going into the 2016–17 bushfire season.

My electorate was the hardest hit when Black Saturday struck on Saturday, 9 February 2009, when 173 people were killed and 414 were injured as a result of the up to 400 fires that were recorded as part of what was Australia’s all-time worst bushfire disaster. From Kilmore East through to Flowerdale, Kinglake and Marysville, up through Buxton to Taggerty, further north around Mudgegonga and around Axedale and Bendigo, communities across my electorate of Northern Victoria Region and the wider state were devastated by the impact of the fires, after which the royal commission was undertaken, which resulted in recommendations that became the blueprint for how our state can best work to prevent and manage future bushfires of similar magnitude.

The royal commission findings identified the importance of fuel reduction in decreasing fuel loads to

reduce the spread and intensity of bushfires and also found that excessive fuel loads add:

... to the likelihood of more intense bushfires ... thereby placing firefighters and communities at greater risk.

The report further stated that the state should achieve prescribed burning of:

... an annual rolling target of a minimum of 5 per cent of public land each year, and that the state be held accountable for meeting this target.

According to the annual report from the Department of Environment, Land, Water and Planning (DELWP), the Victorian government failed to meet the planned burn target for the last fire season, achieving only 72 per cent of the target, and is facing an uphill battle to reach this season's targets. Even considering that DELWP has now moved from an area-based target to a new indicator, which is based on keeping fuel loads at or below 70 per cent of their maximum levels, regions all across Victoria, including my electorate, currently sit well in excess of this figure. The Mallee and Murray Goulburn regions, both in my electorate, have a current fuel load with a risk of 85 per cent.

Victoria is facing a perfect storm of factors that could easily set us up for another horrendous fire season. We have increased fuel load from a wet winter and the likelihood of another record-breaking hot summer, and the Labor government has not only mismanaged the fuel reduction program but Premier Andrews is raging an open war against our Country Fire Authority volunteers.

I have recently been contacted by a constituent very concerned about the bushfire risk to Victoria and worried about the accumulation of fire fuel load in Victorian bushland since Black Saturday. I quote from his letter, which says:

My concern is the build-up of residue in the Victorian forest since Black Saturday. The royal commission recommendation of fuel reduction has not been carried out.

It will be only a matter of time and the conditions of that terrible day will be repeated. With proper fuel reduction burn-offs, the likelihood of a major disaster can be greatly reduced.

The ACTING PRESIDENT (Mr Melhem) — Order! The member's time has expired.

Royal Melbourne Hospital stroke unit

Dr CARLING-JENKINS (Western Metropolitan) — My adjournment matter this afternoon is addressed to the Minister for Health, Jill Hennessy, and calls for the provision of a new 30-bed stroke unit

at the Royal Melbourne Hospital. I believe that the minister and her department have actually been very supportive of this initiative, and what I am doing this afternoon is really encouraging action to make this new stroke unit a reality.

On 22 September I had the pleasure of meeting Dr Gareth Goodier, the chief executive of Melbourne Health. Melbourne Health, as most of you would know, is a large tertiary-level hospital which employs over 9000 people, and it is at the forefront of medical research. In 2015 Dr Tom Oxley and his colleagues created the world's first minimally invasive stent, which translates brain signals into actions. This innovation offers great hope to people who are paralysed and has the potential to transform the lives of people with neurological conditions.

Part of my visit included a tour of the stroke recovery wing at the hospital, where surgery had just been performed on a man to remove a blood clot. He had suffered a stroke just 3 to 4 hours previously. This hospital now treats around 1000 stroke patients each year. There has been a huge increase this year, mostly due to the inter-hospital transfers for endovascular clot retrieval.

I also had the pleasure of meeting Professor Peter Mitchell, who is a leading specialist in neuro-intervention. He, along with his colleague Dr Bruce Campbell, has used stent thrombectomy, whereby a small tube is inserted to capture and remove blood clots in stroke patients. This advancement has allowed 71 per cent of patients to return to independent living after this treatment, compared to only 40 per cent who received standard therapy.

I want to really highlight and commend Melbourne Health for their commitment to excellence in this field and acknowledge the state-of-the-art care for stroke patients. What the hospital now needs is \$11 million to \$12 million in funding, which will enable them to open a new 30-bed stroke unit. I note this is a relatively small amount, considering the very healthy state of the Victorian budget. Yet this would be a tremendous return to the Victorian community, as it would provide a dedicated high-dependency unit for stroke patients and allow them to receive not only state-of-the-art treatment but also assistance to optimise recovery from this frequently devastating illness.

Wyndham police numbers

Mr O'DONOHUE (Eastern Victoria) — I raise a matter for the attention of the Minister for Police. I have been contacted by a Mr Rivett of Wyndham Vale, who

has relayed to me a very concerning situation in relation to a family member of his. The police minister has been notified of this situation but to date has taken no action. Mr Rivett tells of a situation where a family member of his lives next door to some concerning people yet phone calls to the local police station about this go unattended or are not answered; 000 calls have been made at first instance with no response and at second instance with a brief response, but the issue is ongoing.

My constituent is very concerned about the lack of police presence in the Wyndham area and about the rising crime and the lack of response to his family member's situation. I will not provide more detail than that, but the minister has a copy of the emails that he has sent to her — as do I. The action I would seek from the minister is that she respond to the specific requests that have been made but also look at police resourcing in the Wyndham area. I have visited the Werribee police station previously and been amazed at the number of jobs there are and the situation and the pressure at the police station.

This of course is in the context of the tabling of the Victoria Police annual report today which shows, according to Victoria Police's own numbers, that between November 2014 and June 2016 just 37 extra police were added to the Victorian police force despite population growth of nearly 200 000 people during that time, crime being up by over 13 per cent in the last year and the resource implications of the two-up policy — a legitimate policy that the government failed to address when that legitimate decision was made.

We also know that according to Police Association Victoria there are 115 fewer first-responder police on the beat today compared to 2014. Clearly we have a frontline police numbers crisis, and I ask that the minister address that in the macro sense but also respond to the specific issues raised by Mr Rivett in his emails to the police minister.

Silo Art Trail

Mr O'SULLIVAN (Northern Victoria) — The matter that I wish to raise this evening is for the Minister for Tourism and Major Events, or the acting minister as might be the case at the moment. The action I am requesting is that the minister provide professional and technical assistance to the local communities that are directly involved in the Silo Art Trail.

As we know, two silos have been painted so far — one at Brim and one at my home town of Patchewollock — and there is going to be another lot of silo art undertaken at the small towns of Lascelles, Roseberry,

Sheep Hills and Rupanyup. In total there is about a 200-kilometre stretch up in the north-west where this silo art is taking place. These are very small communities, and they are looking for as much help as they can possibly get in terms of being able to utilise what they have already and the silos that will be painted in the future so that they can maximise this opportunity in the tourism sense in terms of attracting people to those areas.

What will have been established up there once it is finished is Australia's largest outdoor art gallery. When you talk about art you do not really think of some of those little communities and what they are used to having in terms of art. Also, looking at it the other way round, I do not think the people in these little communities are used to having art come to them, so bringing these attractions to the north-west has been a terrific undertaking by the Yarriambiack Shire Council. Hopefully lots of people will take the opportunity to get up there and look at them. A lot of people have already been to Brim, and hopefully a lot of people will get to these other small towns and spend some money there. These communities have been ravaged by drought over the years, so if people can get up there and spend a bit of money, the economic benefit to these towns will be tremendous.

With the Patchewollock silo, which has just been painted recently, I would like to congratulate Nick Hulland, a local farmer, who has his picture on the silo. Nick is somewhat of an unassuming person, and he joked to me that he is going to have to drive around behind the silos when he is driving home because he does not want to have to look at himself up on the silo. I also had the privilege of meeting the artist who painted the silo. Fintan Magee is his name, and he had just come back from Japan. He used a projector to project up onto the silo and then he painted the artwork with a cherry picker.

What I am after is that Tourism Victoria really helps these communities to be able to maximise their outcomes in terms of being able to do what they can to attract tourists and get any economic benefits they can.

The ACTING PRESIDENT (Ms Dunn) — Order! Thank you, Mr O'Sullivan. Congratulations; I think that was your first contribution.

Aboriginal justice agreement

Ms SPRINGLE (South Eastern Metropolitan) — My adjournment matter is for the Minister for Police, Lisa Neville. The Victorian Aboriginal justice agreement, as some members would know, is a

pioneering partnership between the Victorian government and the Koori community that aims to improve justice outcomes for Aboriginal people in Victoria.

The agreement was first made in the aftermath of the release of the report of Royal Commission into Aboriginal Deaths in Custody in 1991. The aim of the agreement is to reduce the over-representation of Koori people in Victoria's justice system. One very important area that required immediate improvement was the way in which many young Koori people were being treated by police officers.

Nearly a decade ago, I understand, the then Department of Justice and Victoria Police undertook, through the Aboriginal Justice Forum, to investigate the ways in which Victoria Police dealt with complaints which had been made against its officers by young Koori people. The report of that investigation has, to my knowledge, never been released. It is my understanding that the Department of Justice and Regulation investigation looked at 200 complaints against Victoria Police and found that not one of them had been substantiated by Victoria Police's internal investigatory processes.

So my request of the minister is that she makes an arrangement for the immediate release of the report of that investigation as a first step toward improving accountability in respect of the current handling of complaints against police by young Aboriginal people.

Drug harm reduction

Ms HARTLAND (Western Metropolitan) — My adjournment matter tonight is for the Minister for Mental Health, Martin Foley. This past week has been yet another tragic reminder of the impacts of recreational drug use on everyday Australians and their loved ones. Last weekend a young Victorian footballer died in hospital in Surfers Paradise after consuming the latest 'party drug' to hit our streets — a combination of MDMA and other amphetamine-type substances known as the 'N-Bomb'. Another 21 young people needed hospitalisation or medical treatment from emergency services. I consider this to be a wake-up call in relation to the so-called 'party drugs' which claimed five lives in 2015.

As tens of thousands of students prepare for schoolies celebrations in just a few weeks, the timing of another deadly batch of recreational drugs could not be worse. The current ideologically-driven preoccupation with taking a law and order rather than a harm reduction approach to party drugs is putting the lives of young Australians at risk and it is clearly not working.

The European Union has implemented pill testing trials which are detecting deadly substances in recreational drugs, warning potential consumers and saving lives. On-site pill testing has been shown to reduce consumption of potentially unsafe drugs. Users overwhelmingly choose not to consume a drug if alerted to the risks related to its strength or contents. Early warning schemes have also proved effective, preventing the consumption of drugs that have caused deaths in other jurisdictions without similar monitoring schemes. Comprehensive monitoring of the drug market influences the nature of the market, as substitutes that are the subject of public campaigns disappear from the market within a very short time of these campaigns.

Demand for a comprehensive monitoring system in Victoria is high, particularly from the health sector, which argues that the information gathered would assist with diagnosis and treatment both in the field and in emergency rooms. We are coming into the summer season of many festivals across the state, and we urge the minister to agree to initiate a trial for pill testing at festivals in Victoria this summer. We believe that this will save young people's lives.

Western distributor

Mr FINN (Western Metropolitan) — I wish to raise a matter this afternoon for the attention of the Minister for Roads and Road Safety, and it concerns the news from Canberra that confirmed a long-held belief of mine that the western distributor road project is in fact a dog of a project — and it was a dog of a project well before Mr Herbert made that a more popular way of getting around.

I am deeply concerned that this project will not achieve any benefits for the people of the west, and I am deeply concerned that it will in fact make traffic worse on the Tullamarine Freeway. The Tullamarine Freeway has over recent years become a total basket case. As somebody who lives practically at the end of the freeway, I know from personal experience that it is not something that I look forward to travelling down during peak hour, because peak hour usually begins about 7.00 and finishes at about 10.00 in the morning, and again it goes for another 3 or 4 hours in the afternoon. In fact I have travelled up there as late as 8 o'clock or even 8.30 at night, and there is still quite a deal of congestion on the road. We just cannot afford to have that freeway congested any further.

What really worries me, though, is the fact that this project will mean, according to Transurban, who are promoting this vigorously — and you cannot blame

them for that because it is going to make them a great deal of money; it is going to make an enormous amount of money, around about \$30 billion as I understand it — that motorists travelling on the Tullamarine Freeway will be forced to pay tolls for a further 12 years beyond what we had been expecting to do, and that is 12 years minimum. That is a huge impost on the people of the north-west of Melbourne and beyond — right up to Bendigo and beyond — and that is something that I do not believe that this government or any government in fact should be getting involved in.

I ask the minister not to enter into any contract or any negotiations which mean an extension of the tolling regime on the Tullamarine Freeway beyond the situation that currently exists under the current contract.

Renewable energy

Ms BATH (Eastern Victoria) — My adjournment matter this evening is directed to the Minister for Energy, Environment and Climate Change, the Honourable Lily D'Ambrosio. It is all well and good for the Labor government to announce an ambitious renewable energy target of 25 per cent of electricity to come from renewable energy targets by 2020, then an increase of up to 40 per cent by 2025, but where are the details on how this target will be achieved?

I agree that ultimately what we want to see is more renewable energy and lower emissions, but in doing so we need to ensure that proper transition plans are in place and that these targets are not met at the expense of power affordability and stability in the system. Constituents in my electorate will be affected by these targets more than others, as the Latrobe Valley supplies approximately 85 per cent of the entire electricity for the state. To meet these renewable targets, it is inevitable that brown coal power stations will have to close, and of course this means potentially the loss of thousands of jobs in my region.

When the Premier announced this renewable energy target, he failed to mention the effect it would have on jobs in the Latrobe Valley or any plans as to how this would be counteracted. There has been much speculation about the Hazelwood power station closing sooner rather than later, and we have heard that householders should brace for steep price rises in their power bills as the Victorian wholesale electricity price is tipped to jump by 25 per cent in the first year following Hazelwood's closure. We have heard today that Hazelwood's largest percentage owner looks like they do not have a buyer, so the closure of Hazelwood will be imminent.

A report by the Grattan Institute showed that unilateral, state-based renewable energy targets are more likely to drive power costs up for no net environmental benefit, and we have this on top of the tripling of the brown coal royalties in Labor's May budget. As I mentioned, I do believe we want to ensure and see more renewable energy, but the transition must not risk the state's cheap power — our competitive edge — and energy security. I am yet to see any important details from this government as to how we are going to ensure this transition. So the action I seek from the minister is to produce a detailed plan of how this government intends to reach its renewable energy targets while ensuring that we still have security of supply.

Carlton heritage property

Mr DAVIS (Southern Metropolitan) — My matter for the early adjournment tonight is for the attention of the Minister for Planning, and it relates to a matter that I have spoken about in this chamber before and many in the community are aware of, and that is the terrible outcome of the terrible situation of the Corkman hotel in Carlton — a fabulous old hotel from the 1850s. Many who went to the University of Melbourne remember it well — —

Mrs Peulich — Or not!

Mr DAVIS — No, they remember it in varying ways. Equally, this is a very important piece of our infrastructure that has gone and been lost through a whole series of inadequate aspects.

The way forward here is that we need to work together with the government and the broad community to ensure that the minister secures an outcome here where the owners of the former Carlton Inn site are required to make good their damage and ensure that they are not allowed to profit from what has occurred there.

Minister Wynne today has said he will be relying on the Victorian Civil and Administrative Tribunal (VCAT) to deliver the outcomes and that he hopes this will find a way through. Well, I say that using VCAT in this way prejudices what is likely to occur there and leaves too much to chance. What if VCAT does not agree with the minister, does not agree with his department and indeed does not agree with the community — because the community's view on this is very, very clear? This is also a slow and cumbersome way for this to be dealt with.

The Minister for Planning has the powers to do this and to act today — to secure that site in a way that ensures that the developers, who have acted with what appears

to be arrogance and a failure to heed the community, are not rewarded and can gain no specific advantage. The minister could today undertake a site-specific amendment of the planning scheme to ensure that the developers cannot profit from their destructive misdeeds.

The Liberals and Nationals will work with the government in supporting any other relevant change, legislative change included. We are obviously keen to see that this situation is not repeated. Our livability is very dependent on our great heritage buildings in Melbourne and more broadly across the state, and we cannot lose that heritage to these sorts of extraordinary actions. So today I am inviting Minister Wynne to work with us on this goal and to work with the Victorian Parliament so that we can send a strong and unequivocal message to developers that cheating in this kind of way will not prosper. So I ask him to begin a dialogue across the Parliament as to how we can work together to solve this problem. This is very important for the future of our state. We have more people, but we need to preserve what is important to us.

Illegal waste disposal

Mrs PEULICH (South Eastern Metropolitan) — The matter I wish to raise is for the attention of the Minister for Energy, Environment and Climate Change. It is one of my pet hates — that is, the illegal dumping of rubbish, especially in the south-east. It is commonplace for rubbish to be dumped by householders and tradies around landfill sites in the Clayton and Clarinda area, where there are lots of landfill areas and tips. More pervasive is the problem of the dumping of what I believe is probably domestic rubbish along our major roads. It is simply bagged and, often at intervals of 10 or so metres, just thrown out of a moving vehicle. I see this rubbish regularly along Westall Road, the Kingston leg of the Dingley bypass, Old Dandenong Road and the Frankston Freeway. Clearly that is not acceptable, and I would like to call on the minister in relation to it.

Obviously ultimately it is removed — obviously dangerously so — but I think we need to be proactive in terms of cracking down on the offenders. If that means using some mobile CCTV cameras in order to apprehend culprits, then I would encourage the minister to crack down. I would encourage him also not to forget about the basic educational messages needed to reinforce that it is not okay to litter your own neighbourhood and other neighbourhoods as well, our roadways included.

So I call on the environment minister to rethink those basic messages about illegal dumping of rubbish and to crack down on offenders, because it is just becoming a very, very prevalent problem.

Geelong–Melbourne rail service

Mr RAMSAY (Western Victoria) — It gives me pleasure to be perhaps the last speaker for the day and the week, I suspect, to make a contribution to this adjournment debate. My matter is for the Minister for Public Transport, Jacinta Allan, and it relates to the plans for a faster rail service between Geelong and Melbourne. Residents in western Victoria, especially Geelong, have now been waiting for fast rail to Melbourne since 1999, when then Premier Steve Bracks promised the \$85 million regional fast rail, which was somehow to become a \$750 million project. The fast rail service was finally launched seven years later in Geelong with the promise of a 45-minute trip to Melbourne and return.

Despite the Labor Party's narratives that this was a roaring success, here we are, 10 years later, and residents are still unhappy with the slow and outdated service, which takes no less than 56 minutes — on a good day — to Melbourne, even with the introduction of the regional rail link. All V/Line customers want is wi-fi on the train, so they can do their business, and a seat on a 35-minute trip from Geelong to Melbourne. In the 21st century that does not seem to be a big ask. I do not need to remind the minister about the first year of the Brumby government's regional rail link introduction, which gave many commuters nothing but chaos, with cancelled trains, wear and tear issues and late services.

But as we look forward there is some hope for a First World service. Last month Rail Futures Institute revealed its plan for a 200-kilometre-per-hour fast-line train that would bring Geelong residents to Melbourne in 35 minutes. My action for the minister, then, given that we have all this good information from Tim Fischer and his friends in the Rail Futures Institute, is to have V/Line investigate and provide a works plan for this fast rail train between Geelong and Melbourne that will have the appropriate signalling and dedicated track to allow commuters between Geelong and Melbourne to be able to travel 35 minutes each way, with the latest technology and communication to allow the use of wi-fi on the train.

Responses

Ms PULFORD (Minister for Agriculture) — I have adjournment matters from Ms Lovell for the Minister for Emergency Services; Dr Carling-Jenkins for the Minister for Health; Mr O’Donohue for the Minister for Police; Ms Springle for the Minister for Police; Ms Hartland for the Minister for Mental Health; Mr Finn for the Minister for Roads and Road Safety; Ms Bath for the Minister for Energy, Environment and Climate Change; Mr Davis for the Minister for Planning; Mrs Peulich for the Minister for Energy, Environment and Climate Change; Mr Ramsay for the Minister for Public Transport; and Mr O’Sullivan, in his first speech after his inaugural speech, for the Minister for Tourism and Major Events with that particular interest in the silo artwork project that I think has captured the imagination of all who have learnt about it.

Mr O’Sullivan can be comforted that Regional Development Victoria and Creative Victoria are both working very closely with communities through that part of regional Victoria to realise the tourism opportunities that come from this extraordinary display of art. If, with the house’s indulgence, I could just mention a couple of very important people in addition to the artists that I know Mr O’Sullivan mentioned: Shaun Hossack from Juddy Roller, who has been the curator of the extraordinary street artwork in Benalla and who is a long-time friend of Ms Symes and indeed the Minister for Planning, and who assisted with the extraordinary artwork that adorns Minister Wynne’s office; and also somebody who has been a fabulous champion for this project and who I am sure, in spite of his very recent retirement from local government, will continue to be a great advocate for silo art throughout northern and western Victoria, the former mayor of Yarriambiack, Ray Kingston.

It is a terrific project. Mr O’Sullivan can certainly be confident the government is doing everything it can to work with the local community and make sure that those opportunities are fully realised, and I would encourage all members to get to these parts of regional Victoria and see this extraordinary artwork.

The ACTING PRESIDENT (Ms Dunn) — Order!
The house now stands adjourned.

**House adjourned 3.23 p.m. until Tuesday,
8 November.**

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form provided to Hansard and received in the period shown.

14 October to 27 October 2016

Ridesharing regulation

Question asked by: Ms Patten
Directed to: Minister for Agriculture
Asked on: 15 September 2016

RESPONSE:

The \$2 per trip levy will replace existing charges for taxi operators. For example an annual licence for a metropolitan taxi currently costs \$22,000 which is a fixed annual cost that will no longer exist once the reforms are implemented and the levy is charged. The deregulation of the commercial passenger vehicle industry and the removal of fixed barrier to entry costs will reduce the price passengers pay for trips.

The Government has estimated that \$44 million will be raised each year from the levy. This is the net revenue figure that takes into account the cost of administering the levy and the level of compliance.

Full details on the application of the levy, its collation and its duration will be outlined in the legislation that will be brought before the house.

If the member would like a briefing on the revenue projections and the foregone revenue items we would be happy to provide one.

Australian Border Force

Question asked by: Ms Springle
Directed to: Minister for Training and Skills
Asked on: 12 October 2016

RESPONSE:

I am advised that while Victoria Police are at times called on to assist other law enforcement agencies, it is not aware of or involved in any current operations by the Australian Border Force such as the one you describe.

Direct engagement with the Australian Border Force would yield more information on this issue.

Youth justice centres

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 13 October 2016

RESPONSE:

I am advised that all suspected criminal acts must be reported to Victoria Police, and this was done following incidents in March 2016 at Parkville Youth Justice Precinct. I am advised that charges have been laid and filed at court for 15 clients.

Any suspected criminal acts in relation to recent incidents at Malmsbury and Parkville have been reported to Victoria Police. Charges have been laid and filed at court for four clients.

If and when charges get laid is always a matter for Victoria Police.

LaunchVic

Question asked by: Mr Ondarchie
Directed to: Minister for Small Business, Innovation and Trade
Asked on: 13 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

This question conflates two separate and distinct issues. One issue, that of StartCon deals with the tech sector which sadly has on average female participation in the workforce of between 13-27%. The other of LaunchVic deals with a range of funding and grant issues in the areas of incubators, accelerators and colocation work spaces. As such they are separate issues which require separate policy responses.

At all times, I have supported greater inclusiveness and less exclusiveness including championing diversity issues wherever possible. The government looks forward to the Opposition's support in this goal rather than the drivel we and the women in the tech sector are currently being subjected to.

RESPONSE TO SUPPLEMENTARY QUESTION:

LaunchVic has advised me that they have already provided successful grant recipients with the contracts for their review and are in the process of finalising them. This is to be expected and in the normal course of business.

StartCon

Question asked by: Mr Ondarchie
Directed to: Minister for Small Business, Innovation and Trade
Asked on: 13 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

The premise of the question is factually incorrect.

As advised by LaunchVic, communication on numerous occasions through a variety of channels made to StartCon included reference to gender diversity well before the September correspondence you rely on to make your embarrassingly false assertion.

Wyndham crisis accommodation

Question asked by: Dr Carling-Jenkins
Directed to: Minister for Families and Children
Asked on: 13 October 2016

RESPONSE TO SUPPLEMENTARY QUESTION:

In addition to my response previously provided to the substantive question, I would add that as part of the \$152 million Family Violence Housing Blitz earlier this year the investment of \$40 million for flexible tailored support packages for victims of family violence, including assistance to stay safe at home was made available to all areas state-wide in July 2016, including agencies working in Wyndham.

Furthermore as part of the Family Violence Housing Blitz \$16 million was allocated to address and prevent homelessness for people in private rental. A procurement process is currently underway to allocate this funding. Service delivery will begin by the end of 2016 and it is expected funding will be distributed to address demand and intervene earlier in Wyndham.

If we prevent homelessness by assisting people to maintain their current housing or assist them to secure new tenancies before they become homeless, we achieve the best outcome. By focusing our efforts on early intervention we also significantly reduce the need for crisis accommodation.

The Government continues to look at a range of proposals, including the project noted by Ms Carling Jenkins, and will consider future priorities for homelessness and housing in the context of the 2017-2018 Victorian Budget.

Craig Minogue

Question asked by: Ms Wooldridge
Directed to: Minister for Corrections
Asked on: 25 October 2016

RESPONSE:

The question is incorrect — Mr Minogue is a medium security rated prisoner and was moved to facilities that could accommodate this. He has never been placed to a lower security prison than a medium security prison.

Classification of prisoners is an operational decision made in accordance with the Corrections Regulations 2009.

The placement decision was consistent with his security rating and was approved by the Commissioner who has the delegation to transfer prisoners within the correctional system.

Government is not routinely advised of prisoner placement decisions, as has been the case for many years, including during the time of the previous Coalition Government.

Craig Minogue

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 25 October 2016

RESPONSE:

The Andrews Government shares the concerns of the community regarding Craig Minogue. Mr Minogue's horrific crime impacted on the lives of many people and tragically took the life of Constable Angela Taylor.

The state's parole system has been strengthened in recent years to ensure that community safety is the paramount consideration of the Adult Parole Board when determining whether to release a prisoner on parole.

Parole is not a right, but a privilege and the government has made significant reforms. Following significant reforms of the system, parole is therefore harder to obtain and the supervision and the requirements placed on offenders who are released on parole are more stringent.

The Adult Parole Board relies on Community Correctional Services to provide a comprehensive parole suitability assessment that considers a range of factors including: risk of re-offending; treatment completion in custody; behaviour in custody; post release accommodation; transitional needs; and appropriate conditions to mitigate an offender's risk to the community.

For serious violent offenders, such as Craig Minogue, a two-tiered decision process is now in place to ensure that the Adult Parole Board thoroughly and properly deliberates on all relevant matters prior to granting parole.

The Adult Parole Board is a statutory decision making body, independent from Government.

Malmsbury Youth Justice Centre

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 25 October 2016

RESPONSE:

I am advised that damage was contained to the common areas of the unit and included damage to windows and doors.

I am further advised that the Department of Health and Human Services has not finalised repair costs.

Youth justice centres

Question asked by: Mr Morris
Directed to: Minister for Corrections
Asked on: 25 October 2016

RESPONSE:

I am advised that the term 'Code White' refers to a subjective radio call from unit staff to alert others as to a potential situation.

To collect the information that the Member is seeking the Department of Health and Human Services would need to undertake a manual collation of data which would have significant resource implications.

To assist the Member, a more accurate measure of incidents is critical incident reporting, which our government has made available quarterly rather than annually as was the case under the previous Liberal Government.

I am advised that the Member's assertion that two 'code white' calls on a single day is an unprecedented event is not correct, and has occurred under the previous Liberal Government.

Youth justice centres

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 25 October 2016

RESPONSE:

I am advised that as the Department of Health and Human Services reports significant incidents by incident category and not the number of young people involved, a response would require manual interrogation of individual incident reports with significant resource implications.

To assist the Member, a more accurate measure of incidents is critical incident reporting, which our government has made available quarterly rather than annually as was the case under the previous Liberal Government.

Youth justice centres

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 25 October 2016

RESPONSE:

I am advised that decisions about young people's placement across the youth justice custodial system occur on a daily basis based on a range of factors.

A response regarding the number of transfers because of a specific behavioural issue would require manual interrogation of daily placement decisions and would have significant resource implications.

I am advised that according to the youth parole board's annual report, in 2014/15 the board issued a total of 15 transfers.

Respectful relationships education

Question asked by: Dr Carling-Jenkins
Directed to: Minister for Training and Skills
Asked on: 25 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

The Respectful Relationships initiative provides \$21.8 million over two years to implement a whole school approach to embed Respectful Relationships in all government, Catholic and independent schools and facilitate partnerships between schools and local community agencies.

The Andrews Labor Government committed to acting on every recommendation of the Royal Commission into Family Violence, which includes rolling the Respectful Relationships curriculum out from prep-year 12.

To ensure that schools have access to evidence-based and age appropriate resources from Prep – year 12, the Department commissioned a team of nationally and internationally recognised experts in education from the University of Melbourne's Graduate School of Education to develop teaching and learning materials to support teachers to deliver respectful relationships education in the classroom.

None of the activities invite students to work within the rhetoric of blame. Instead students are invited to explore the drivers of family violence, including behaviour and attitudes that may be harmful or limiting for both boys and girls, and to think through the skills and capabilities they would need to act with respect in a challenging situation.

For all young learners, encouraging healthy relationships, and developing good social and emotional literacy and strong communication tools helps provide a solid foundation to build positive self-identity and self-esteem.

Schools also have a role to play in supporting students and staff affected by family violence, and the factors that may intersect with it, including drugs and alcohol, or mental health issues. Implementing a whole school approach to Respectful Relationships will include targeted support for schools in how to best support and refer students and staff who are affected by family violence.

RESPONSE TO SUPPLEMENTARY QUESTION:

The Respectful Relationships initiative will also build the capacity of up to 4000 early childhood educators in funded kindergartens programs by offering professional learning that aligns with the Victorian Early Years Learning and Development Framework (VEYLDF) to understand and embed themes of respect for others in their programs and workplaces. The professional learning sessions will equip educators with skills that will better enable them to support children to understand and accept difference, deal with and resolve conflict, develop empathy and support their own wellbeing.

Research shows that education programs that work on building positive gender relations must commence from an early age as children are often working to fit into gendered expectations as early as kindergarten.

I have been advised that gender theory will not be taught in kindergartens.

Hunting regulation

Question asked by: Mr Barber
Directed to: Minister for Agriculture
Asked on: 25 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

Ensuring that hunting in Victoria continues to be a safe and sustainable recreation for future generations is a key focus for the Andrews Labor Government.

In April, I announced funding of \$5.33 million from the 2016/17 Victorian Budget to support safe, responsible and sustainable hunting. This included the development of a sustainable hunting action plan.

The development of the plan has been the subject of consultations with a range of stakeholders, including conservation groups, as well as our Traditional Owner partners and representatives from recreation and hunting organisations.

In each case a summary of the plan, focussed on the proposed actions, has been used.

Given the plan has yet to be finalised, the full document remains a working draft internal to government.

West Gate Bridge truck ban

Question asked by: Ms Hartland
Directed to: Minister for Agriculture
Asked on: 25 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

VicRoads undertakes regular assessments of the West Gate Bridge (WGB). In early 2016, the type and loads of the vehicles using the WGB was collected to allow a structural assessment of the capacity of the bridge to be performed.

Flint and Neill Ltd carried out the structural assessment, which is an expert designer consultant on structures such as the WGB around the world.

The assessment concluded that the WGB, which is widely operating at full utilisation, has no reserve capacity to accommodate any significant loading increase from these vehicles.

The assessment concluded that High Productivity Freight Vehicles (HPFV) cannot be permitted to run over the WGB, other than as isolated crossings.

As a result of the assessment and to ensure the ongoing longevity of the WGB, VicRoads decided that it will not extend the current permits issued to a limited number of transport companies that use HPFVs to cross the WGB at loads of up to 77.5 tonnes.

RESPONSE TO SUPPLEMENTARY QUESTION:

Following a review of expert advice, the affected transport companies using HPFVs to cross the WGB were sent written advice on the status of their permits dated 3 October 2016.

VicRoads has not imposed a ban on B-doubles crossing the WGB that are under the currently approved load limit of 68.5 tonnes. The companies that will not have their permit renewed can continue to use the WGB using their HPFV trucks with loads up to 68.5 tonnes.

Heavy vehicle operators with trucks weighing over 68.5 tonnes can still apply for one-off permits to travel across the bridge. These applications will be assessed on their merits.

Timber industry

Question asked by: Ms Dunn
Directed to: Minister for Agriculture
Asked on: 26 October 2016

RESPONSE:

VicForests is required to prepare a Timber Release Plan (TRP) under the Sustainable Forests (Timber) Act 2004. The TRP is a critical planning tool for VicForests and is its principle means for stakeholder consultation regarding the scheduling of its timber harvest operations.

The TRP does not determine harvest levels, does not exempt VicForests from its legal responsibilities to protect forest values and sustainably manage our forests, and is a transparent public statement of intent. The TRP reflects the strict legislative and regulatory framework VicForests operates in, and is part of its usual planning processes.

In creating or amending a TRP, VicForests must consult with traditional owner groups, local community and government. The current TRP, gazetted on 3 October 2016, also included close and extensive consultation by VicForests with the Forest Industry Taskforce.

VicForests has devoted significant resources to, and is engaged closely with, the Forest Industry Taskforce. The success of the Forest Industry Taskforce will require continued positive, respectful and constructive engagement, and I thank VicForests for the way in which they have engaged to date.

Australian Paper

Question asked by: Ms Dunn
Directed to: Minister for Agriculture
Asked on: 26 October 2016

RESPONSE:

Successive Victorian Governments have recognised the significant role of Australian Paper in contributing to the economy at all levels. Australian Paper's Maryvale Mill is the single largest private employer in Gippsland with around 900 employees.

Victorian Governments have supplied Australian Paper and its predecessors in accordance with legislative commitments since 1961. Victoria is committed to supplying pulpwood, a by-product of harvesting for sawlogs, to Australian Paper until 2030 under the Legislated Agreement in the Forests (Wood Pulp Agreement) Act 1996.

The Victorian Government regularly engages with Australian Paper with respect to its current and future plans for its operations in Victoria. This includes consultation with Australian Paper in regards to its "Turnaround Plan", publically announced in February 2016.

Regional development programs

Question asked by: Ms Bath
Directed to: Minister for Regional Development
Asked on: 26 October 2016

RESPONSE:

At a cost of \$10.1 million for the Regional Victoria Living Expo and \$7.2 million for the Good Move regional marketing campaign, both initiatives were expensive four-year programs.

The evaluation found limited evidence that either program materially increased the number of people moving to regional Victoria.

I was briefed on the findings of both programs in September 2015 which was prior to the media release announcing their discontinuation on 15 December, 2015.

Chisholm Institute

Question asked by: Mrs Peulich
Directed to: Minister for Training and Skills
Asked on: 26 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

The 'anywhere is possible' competition being run by Chisholm, makes no reference to training and does not require that an entrant, enrol or participate in any training with the provider. The terms and conditions detail that any

Australian Resident can enter the promotion which may include current or prospective students of Chisholm, or students at other Private Providers or TAFEs as well as individuals who are not enrolled or intending to enrol in any form of training. This competition is general marketing and does not entice or provide an incentive for a student to enrol in training, government subsidised or otherwise.

RESPONSE TO SUPPLEMENTARY QUESTION:

I thank the member for recognising that this Government has cracked down on training providers who were not putting their students first. These training providers were rorting the system; offering incentives for students to enrol in courses that were never going to result in employment outcomes.

On my request, the Department of Education and Training has thoroughly reviewed the competition and its terms and conditions and has determined it does not breach the terms of the VET Funding Contract. Therefore; no further action is required.

Major events strategy

Question asked by: Mr Dalla-Riva
Directed to: Acting Minister for Tourism and Major Events
Asked on: 26 October 2016

RESPONSE TO SUBSTANTIVE QUESTION:

Visit Victoria has been created as a once in generation revitalisation of Victoria's approach to the Visitor Economy. This includes; securing and running high quality major cultural, sporting and business events for the benefit of all Victorians.

The Andrews Labor Government has listened to industry feedback and created a new independent Company to ensure a flexible and agile approach that maintains Victoria's mantle as the tourism and events capital. Like the Victorian Major Events Company, Visit Victoria is governed by an independent Board comprised of business people and industry experts with experience across the broad visitor economy, including events. The Chair of the Company is Sir Rod Eddington AO, who was the Chair of the Victorian Major Events Company for 11 years.

Formal operations of the Company commenced on 1 July this year and brought together Tourism Victoria and the Victoria Major Events Company with a new conventions division. There is also a Regional Division which is designed to grow tourism in Victoria's regions.

Visit Victoria is getting on with the job and since its formation has secured a number of major events including the opening game of the 2017 Rugby League World Cup between Australia and England and next year's Melbourne Winter Masterpieces exhibition Van Gogh and the Seasons.

The Andrews Government has invested heavily in ensuring we remain the business events capital of the nation including \$210 million for the Melbourne Convention and Exhibition Centre stage two development and a further \$9 million to attract business events. This has contributed to 380 business events being secured since December 2014 with an economic impact of over \$500 million.

Performance targets for Visit Victoria sit within the Tourism Major Events and International Education section on page 137 of Budget Paper 3. The Minister for Tourism and Major Events has made it clear to Visit Victoria that the Andrews Labor Government has the highest standards when it comes to the performance of the organisation and Victoria's reputation as the events capital.

A \$338 million investment to stage 2 development of the Melbourne and Olympic Park precinct will ensure that asset remains world class.

The recently released Victorian Visitor Economy Strategy sets a target of increasing visitor spend to \$36.5 billion by 2025.

Since the start of the 2015/16 financial year the Andrews Labor Government has announced the capture of the following events:

- International Champions Cup
- Kinky Boots
- Jurassic World
- Melbourne Winter Masterpieces 2016 - Degas
- Fast 5 Netball
- Marilyn Exhibition - Bendigo Art Gallery
- White Night 2017 - Melbourne and Regional
- Australia V Greece 2016 soccer friendly
- 2016 World Cup of Golf
- Wallabies V England 2016 Rugby Union Test match
- Hockey Australia International Tournament
- Matildas v New Zealand
- Basketball double header, Olympic farewell series - Australian Boomers v PAC-12 College Allstars
- FIFA World Cup Qualifier Australia v Japan
- Superbike World Championship 10 year extension
- Motorcycle Grand Prix 10 year extension
- Presidents Cup 2019
- Formula 1 Grand Prix ten year contract extension

A number of other major events have been secured and will be publicly announced shortly.

