

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 23 August 2017

(Extract from book 14)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 10 November 2016)

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Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
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Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
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Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
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Legislative Council committees

Privileges Committee — Ms Hartland, Ms Mikakos, Mr O’Sullivan, 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 Barber, Mr Bourman, #Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

Standing Committee on Legal and Social Issues — #Mr Barber, #Ms Crozier, #Mr Elasmr, Ms Fitzherbert, #Ms Hartland, Mr Morris, Mr Mulino, 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.

Fire Services Bill Select Committee — Ms Hartland, Ms Lovell, Mr Melhem, Mr Mulino, Mr O’Sullivan, Mr Rich Phillips, Ms Shing and Mr Young.

Joint committees

Accountability and Oversight Committee — (*Council*): Mr O’Sullivan, 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 Elasmr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett 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 O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

Family and Community Development Committee — (*Council*): Dr Carling-Jenkins and Mr Finn. (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards 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 Gepp and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Ms Patten, 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 — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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Deputy President:

Mr K. EIDEH

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The Hon. G. K. RICH-PHILLIPS

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Mr L. B. O'SULLIVAN

Leader of the Greens:

Mr G. BARBER

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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 ¹	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ⁶	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel ²	Western Metropolitan	AC	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
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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
Gepp, Mr Mark ⁴	Northern Victoria	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph ⁵	Northern Victoria	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

¹ Appointed 16 April 2015

² DLP until 26 June 2017

³ Resigned 27 May 2016

⁴ Appointed 7 June 2017

⁵ Resigned 6 April 2017

⁶ Resigned 25 February 2015

⁷ Appointed 13 October 2016

PARTY ABBREVIATIONS

AC — Australian Conservatives; 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

WEDNESDAY, 23 AUGUST 2017

PETITIONS

<i>Voluntary assisted dying</i>	4295
<i>Homeschooling</i>	4295

PAPERS	4295
--------------	------

MINISTERS STATEMENTS

<i>National Skills Week</i>	4295
<i>Morwell Good Money hub</i>	4296
<i>Sheep and goat electronic identification</i>	4296
<i>Flavorite Marketing</i>	4297

MEMBERS STATEMENTS

<i>Narre Warren railway station car parking</i>	4297
<i>Australian marriage law postal survey</i>	4298
<i>Bairnsdale Golf and Bowls Club</i>	4298
<i>Australia Day</i>	4298
<i>JobsBank</i>	4299
<i>McKell Institute</i>	4299
<i>Paul Fitzgerald</i>	4299
<i>Echuca Regional Health</i>	4300
<i>Victorian Disability Awards</i>	4300

MINISTER FOR WOMEN	4300
--------------------------	------

LOCAL GOVERNMENT (CENTRAL GOLDFIELDS

SHIRE COUNCIL) BILL 2017

<i>Introduction and first reading</i>	4301
<i>Statement of compatibility</i>	4363
<i>Second reading</i>	4364, 4366
<i>Committee</i>	4368
<i>Third reading</i>	4369

MAJOR SPORTING EVENTS AMENDMENT (AFL GRAND FINAL TICKETS) BILL 2017

<i>Statement of compatibility</i>	4301
<i>Second reading</i>	4302

PRODUCTION OF DOCUMENTS	4304, 4348
-------------------------------	------------

HOMESCHOOLING	4307, 4328
---------------------	------------

QUESTIONS WITHOUT NOTICE

<i>Heyfield timber mill</i>	4319, 4320
<i>Australian Paper</i>	4320
<i>Haining Farm</i>	4321
<i>Deaths in custody</i>	4321, 4322
<i>Vocational education and training</i>	4322, 4323
<i>Adult and community education</i>	4323, 4324
<i>Prisoner classification</i>	4324
<i>Israel trade delegation</i>	4325
<i>West Gate tunnel project</i>	4325
<i>Written responses</i>	4325

QUESTIONS ON NOTICE

<i>Answers</i>	4325
----------------------	------

CONSTITUENCY QUESTIONS

<i>Eastern Metropolitan Region</i>	4326, 4327
<i>Northern Victoria Region</i>	4326, 4327
<i>Eastern Victoria Region</i>	4326
<i>Northern Metropolitan Region</i>	4326
<i>Western Metropolitan Region</i>	4327
<i>Southern Metropolitan Region</i>	4327

DAIRY INDUSTRY	4330
----------------------	------

STATEMENTS ON REPORTS AND PAPERS

<i>Fire Services Bill Select Committee: final report</i>	4357, 4358, 4361, 4362
---	---------------------------

<i>Department of Treasury and Finance: budget papers 2017–18</i>	4358
--	------

<i>Standing Committee on Legal and Social Issues: end-of-life choices</i>	4359
---	------

<i>Auditor-General: V/Line Passenger Services</i>	4360
---	------

DISTINGUISHED VISITORS	4366
------------------------------	------

ADJOURNMENT

<i>Whittlesea police station</i>	4369
--	------

<i>Australian marriage law postal survey</i>	4369
--	------

<i>Mobile phone locator fees</i>	4370
--	------

<i>Local government</i>	4370
-------------------------------	------

<i>Eastern Transport Coalition</i>	4372
--	------

<i>Taylor Hill school zoning</i>	4372
--	------

<i>Toll infringement fees</i>	4372
-------------------------------------	------

<i>South Yarra Primary School</i>	4373
---	------

<i>Australian Paper Maryvale mill</i>	4373
---	------

<i>Thompsons Road duplication</i>	4374
---	------

<i>Responses</i>	4374
------------------------	------

Wednesday, 23 August 2017

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.35 a.m. and read the prayer.

PETITIONS

Following petitions presented to house:

Voluntary assisted dying

To the Legislative Council of Victoria:

That undersigned call on the Victorian Legislative Council to strongly oppose the introduction of euthanasia or physician-assisted dying in the state of Victoria by the state Labor government supported by the Greens and the Sex Party.

The case for euthanasia is based on fake facts: euthanasia and physician-assisted dying is not just an expression of personal autonomy; pain can be managed with proper medical care and palliation and there can never be safeguards against medical misdiagnosis, medical mishaps, accidents or malice.

The undersigned call on the Premier, Daniel Andrews, and the state government to not proceed with the introduction of physician-assisted dying/euthanasia until there has been a state or national plebiscite on this critical human issue.

By Mrs PEULICH (South Eastern Metropolitan) (680 signatures).

Laid on table.

Ordered to be considered next day on motion of Mrs PEULICH (South Eastern Metropolitan).

Homeschooling

Legislative Council electronic petition:

The petition of certain residents of the state of Victoria draws to the attention of the Legislative Council that the Victorian Education and Training Reform Regulations 2017:

force children who are struggling, self-harming, suicidal, being bullied or anxious to stay in the school environment for 28 days or more while permission is sought to remove them;

create the capacity for parents to be fined for removing their children from school without a principal's permission, even if they are protecting them from harm;

impinge on human rights under both the Victorian Education and Training Reform Act 2006 and the Universal Declaration of Human Rights;

disadvantage and fail to protect children with special needs;

give bureaucrats with no knowledge of home education unlimited powers to review home educators' plans, progress and learning styles and to make decisions affecting their registration;

were drafted without true consultation with significant stakeholders, including home educators and home educator peak bodies such as the Home Education Network; and

will put a significant and unacceptable financial and psychological burden on home-educating families.

The petitioners therefore request that the Legislative Council support the disallowance motion on the Victorian Education and Training Reform Regulations 2017 pertaining to homeschooling (part 6).

By Ms BATH (Eastern Victoria) (2316 signatures).

Laid on table.

Ordered to be considered next day on motion of Ms BATH (Eastern Victoria).

PAPERS

Laid on table by Clerk:

Auditor-General's Report on Effectively Planning for Population Growth, August 2017 (*Ordered to be published*).

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes —

Banyule Planning Scheme — Amendment C98.

Bayside Planning Scheme — Amendment C139.

Brimbank Planning Scheme — Amendment C170.

Casey Planning Scheme — Amendment C227.

Greater Geelong Planning Scheme — Amendment C331.

Greater Shepparton Planning Scheme — Amendment C195.

Hepburn Planning Scheme — Amendment C67.

Manningham Planning Scheme — Amendment C119.

Melton Planning Scheme — Amendment C180.

Moonee Valley Planning Scheme — Amendments C163 and C170.

Whittlesea Planning Scheme — Amendment C207.

MINISTERS STATEMENTS

National Skills Week

Ms TIERNEY (Minister for Training and Skills) — I rise to update the house on the Andrews Labor government's strong commitment to Victoria's training and TAFE system through National Skills Week. National Skills Week, which starts on 28 August, is an opportunity for our TAFEs and other training providers to showcase the fantastic training and skill development

underway in Victoria, which is critical to driving this state's productivity and growth. It is a week when we can see the efforts of everyday Victorians gaining skills and qualifications to go on to run successful businesses, work internationally and have a range of fulfilling careers displayed. This year's theme, 'More than you know', is about promoting the success stories of those in vocational sectors to uphold these alumni as positive outcomes of the vocational education and training (VET) pathways.

Since coming to office Labor has committed to providing millions of dollars of purpose-built, targeted investment into the TAFE sector to benefit individual students, industry and the economy. This significant investment is rebuilding and growing our public TAFE institutes to better position them to provide high-quality training that people need to access great careers. We have cleaned up the private provider system following our quality blitz, and we are implementing Skills First to deliver high-quality training that leads to real jobs.

During National Skills Week we will be showcasing to young students and the wider public that you can have a successful and lengthy career by following your passion through a VET pathway. This includes such events as Girls Big Day Out at The Gordon, where year 9 girls from surrounding Geelong secondary schools spend the day gaining hands-on experience in a range of trade activities, from construction to automotive trades, giving these young women a taste of the many opportunities that are available to them. I encourage everyone looking to train or re-skill to search out what is on offer and take a look at the National Skills Week website.

Morwell Good Money hub

Ms MIKAKOS (Minister for Families and Children) — I rise to update the house on how the Andrews Labor government is supporting vulnerable members of the Latrobe Valley community to access financial support. In December 2016 I announced that the Andrews Labor government would provide \$2.3 million for a Good Money hub in Morwell, and last week I was pleased to return to Morwell to officially open it. This is the first Good Money hub in regional Victoria. The hub is part of the government's \$174 million Community Investment and Infrastructure Fund to deal with infrastructure, education and health priorities in the Latrobe Valley. Good Money hubs offer safe, affordable and responsible financial services for people on low incomes who are otherwise excluded from mainstream financial services.

An innovative partnership between the Andrews Labor government, Good Shepherd Microfinance and the National Australia Bank has enabled Good Money to set up in prominent high street locations. This is the fourth hub to be opened in Victoria, with the Dandenong hub celebrating its fifth anniversary this week. The hubs offer no and low-interest loans in times of crisis, such as when appliances or vehicles break down or when a child is returning to school. At these times individuals would typically have no choice but to access unscrupulous payday lenders who would then charge exorbitant interest. This would plunge someone already experiencing financial stress further into an unaffordable debt cycle.

Victorian Good Money hubs have worked with nearly 28 000 clients and approved more than 5100 no-interest and low-interest loans. Good Money hubs also work with their clients to increase their understanding of money management and take back control of their own finances. The Morwell hub will also provide financial counselling services. At the opening of the Morwell hub a client spoke of how a loan for urgent car repairs enabled him to continue to drive his daughter to and from school and to look for work. I thank Good Shepherd Microfinance for the great work that they are doing at all of our Good Money stores across Victoria. I am very pleased that this model has also now been copied in other states, and I look forward to it continuing to grow across Australia.

Sheep and goat electronic identification

Ms PULFORD (Minister for Agriculture) — I rise to update the house on today's important anniversary for Victoria's livestock industry. Just 12 months ago I announced that electronic tagging would become mandatory in Victoria for sheep and goats. Since that day there has been lots of work across the industry and the progress has been fantastic. Producers, livestock agents, saleyards, processors, hardware and software providers, consultants, industry bodies, tag manufacturers and our team at Agriculture Victoria are to be congratulated. The key driver to transition to an electronic system is to protect and grow market access for Victoria's \$6.7 billion a year livestock industries. That protection comes from being able to quickly and reliably track animals of interest in a disease or food safety emergency. Over the 12 months there has been a significant shift from 'why change' to 'how to implement' the new system. All are to be commended for the way that the challenge has been risen to and tackled.

To date over 8 million electronic tags have been purchased. A competitive tender to supply tags helps

ensure Victorian producers enjoy access to the cheapest electronic tags in the country. Victorian farmers have also moved forward with making their businesses savvy to electronic identification and the benefits it can bring. Since the new system was announced Victorian sheep producers have invested over \$2.4 million in optional scanning equipment to capture additional productivity benefits. All 24 abattoirs are on track to comply with the new system by 31 December. Likewise, the state's 23 sheep saleyards are actively engaged in trials and planning or purchasing the required infrastructure to meet their 31 March 2018 requirements.

Victoria is now leading the way when it comes to sheep and goat identification. What is more, we are beginning to see innovation in systems for data management, in new technology and in the use of digital information through the sheep supply chain. The state's livestock industry can be justifiably proud of being national leaders. Just like with the electronic tagging of cattle, Victoria leads the way and other states now have a template that they can learn from.

Flavorite Marketing

Ms PULFORD (Minister for Regional Development) — I rise to update the house on a recent grant the Andrews Labor government has provided to vegetable growers to enter new markets. A network of growers who sell their produce under Flavorite Marketing has been given a grant of \$25 000 from the revamped Food Source Victoria program and will use this money to develop a targeted export strategy.

Flavorite Marketing is a well-known Victorian business, which works with six greenhouse producers across the state to market tomatoes, capsicums, cucumbers and eggplants. Its produce is well-known across Australia, but only 8 per cent is exported, and the Food Source Victoria-backed project will help the company specifically access the potential in Japan and China and help tackle the potentially lucrative Asian market. An export strategy will consider such issues as the size of the potential markets for the produce, competitors and consumer drivers as well as packaging requirements and certification required.

The Food Source Victoria program has recently been modified to make it even easier for Victorian agrifood businesses along the entire supply chain to apply and connect with regional producers. The application process —

Mr Ramsay — How much?

Ms PULFORD — How much? I said \$25 000. I said that right at the beginning. The application process has been simplified and streamlined, and support is now available to help applicants find partners and develop their ideas. The company's goal is to have capsicums, tomatoes and other glasshouse-grown product in Japan and China within two years.

The Andrews government is never shy of backing regional businesses, creating investment opportunities and boosting jobs in regional Victoria. Under our government 60 000 jobs have been created in regional Victoria. We will continue investing in regional Victoria, and I wish Flavorite all the best as they look to grow their exports, improve their business and continue to invest in regional Victoria.

MEMBERS STATEMENTS

Narre Warren railway station car parking

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I draw the house's attention to the plight of commuters using the Narre Warren railway station, which is one of the busiest railway stations in the south-east, on the Pakenham line. It is a station which currently has around 600 car spots in its car park, but due to works that are being undertaken by the Level Crossing Removal Authority or Public Transport Victoria (PTV) around 150 of those spots are currently closed for a period of around two months, which is around one-quarter of the capacity of that railway station car park. This is causing enormous disruption to commuters using that railway station, and the only advice that has been provided by PTV is that commuters should consider going to Sandown Park railway station, some 24 kilometres away, which is a simply absurd proposition that has been put as a way of addressing that issue.

What we do have in the streets adjacent to the Narre Warren railway station are areas of council parking in the Rebound Court area, which are largely unused due to some businesses in that area closing. Nonetheless, commuters who have been parking in that area, which is 4-hour parking, have been fined by the City of Casey, and 63 infringements have been issued since the restrictions on parking at the railway station were imposed in August. An obvious solution to this problem is for Public Transport Victoria to work with the City of Casey to make at least some of those spots in Rebound Court available on an all-day basis to railway commuters. It is only for a short period of time, and that would help to alleviate the problem which has been created by PTV, whose only solution is to go to Sandown Park.

Australian marriage law postal survey

Ms HARTLAND (Western Metropolitan) — The Prime Minister, Malcolm Turnbull, promised a respectful campaign for the equal marriage postal vote, but it has been far from it. Far-right hate groups and organisations that call themselves Christian but clearly have no compassion have been involved in disgusting vilification of the LGBTIQ+ community. Yesterday my nephew Tim contacted me saying that as a young gay man there has just been this terrible unleashing of hatred against him, his partner and his friends since the discussion of the vote began and that in workplaces where people are not out to their workmates the vilification has just been vile.

Mr Turnbull did not have the courage to face up to the conservatives in his government and do what we elect politicians for, and that is to make laws that treat us all as equals. On the other hand there have been so many examples of people wanting to stand up and say, ‘This is not good enough’. A dad in Queensland with his rainbow umbrella is urging people to vote yes so his daughter can get married. My fruit shop Pompello has posters in their windows. This small business is big enough to support marriage equality. Not only is it a great fruit shop, but Mark and Nathan and all the staff are just good people. We are flying the rainbow flag outside our office, and people keep on popping in just to say thank you. This is the way we should behave towards the community, not vilify them.

Bairnsdale Golf and Bowls Club

Ms SHING (Eastern Victoria) — I rise today to congratulate the Bairnsdale Golf and Bowls Club on another excellent effort in the Victorian Golf Industry Awards. This club at Eagle Point is a sensational local club and has in fact pipped the competition at the post for a set of facilities that are on one of Gippsland’s most picturesque courses. This is a club that is inclusive, has a wonderful culture and is going from strength to strength, so I offer my warmest congratulations to them on their latest success.

Australian marriage law postal survey

Ms SHING — I rise today to extend my support and love and respect to everybody in the LGBTI community across Victoria — people who are LGBTI themselves and their families, their children and their supporters. The ridiculous, hurtful, hateful, insulting and demeaning campaign being run under the apparent auspices of the non-binding voluntary postal vote is causing enormous difficulties for people who every day, like me, have to grapple with the fact that many

parts of society, at least in the most vocal and hateful terms, think there is something wrong, different or other about us that deserves to be called out and deserves to deny us the capacity to marry the ones we love. In that regard I would say: stay strong, you are loved, and there are many people who want marriage equality to succeed.

Australia Day

Mr RAMSAY (Western Victoria) — I cannot help wondering what our war veterans would have thought as they so gallantly defended the rights and freedoms of Australians and Australian values if they knew what was going to happen to those values within decades. Would they have given their lives for a nation that would now condemn them? The traditional values that made this nation great are under attack by those who think they are more educated, worldly or more socially aware.

Immigration is high in Australia and multiculturalism is warmly embraced, yet there appears to be an ongoing reluctance by some who choose to live in this country to embrace those traditional values. By no means are all immigrants snubbing who we are, nor are they seed protagonists in this ugly, divisive social engineering that is actually trashing the freedom of speech and respect they so demand others have of them. We are now seeing this in local government. Our deepest cultural values are being marginalised by the strong Socialist Left and Greens-dominated councils at Darebin and Yarra. Not recognising Australia Day on 26 January, actively promoting same-sex marriage policy and preventing our new immigrants from proper assimilation to our values and lifestyle are part of a slow-moving tidal wave that will eventually drown us if we do not challenge this movement head-on.

Our schools are under attack with a social engineering curriculum being introduced under the guise of anti-bullying. It is manipulating the next generation into a confused gender-neutral society that demands it is owed something. As I sat with the Vietnam veterans last Sunday in Queenscliff, remembering the Battle of Long Tan, I could not help but wonder what they would think of this cultural knifing and demise.

Australia Day

Ms PENNICUIK (Southern Metropolitan) — I would like to congratulate the City of Yarra and the City of Darebin on deciding to no longer conduct citizenship ceremonies on 26 January. Other councils are considering doing the same. It is up to councils when their citizenship ceremonies are held. The City of

Yarra resolved to hold a small-scale culturally sensitive event on that day. It will also undertake community education to help people to understand how the Aboriginal and Torres Strait Islander community experiences 26 January.

The City of Darebin voted to acknowledge that 26 January marks the beginning of the invasion of Aboriginal and Torres Strait Islander lands and the oppression of their people. It is therefore not an appropriate date for an inclusive national celebration. Both councils support the change-the-date campaign. While many people, both within and outside of councils, wholeheartedly support these decisions, others have complained that they have not been listened to or consulted. To them I would say it is the Aboriginal community who have not been listened to for many decades.

In 2018 it will be 80 years since the first mourning day, which continues to be held annually, otherwise known as Invasion Day or Survival Day.

Honourable members interjecting.

The PRESIDENT — Order! Mr Ramsay just completed a contribution to this house that could well have incited a great deal of annoyance from the government benches and particularly the Greens benches. They were fairly restrained in their response to Mr Ramsay's contribution. Everyone knows that my view of 90-second statements is that there ought not be interjections in those because it is a very short period of time for a member to put a point of view. Whether or not people agree with the point of view is irrelevant. The fact is that a member is entitled to make that contribution in silence in this place.

Ms PENNICUIK — I have never been comfortable with Australia Day because I believe it is callous and inappropriate to celebrate the dispossession of our first nations people. I do not attend Australia Day events. I do attend many citizenship ceremonies in the Southern Metropolitan Region, but not on 26 January. I do think it is time to change the date of our national day and holiday to one that is inclusive of everyone, in particular Aboriginal and Torres Strait Islander people. Moving it away from 26 January is not that difficult, and more and more Australians are coming to realise the need for it.

JobsBank

Mr MULINO (Eastern Victoria) — Last week I was very pleased to attend a Victorian jobs forum. At the event Premier Daniel Andrews and almost half the

cabinet announced a Victorian-first initiative, the JobsBank, which provides support and access for disadvantaged jobseekers struggling to enter the workforce. We had the opportunity to hear from the Victorian businesses, industry and union representatives on how we can continue to create jobs while ensuring a strong and inclusive economy.

Since the election in 2014 almost 250 000 jobs have been created — an incredible amount which ranks far higher than any other state. But it is worth stressing that notwithstanding this strong overall performance, there are some in our community who are experiencing high rates of unemployment. We must continue to work to address those groups within our community. It is fantastic to see that many businesses have already pledged positions to the JobsBank. We will continue to work with businesses and Jobs Victoria in the hope of creating 500 positions.

McKell Institute

Mr MULINO — It was an honour to help to launch the McKell Institute's latest research report, *Getting Melbourne Moving*. The report details 22 ideas for the future of Melbourne's transport and mobility, including ideas around the importance of a data-driven approach, better utilising existing transport infrastructure and promoting cycling and ridesharing. With Victoria's population rapidly growing, it has never been more important to listen to ideas from Victoria's researchers and think tanks. Just as important as this particular research paper, it is great to see a new progressive think tank adding to Victoria's policy landscape.

Paul Fitzgerald

Mr DAVIS (Southern Metropolitan) — Today I want to draw the chamber's attention to the remarkable life of Paul Desmond Fitzgerald, AM. He died on 24 June 2017, aged 94. He was a remarkable person, a very generous and decent man and a great artist. He had a wry sense of humour. He was a member of the Canterbury branch of the Liberal Party, and I have known him for many years. I have a great respect for his contribution and his magnificent portraiture.

He studied at the national gallery school between 1940 and 1943 and in 1946–47. He was a sergeant in the army during World War II. It is important to note that he became a very well respected portraitist right across the world. He travelled to Canada, Malaysia Singapore, Scotland, Ireland, Europe, Germany and America, and in many places he painted a wide variety of people. His prolific legacy — and I am indebted to Jane Hargreaves for her notes on this matter — includes portraits of Her

Majesty the Queen in 1963 and 1967 and also at the silver jubilee in 1978; Prince Philip, the Duke of Edinburgh; Pope John Paul II; Sir Robert Menzies; Malcolm Fraser; Sir Henry Bolte; and numerous Supreme Court judges.

He will be a great loss not only to his family but to the Liberal Party and the broader Victorian community. Paul Fitzgerald — a great Victorian, a great Australian and a great artist.

Echuca Regional Health

Mr GEPP (Northern Victoria) — I rise to speak about my recent visit to the Echuca hospital, where I was fortunate enough to receive a tour of the hospital from the CEO of Echuca Regional Health, Michael Delahunty, and the chair of the board, Chris Bilkey. They showed me the newly installed medical technologies and the design for a new lift, which will give patients safe passage to the oncology wing, courtesy of a \$300 000 grant announced earlier this year by the Andrews Labor government. Whilst there it gave me much pleasure to inform the local community that Minister for Health Jill Hennessey had announced an increased budget allocation for Echuca Regional Health of an extra \$5.23 million per year, up by 11.3 per cent on the previous year. This increased the annual budget allocation to over \$51.5 million.

My visit also enabled me to have detailed conversations with a number of the hospital's staff. It was really impressive how passionate they were when they spoke about their work, their hospital and the people of northern Victoria. This government respects health workers' commitment to their communities, and increased budget announcements supporting non-metropolitan hospitals like Echuca, where staff work so hard to care for members of our local communities, is reflective of its respect.

And respect in our health system is paying dividends across Victoria. The recent record ambulance response times were a result of ending the ambulance dispute and respecting our ambos. These results were reflected in Echuca too, which had record results. This is great news for regional Victorians, who have a right to the same high standard of services that metropolitan Victorians receive.

Victorian Disability Awards

Ms TIERNEY (Minister for Training and Skills) — Last week many Western Victoria Region constituents received Victorian Disability Awards. The emerging leader award went to Warrnambool's Bryce Pace, a

year 12 Brauer College student. His outstanding effort in advocating for young people with autism makes Bryce, at 18, the youngest award winner. Bryce uses personal experience to speak out, aiming to change the language around and attitudes towards difference. He encourages young people on the autism spectrum to embrace their abilities as well as promoting community inclusion for all people with disability.

Rebecca Paton was nominated for her work in driving the building of the Victoria Park inclusive play space in Ballarat, which opened last year. Working in a volunteer capacity, Bec was highly commended for excellence in creating inclusive communities, from design input to promotion and community fundraising, spreading awareness of how isolating disability can be for children.

Geelong's Elizabeth Spurdle won the volunteer award, working from 2002 with two groups that merged to form the City of Greater Geelong disability access and inclusion reference group to actively promote universal access. Liz remains driven by a desire to help others despite extended stays in hospital over the past year.

Geelong's MatchWorks were highly commended for their collaboration with Melbourne City Football Club to deliver four employment programs, one of which was City Pathways. City Pathways has focused on providing a holistic approach to finding employment for 17 jobseekers with a disability or mental health condition; eight found jobs, two are engaged in study and three are continuing to look for work.

I congratulate these leading disability advocates championing equality for all Victorians. They have made a fantastic difference in the lives of people with disabilities and their supporters.

MINISTER FOR WOMEN

The PRESIDENT — Members, it might be an appropriate time for me to just note that Minister Richardson has sought further leave so that she has an opportunity to battle some health issues, and on behalf of all members of the house and her colleagues I would extend my best wishes to her and hope that she is able to restore her good health. Whilst I note that the minister understandably has asked for privacy for her and her family, I would suggest that the encouragement of her colleagues, certainly by way of their thoughts and prayers, would no doubt be appreciated at this time. We wish her a speedy recovery.

LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017

Introduction and first reading

Received from Assembly.

Read first time on motion of Ms PULFORD (Minister for Agriculture); by leave, ordered to be read second time later this day.

MAJOR SPORTING EVENTS AMENDMENT (AFL GRAND FINAL TICKETS) BILL 2017

Statement of compatibility

Ms SPRINGLE (South Eastern Metropolitan) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the charter) I make this statement of compatibility with respect to the Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017.

In my opinion, the Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017, as introduced to the Legislative Council, is compatible with human rights as set out in the charter. I base my opinion on the reasons outlined in this statement.

Overview

The Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017 provides for the AFL Grand Final to be a sports ticketing event and sets out specific ticketing requirements for that event and for other purposes.

The bill includes a requirement that 'at least one-half of all tickets to the AFL Grand Final must be made available for sale or distribution to members of the competing football teams'.

Any tickets allocated for this purpose but not sold 'must be made available for sale or distribution to the public generally'.

These amendments provide for a significant increase in the number of grand final tickets available to AFL club members and potentially the general public.

Human rights issues

I am of the view that this bill engages the cultural rights of Victorians contained in the charter.

Given the role of the AFL as an event of national cultural significance, it is also worth noting that the human rights implications of this bill extend beyond Victoria to many other Australians who follow the Australian Football League.

I am also of the view that while there is limited legal basis of a right to sport per se, increased access to sport and recreation

has a role to play in promoting a range of human rights in addition to cultural rights.

Cultural rights

Section 19 subsection (1) of the charter protects the right of all persons with a particular cultural background to enjoy his or her culture.

The International Covenant on Economic, Social and Cultural Rights addresses a broader range of cultural rights compared with the charter.¹

Article 15, section 1, states that 'the states parties to the present covenant recognise the right of everyone ... to take part in cultural life'.²

The AFL is fundamental to the social and cultural fabric of Victoria, and to our contemporary sense of cultural citizenship.

Indeed public enjoyment of the AFL Grand Final as a major sporting and cultural event is protected in federal legislation in relation to broadcasting.

The AFL Grand Final is included on the tier A anti-siphoning list which protects 'access [via free-to-air broadcast] to events of national importance and cultural significance'.³

This bill is designed to increase the extent to which Victorians have the ability to participate in one of the major sporting and cultural events in this country, reducing the extent to which significant cost is a barrier to participation.

I contend that in doing so, it contributes to promotion of the cultural rights of Victorians.

Sport and the promotion of human rights

Legal scholars have examined whether a legal basis exists for a right to sport in Australia, concluding that while there is little evidence of an express right to sport, there is good evidence that sport has the capacity to promote and protect a range of protected human rights.⁴

This finding is supported by the Declaration of the United Nations 2030 Agenda for Sustainable Development, which recognised the role of sport in social progress as follows:

'Sport is ... an important enabler of sustainable development. We recognise the growing contribution of sport to ... its promotion of tolerance and respect and the contributions it makes to the empowerment of women and young people, individuals and communities as well as to health, education and social inclusion objectives'.⁵

Summary

In summary, I am of the view that this bill will engage with cultural rights as protected by the charter by promoting cultural rights.

It does not place any limitations on rights contained in the charter.

I am therefore satisfied that the Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017 is compatible with the Charter of Human Rights and Responsibilities Act 2006.

¹ Michael Brett Young, 'From Commitment to Culture: The 2015 Review of the Charter of Human Rights and Responsibilities Act 2006': http://assets.justice.vic.gov.au/justice/resources/3848843f-afd1-47a5-9279-1a1a87ac2aad/report_final_charter_review_2015.pdf

² 'International Covenant on Economic, Social and Cultural Rights', adopted and entered into force 3 January 1976: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

³ Department of Broadband, Communications and the Digital Economy Future Anti-siphoning List: http://www.abc.net.au/mediawatch/transcripts/1135_antisiphoning.pdf; David Rowe, 'To Serve and To Sell: Media Sport and Cultural Citizenship', University of Newcastle: <http://www.hrca.org.au/wp-content/uploads/2008/05/how-you-play-the-game-fin.pdf>

⁴ Danielle Ireland-Piper and Kim Weinert. (2014) 'Is there a "Right" to sport?': ISSN 1836-1129: <http://epublications.bond.edu.au/cgi/viewcontent.cgi?article=1020&context=slej>

⁵ Resolution A/RES/70/1 adopted by the General Assembly on 25 September 2015, 'Transforming our world: the 2030 Agenda for Sustainable Development': http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/1

Second reading

Ms SPRINGLE (South Eastern Metropolitan) — I move:

That the bill be now read a second time.

The Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017 ensures that half of all tickets to the AFL Grand Final are made available to members of the competing clubs.

Each year many members of the competing clubs at the AFL Grand Final miss out on experiencing footy's biggest day due to unfair ticket allocation.

Club members are the lifeblood of our footy clubs, they provide the passion and the financial support to keep our footy clubs alive and successful.

AFL club membership numbers have soared over the past 25 years.

This year, 907 561 people have signed up to be members of AFL clubs, an average of around 50 000 per club.

The four most supported Victorian clubs, Collingwood, Hawthorn, Richmond and Essendon, have over 65 000 each.

This compares to just 187 288 members of all AFL clubs in 1992, an average of just above 12 000 per club.

This substantial growth in club membership has significantly increased revenue to AFL clubs, resulting in greater financial sustainability.

The growth in club members has resulted from an increased emphasis on footy fans becoming club members to financially support their club.

But growth in AFL tickets available to members of the competing clubs has not kept pace.

In 2017, around 34 000 competing club members will be able to access grand final tickets — an increase of 4000 from the previous year, and an increase of around 20 000 from around 14 000 allocated in 1990.

The remaining 66 000 tickets are divided between the Melbourne Cricket Club, AFL and Medallion Club members, allocated to non-competing clubs, sold as part of corporate packages costing \$1000 or more, or given to sponsors.

Gallingly, grand final ticket packages have been on sale since the start of the year, and at the time of this speech tickets can be purchased as part of the 'Ultimate' package for \$4030, which includes:

- a category 1 seat at the AFL Grand Final;
- a so-called 'unrivalled pre-game dining experience' at the Atlantic restaurant;
- interviews and appearances by top-tier AFL players and coaches;
- chauffeur transfers to the MCG;
- inner-sanctum 'behind the scenes' pre-game experience;
- access to a premium private bar within the MCG; and
- 'exclusive' gifts.

Meanwhile, thousands of club members of the two competing teams who have paid up at the start of the year to support their club and attend week in, week out will miss out on grand final tickets.

While the increase announced this year of 4000 tickets to competing club members is welcome, the AFL Fans Association has called for at least half of all tickets — or 50 000 of the 100 000 MCG capacity — to be made available to competing club members.

This is a reasonable figure that still sits below members' allocations to similar events internationally such as the UEFA Champions League Final, which allocates 54 per cent of tickets to competing clubs, and the FA Cup Final, which allocates 64 per cent of tickets to competing clubs.

Not only is the current ticket allocation unfair, it creates an environment for illegal ticket scalping to flourish.

By severely restricting the amount of tickets available to competing club members, fans missing out on that allocation have two options: to source tickets through scalpers, or purchase exorbitantly priced 'package deals'.

Each year many tickets are advertised for sale through the black market, despite it being illegal through the Major Sporting Events Act 2009.

An increase in the proportion of tickets allocated to club members would go part way to reducing scalping, and it would certainly increase equitable access for club members.

The AFL Grand Final is a cultural and sporting icon, and its accessibility for all people should be maximised.

The Major Sporting Events Act 2009 permits the Minister for Tourism and Major Events to make such a change.

And despite calls from the Victorian Greens spokesperson for sport, Sam Hibbins, the minister has refused to do so.

This bill delivers a fairer ticketing allocation and will reduce scalping through:

clause 4 would make the AFL Grand Final a sports ticketing event. This declaration currently occurs at the discretion of the minister under section 152 of the act, but this bill will make it mandatory in order to guarantee the specified ticket allocation for competing club members.

clause 7 would:

require the AFL Grand Final ticket scheme to provide for half of all tickets to be made available to members of the competing clubs;

provide that any unsold tickets for competing club members can be made available to the general public after a reasonable period of time;

prevent tickets allocated to members of the competing clubs being sold in conjunction with anything other than attendance to the AFL Grand Final (for example, food and entertainment or access to reserved areas); and

require the AFL Grand Final ticket scheme to be lodged three months before the grand final.

The ability of non-competing clubs to sell and profit from onselling their grand final tickets through package deals is cited by the AFL in this year's AFL Grand Final ticket scheme proposal as a reason to retain the current ticketing allocations.

But this argument ignores the significant increase in revenue clubs receive from recent growth in club membership.

It also ignores the fact that an increased grand final ticket allocation is likely to have a positive impact in terms of attracting and retaining club members.

Of course, there are other ways of increasing the proportion of tickets allocated to competing club members.

The AFL's increased allocation for club members is welcome, but there's no commitment from the AFL to reaching the 50 per cent allocation to competing club members.

There has been no commitment from the Minister for Tourism and Major Events to use his powers within the major sporting events legislation to increase ticket allocation for competing club members.

So this bill represents the fans' best chance at a fairer grand final ticket allocation.

The AFL Fans Association has campaigned extensively for this change, collecting 3360 signatures of footy fans supporting the increase.

I'd like to acknowledge the work of the AFL Fans Association, particularly President Gerry Eeman, in fighting for more grand final tickets for competing club members on behalf of all football fans.

Australian Rules football is part of the fabric of Victoria's society.

And the grand final is the pinnacle of our sport.

It should be a day for fans of competing clubs, not corporates.

I urge members to support this bill.

Debate adjourned on motion of Mr LEANE (Eastern Metropolitan).

Debate adjourned until Wednesday, 6 September.

PRODUCTION OF DOCUMENTS

Ms WOOLDRIDGE (Eastern Metropolitan) — I am very pleased to move today:

That in accordance with standing order 11.01, this house requires the Leader of the Government to table in the Council by 12 noon on Tuesday, 5 September 2017 —

- (1) a copy of the business case for the Victorian Heart Hospital, including any attachments or appendices;
- (2) correspondence and departmental briefs to or from the Department of Health and Human Services or the Department of Premier and Cabinet about the Victorian Heart Hospital; and
- (3) any response should conform with standing orders 11.02(3) and 11.03(1)(a).

In speaking to this documents motion today I want to give some context to the Victorian Heart Hospital. The heart hospital was a commitment made by Daniel Andrews in the dying days of the last government — on 24 November, before the election in 2014. It followed a commitment by the Liberal-Nationals earlier that month in relation to building a heart hospital on the Monash Medical Centre site, a commitment which the Labor Party then matched and then went further with a couple of weeks later. The commitment made at the time by Labor was that it would contribute \$150 million to fund the Victorian Heart Hospital and that project partners would contribute the remainder of the \$300 million to \$350 million total cost. This was to be a 195-bed stand-alone cardiac facility at Monash University in Clayton, so it was quite different from the Liberal-Nationals commitment, hence the additional and significant change in cost from the commitment to build at Monash Medical Centre. The media reports at the time also reported that this would be built by 2018.

By seeking these documents today we are hoping to shed further light on all those commitments at a number of different levels. The fact is that the numbers, the dates, the details and the project partners are moving, and I think it is important that we are able to shed some light on some of the details of such a significant policy. Let me just run through a few of those elements.

In terms of the cost, as I quoted from the media release, the total cost was to be \$300 million to \$350 million of which the Labor Party was contributing \$150 million. Tender documents released a couple of weeks ago for some early planning for the heart hospital highlighted that the expected cost of the overall project was to be \$450 million to \$600 million. That is obviously a very significant increase in costs to build this election promise of Daniel Andrews. For those who sit on the Public Accounts and Estimates Committee (PAEC),

year on year we have repeatedly asked questions in terms of the timing, the cost and the date on which the project will be delivered. The numbers have been unclear, which has been attributed largely to the development of the business case. The government said the business case was being developed, it was underway and the government expected it to be completed soon, which meant that the business case was unable to be articulated in terms of the numbers.

The good news came on 17 May when Minister Hennessy attended PAEC hearings. She said:

We currently have only recently completed a business case that contains a number of options, and so the ultimate cost of the Victorian Heart Hospital will be determined ultimately by which option is supported.

So there is clear evidence that the business case is complete. It has been finalised and there are options that are articulated. We did ask at the time whether there was a range of costs, and once again on that date the minister declined to commit to a cost and the details on costs, but she did six weeks later in questions taken on notice come back and say it was an approximately \$450 million to \$600 million project, once again confirming what was subsequently confirmed in the tender documents — a very significant blowout in the costs of this election commitment of the Labor government.

It was quite amazing to see that the Premier then denied that there was actually any blowout in cost when this was publicly reported by the *Herald Sun*. I suppose he was called out by the *Herald Sun* at that time for trying to pretend there was no blowout in costs when clearly there was.

The second issue is of course timing. As I said, it was reported at the time that the Premier had said the hospital would be built by 2018. Repeatedly times and dates have been asked for through PAEC. The budget papers for 2015–16 talk about quarter 4 of 2016–17 for the completion of the planning and early works. Clearly we are past that and that has not occurred. The more recent \$135 million commitment that the government made towards this project, completing the \$150 million from the 2016–17 state capital program, highlights that it is a ‘TBC’ in terms of estimated completion date. So timing, despite a promise that it would be delivered in 2018, is very fluid. Media reports have had it as commencing in 2019 to be built by 2021, which is obviously well over the time frame that was promised and committed to, but this is obviously something that is further detailed in the business case in relation to how long it will take and what will happen.

In terms of the components, the business case once again will detail all of those elements. The commitment very clearly was for 195 beds, and that has been repeated, I would say, 20 or 30 times in every document that refers to the heart hospital. Interestingly the tender document only refers to 187 beds. Now, that is only eight beds different, but it is a 5 per cent drop in beds and quite a significant reduction and change from what has been very consistent language in relation to how many beds this heart hospital would have.

The issue of the partners is of course very significant because the commitment clearly was that this is a hospital that the state would only contribute \$150 million to. The \$300 million to \$350 million meant that \$150 million to \$200 million was needed from project partners. When we are looking more in the order of potentially \$600 million, that means either that \$450 million needs to come from project partners or that \$450 million needs to actually come from the Victorian taxpayers — come from the state — in relation to funding this gap on the promise that was made. That is very clearly one of the reasons for the talk about correspondence and departmental briefs in item (2) of the motion. Not only will the business case outline some of this detail of what has been a very shifting position over a number of years but the correspondence and departmental briefs, both within the Department of Health and Human Services and the Department of Premier and Cabinet, about the Victorian Heart Hospital will help shed some light on discussions with project partners. We know Monash University have very generously agreed to contribute the land, but it has been very clear through questioning in PAEC hearings that a final commitment in terms of the funding dollars has not been secured — that has not been finalised — but importantly it is also not clear whether there is to be anyone else. Is anyone else coming to Daniel Andrews's project in relation to delivering the Victorian Heart Hospital?

This is a very straightforward documents motion on an issue that needs some transparency and that has not had clarity. At best we have had very high level details, but these are very clearly and consistently well outside the promise that was made by Daniel Andrews, hence this documents motion to shed some light on all of those issues.

We have in the past tried through FOI to access information like this without success. It is fair to say the Department of Health and Human Services consistently take an exceptionally long time to come back and say that you can have little or nothing, hence the need for a documents motion to facilitate and increase the likelihood, one, that we will get some information in

relation to it, and two, that that may happen in a reasonably timely manner.

This is an important project; there is a lot of money at stake. Cardiac services in this state are crucial and save lives each and every day, and I think that is important. I encourage members to support this motion so that we can shed some light on this important project, its progress and importantly how it has changed in relation to the commitment that was made by the government. I encourage you to support this motion and commend it to the house.

Ms HARTLAND (Western Metropolitan) — The Greens, as is our usual practice, will be supporting this call for documents.

Mr LEANE (Eastern Metropolitan) — The government, as is its policy — and when the Labor Party was in opposition it was also its policy — supports motions calling for documents. But we do say that there may be an issue with cabinet-in-confidence and commercial-in-confidence documents, so in line with the consistent policy we have always brought to this chamber we will not be opposing this particular motion.

I just want to touch on a few things around the Victorian Heart Hospital. I hope that the whole chamber will support the establishment of a new heart hospital in our state, given that 20 per cent of deaths are due to a heart-related condition. It is very important that we all get on board in establishing a hospital that we would like to be world renowned. We want this hospital to attract the best medical experts and talent from around the world, similarly to what has happened with the establishment of the Victorian Comprehensive Cancer Centre. The committee that I participate in regularly had some evidence from the comprehensive cancer centre that the establishment of that fantastic facility has attracted some of the best researchers and doctors from all around the world, and I think the heart hospital, when it is established, will be very similar. We very much look forward to that, especially in regard to research work, given that, as I said, 20 per cent of deaths are related to a heart issue.

I think it is important to have an overall perspective around health spending and capital works spending in health. The Andrews government in its first budget increased health funding by \$1.38 billion, by a further \$1.63 billion in its second budget, which included the largest ever one-off elective surgery boost, and by another \$1.67 billion in its third budget. These are record amounts of spending that the state has been seeing, in particular in health infrastructure.

I am not too sure if the opposition understand infrastructure and new builds, because when they were in government it was not something that they prioritised at all. It is always important to provide a contrast when the opposition bring motions to the house, particularly around health. As I have stated before, this government has increased spending by billions of dollars. Unfortunately when the opposition had their opportunity they actually cut \$1 billion from the budget. We can be accused of making things up, but the facts are the facts, and as I said, I think the opposition are completely confused when it comes to infrastructure, especially building in regard to health, public transport and education. When they get the opportunity they do not do a lot of it, and that leads to a fair understanding that they do not really get what is actually entailed in building new infrastructure.

To allay the concerns of the opposition, there was \$135 million allocated for this project in the last budget. The business case is being worked on, and the government is committed to this fantastic new future facility. We hope that the federal government will come on board. I am sure there are positive talks with them, and I am sure that they will be very welcoming and happy to be included in building a hospital of such national significance which, as I said, will attract experts from all around the world.

The opposition need not be too concerned; this government is getting on with it. We will fulfil everything we have committed to do, unlike the previous government. I remember when the mover of this motion got up with Mr Baillieu and said that if the coalition won government they would build a heavy rail line to Doncaster.

Honourable members interjecting.

Mr LEANE — I remember the quote clearly: ‘We’ll do the planning, we’ll get the funding and we’ll do it’, from Ms Wooldridge and from former Premier Baillieu. I remember him standing there saying, ‘We’ll do the planning, we’ll get the funding and we’ll build it’. If people in Doncaster voted for heavy rail to Doncaster in that election, they were duped by the coalition on that commitment.

This government is very wedded to actually doing everything we committed to. Everything we committed to we will fulfil. I think about 97 per cent of our election commitments have been fulfilled. There is 3 per cent that rely on the federal coalition government actually coming to the party to some degree. In that 3 per cent there is some work with councils that has to be done. That is an area not completely in the

government’s control, but what has been in its control this government has fulfilled.

Travelling around the region that I share with Ms Wooldridge, you will get the odd person who will say, ‘I don’t know if I like your government that much, but I’ve got to say you did what you said you were going to do, so I’ll give you that credit’. These are people who are pretty welded-on Liberal members or supporters. I appreciate them being the bigger person and acknowledging that. Obviously the fantastic by-product of the commitment to this level of infrastructure in health, public transport, education, housing and other areas that are important — by the Labor government at least — is that it creates jobs.

Speaking about the federal government, I know they like to brag about new jobs being created, but the lion’s share of those jobs have been created in Victoria. When the federal Minister for Employment, Michaelia Cash, spruiks job creation I never actually see her credit Daniel Andrews and his government for that lion’s share of job creation — 200 000 new jobs. We have probably overperformed in that area. We are really happy to admit that it is an area we have probably overperformed in.

The important thing about our infrastructure program is that we want to make sure that all Victorians have an opportunity to be employed if they are interested in this area. We have got the 10 per cent apprentice trainee cadet guarantee on our projects. We are making sure that Indigenous workers get opportunities. We hear this cry from the opposition about sky rail. I think a bit of wind has come out of that one. There are 100 Indigenous workers on that project, and that was a proactive approach taken by our government.

This government is making sure that on our projects social enterprises at least get a chance to tender for some of the work on them. Nadrasca disability services won a fair bit of work around printing. They have got their own printing arm. They have won printing work on some of the level crossing removals. Knoxbrooke disability services have won two large tenders to supply vegetation and plants from their nursery, Yarra View Nursery, which employs over 100 people with intellectual disability. It employs and trains them. It is important that these facilities actually train the people they employ so that they have the aspiration that where they are working is just a place they will travel through and that they will end up working in mainstream nurseries and other people will give them an opportunity.

We are having conversations with returned servicemen and women. We are having conversations with organisations that work with victims of family violence about how we can maximise the opportunities for them to get employment. For the first time ever there was recently a memorandum of understanding signed between the Civil Contractors Federation and the government about maximising the employment and training opportunities for underemployed groups of Victorians, which include all those groups that I have already spoken about. It also includes some of the members of our community who seem to be a bit locked out of everything, like some of the young Sudanese men and women who get a bad rap because some of their friends or family members are doing the wrong thing by the community. It makes it difficult for them — good young men and women — to get into jobs. As we know, employment changes the whole landscape. It increases your network. If it is a project like the Melbourne Metro, it increases your networks a hundredfold.

In the short period of time we have been in government I think we can be really proud of the extent and level of infrastructure that we have created and the important social by-products of that as well. I think that will allay opposition fears about any infrastructure project in this state. It will be done well, and we will make sure that all Victorians have an opportunity to benefit from it.

Motion agreed to.

HOMESCHOOLING

Mrs PEULICH (South Eastern Metropolitan) — I move:

That in accordance with section 5.10.2(5) of the Education and Training Reform Act 2006 the following clauses of the Education and Training Reform Regulations 2017 be disallowed —

- (1) 72(2);
- (2) 72(3);
- (3) 72(4);
- (4) 72(5)(c)(ii);
- (5) 72(5)(c)(iii);
- (6) 73;
- (7) 79; and
- (8) 82(3).

The Liberal-Nationals have moved to protect parent choice, something that this government has been

progressively happy to erode and undermine. Whether it is this particular regulation or whether it is —

Ms Shing — Safe schools!

Mrs PEULICH — Yes, absolutely. It is about eroding the rights of parents to have prime responsibility for the rearing of their children, including of course making decisions about their education. The Liberal-Nationals have moved this motion seeking to disallow the Andrews Labor government's contentious changes to homeschooling. Under the changes the Victorian Registration and Qualifications Authority (VRQA) can refuse registration for homeschooling if it considers it inappropriate for a student to be homeschooled. Suddenly you have bureaucrats and departmental officials trumping the decisions of parents. Children who are being bullied at school will also be compelled to remain at school for up to 28 days — increased from 14 days — while the VRQA assesses an application for registration and until it is determined that homeschooling is appropriate for the child. These new powers mean that if a parent elects to homeschool their child, the government can effectively override a parent's decision to choose the appropriate education setting for their child.

From 1 January 2018 these new rules will apply to all families intending to commence or continue educational instruction at home in the 2018 school calendar year. By disallowing these punitive measures introduced by the Daniel Andrews government, the Liberal-National coalition aims to restore the rights of parents to choose the appropriate educational setting for their child and respect the individual needs of students. The coalition will also create a standing homeschooling advisory body — this will be the first time ever — which will provide ongoing advice directly to government about the needs of the home education sector and how to lift outcomes for students who are homeschooled.

This particular issue has raised substantial concerns in the homeschooling sector. The coordinator of the Home Education Network, Sue Wight, is supportive of this particular motion, as are many, many parents, including some 2000 petitioners on the petition tabled by Ms Bath today. I believe that they are right across the state, and I have certainly received a lot of correspondence on this issue.

The government tries to minimise the effects that this change will have, and it does so quite disingenuously. Requiring families seeking to become registered for homeschooling to provide the VRQA with a learning plan which shows how they will meet the eight learning

areas — the arts, English, health, physical education, languages other than English, mathematics, science, studies of science, society and environment and technology — goes way beyond what schools are required to do. As a former schoolteacher of 15 years in the government system, I have seen many a teacher, regrettably, who has not met the obligations of the set curriculum. Sometimes it even happens at the Victorian Certificate of Education level, with very, very dramatic results. The onus placed on homeschooling families is far greater than what is being applied in the government school sector.

What I also thought was interesting was that the government is planning to audit 10 per cent of families each year for review of their homeschooling arrangements. In the review, parents will be asked to show that the key learning areas are being regularly and efficiently addressed and provide evidence of educational progress. The irony is: is this audit happening in the government school sector? No, it is not. It seems there is one set of rules for the homeschooling sector and one set of rules for the government sector, and that is in part because of a very powerful education union.

I just read a release — it may have been yesterday or today — in which the education union is opposing the online testing of NAPLAN and wants to obviously bring about its demise. I was pleased to see that the Minister for Education stuck to his guns. For far too long the education union has run this state's education policy, and the educational policy has been a very, very unimpressive one. Despite injecting millions and billions of dollars into our schools over a 10-year period, the Victorian Auditor-General found that in actual fact the achievements and standards in the literacy and numeracy of Victorian students have flatlined for more than a decade. One may well ask what has happened — yes, money is one thing but you need to be confident that indeed it is delivering the outcomes.

The debacles surrounding the introduction of these new regulations are also cause for concern. I note from some of the media reports that there were scores of private submissions that were uploaded to a website — an education department website — with parents' names and, in a few instances, the home addresses and mobile numbers of the families in relation to their submissions. These were responses to the proposed new regulations for Victorian schools detailing how many families had pulled their students out of school because they were either tormented by other students, had mental health issues or had received inappropriate or inadequate support for disabilities and the many other issues that

parents make these decisions on and certainly do not do lightly.

This government's track record in relation to the management of privacy has not been impressive. The shadow Minister for Education, Nick Wakeling, wrote to the commissioner for privacy and data protection asking for his examination of this huge debacle, this huge privacy breach. In addition, subsequent reports suggested that whilst the submissions were taken down and then reposted online, homeschooling families had discovered that their submissions had actually been edited by the department. That takes it to new heights — or could I say new lows. It was not that information was simply redacted, but in many instances it was rewritten. I believe that the Home Education Network provided evidence of this doctoring of submissions directly to the shadow Minister for Education.

This disallowance motion makes sensible changes to the regulations that restore parental rights and trust in parents to make the right decisions about their children's education. We do not deny that some regulation is important to ensure good student outcomes, but not at the expense of families. Labor announced these reforms on the eve of Christmas around a sham consultation process, and it has caused untold pain and anxiety to homeschool families. If Labor had been genuine about improved student education outcomes in the homeschool sector, they would have provided funds for homeschool families in their 2017–18 budget. Removing the relevant regulations will not mean the sector is unregulated and will not adversely impact on homes or families.

The disallowance motion is about upholding the values of parental choice in education. The new regulations give government greater powers to veto a parent's choice to homeschool. This veto power is applied at the time parents apply to the department to register for homeschooling. The disallowance motion simply restores the balance and puts the rights and responsibilities back into the hands of parents.

I will not go through each of the changes but simply say that regulation 72, 'Application for registration', requires parents to register for homeschooling by 30 November in the year before the student starts homeschooling. This does not apply to students enrolling in government schools; however, it now applies to homeschool students. While regulation 72(3) allows submissions to be made at any other time, students under the new regulations are subject to the conditions placed on them under subregulation (4), which requires a student to be enrolled at and attending

school until the department accepts or rejects the application to register for homeschooling. Under the new regulations the deadline for the issue of the notice of decision by the department has been extended from 14 to 28 days, and a student can now wait up to 28 days to gain approval for homeschool registration, often while confronting painful and harmful circumstances.

Whilst exemptions can be sought, this potentially could lead to fairly concerning outcomes. Students who are being bullied or physically assaulted can no longer be immediately withdrawn from school at the discretion of their parents and registered for homeschooling, a practice which was permissible under the previous regulations and the act.

Regulation 72(3) also alludes to the time frame stipulated in subregulation (2), the 30 November deadline, by mentioning the time other than the beginning of the school year. If retained in the regulations, that could allow the department to impose a deadline for registration through departmental policies and guidelines. These requirements in and of themselves are not troublesome; however, the department will have the discretionary power to discriminate against families who seek to deliver instruction using alternative teaching methods or curriculums. The possible outcome is that registration is denied on the basis that the department does not agree to the type of instruction and/or resources and materials used by the homeschool parent, so now you have got the state selecting the type of instruction and the materials that are to be used. This curtails a parent's right to choose those options they believe to be in the best interests of the child's learning and development.

Regulation 73 is headed 'Requirement to provide further information to authority'. This regulation compels parents to provide additional information not already prescribed under regulation 72(5)(ii) and (iii). What is not described is the nature and extent of the further information that may be requested by the department. Regulation 73(1) gives authority to the department to assess whether it is appropriate to register a student for homeschooling. In the opinion of the coalition it is the domain of the parent and the parent alone to determine the appropriate educational setting for their child, not the state.

Regulation 79, which is headed 'Requirement to provide information to authority', prescribes that requested information, presumably under regulation 73, is provided within the period and in the manner and form specified in the request. Again this regulation empowers the department to assess whether it is appropriate for a student to continue to be registered for

homeschooling. The effect of this is to remove the child from homeschool, forcing the placement of a student who is of compulsory school age into a mainstream school environment. There is no provision for students to be withdrawn from underperforming government schools if the school is not reaching benchmark standards.

Regulation 82, 'Requirement to give notice to responsible parent and specify information to be provided', has embedded within it the homeschool review mechanism. The legislation empowers the department to cancel registration if a parent refuses to provide information, but the requirements of registration are being complied with. Taken with the former Education and Training Reform Regulations 2007, registration could be cancelled if a parent fails to provide regular and efficient instruction but substantially addresses eight key learning areas and is consistent with the principles and practice of Australian democracy. That is to say that no evidence could be provided to the department to ensure that the student was actually learning in a homeschool environment.

Regulation 82(3) of the regulations stipulates that at any time during the conduct of the review the department can request specified information within the period and in the manner and form specified in the notice. The 2017 regulations define 'specified information' as including information about or evidence of the education program, learning plan or materials or other records used for or in relation to the requirements of the registration for homeschooling or any regulations relating to homeschooling. This is inconsistent with the provisions of the act, given that the review mechanism is limited to considering the education program, educational program material and other records only. The request for specified information could allow the department to use departmental policy to determine time frames and information, meaning learning plans could be demanded by the department.

I will not say too much more except that the shadow Minister for Education issued a media statement calling these regulatory changes 'punitive and unjustified' and warned, 'If implemented in their current draft form, the Liberal-Nationals will move to disallow the homeschooling regulations in Parliament', which is indeed what we are doing.

Following a public consultation period the Andrews Labor government decided to persist with its regulatory changes as advertised in its consultation draft. On 11 July 2017 the Home Education Network, representing an estimated 4500 homeschool students, officially requested the Liberal-National coalition to

move a disallowance motion on the homeschool regulations. It was recommended that the coalition move a single motion in the Legislative Council to disallow the regulation part, focusing on the eight paragraphs listed on the notice paper. I certainly hope that we have the support of other minor parties in this chamber and that the other remaining minor and micro parties will show sympathy to the plight of 4500 homeschool students. Hopefully you will support this motion. With those few words I look forward to sanity prevailing.

Dr CARLING-JENKINS (Western Metropolitan) — I rise today to speak to Mrs Peulich's motion, a disallowance motion on education and training reform regulations. I thank Mrs Peulich for bringing this to the attention of the house today. Education is a passion of mine; most of you in the chamber would know that. I have actually raised two motions in the chamber around education. Both have been voted down, and I hope that that will not be the case for Mrs Peulich's motion today.

The new homeschooling regulations, I believe, change the emphasis away from education to compliance, and arguably they have been designed to discourage the uptake of the choice that parents are making to home educate their children. These new regulations have been perceived by many in the homeschooling community who have come to visit me as punitive rather than supportive. This is a point that they have articulated to me very well, and I am quite convinced of their arguments.

The new regulations go beyond checking that people are educating their children to creating opportunities for governments to dictate how they do so. As I have said before in this place, I believe in parent-directed education, not state-directed education. The government has not produced, I believe, any evidence of a problem in homeschooling to justify these changes in regulations. The only problem identified by the Department of Education and Training is that they do not have enough data about home educators, yet instead of undertaking proper research they have instead imposed extra regulations upon Victorian families. If they had conducted some proper research, they would have found the results amongst the homeschooling population are extremely high.

The Home Education Network (HEN) actually did a survey of the Victorian alumni, and they found that of respondents aged 20-plus, 83 per cent hold a certificate II or above, 42 per cent of previously homeschooled children — young adults now — hold a bachelor's degree or above, 33 per cent are currently

enrolled in further education and 42 per cent were in full-time employment or self-employed. These alumni compare favourably with the general population. The survey response rating was good, given that respondents aged 15 to 26 represented 20 per cent of students registered for home education in February 2008, when they were then aged six to 17. These results indicate good outcomes for home education in Victoria and across Australia, especially when you consider all the research indicates very good results. If the government had just done even a literature review, they would have found these results to be true, but apparently they thought they knew best, and they imposed these regulations.

Mrs Peulich — They are socialists.

Dr CARLING-JENKINS — They are socialists; that is true, Mrs Peulich. So there is no evidence that the outcomes of home education need improving — quite the opposite, in fact — as opposed to our current school system, where standards continue to fall. We should arguably be asking home educators for assistance in upgrading our school system, where our recent NAPLAN results, for example, need a lot of review.

The government's consultation process around the regulations was also a failure. I am going to quote here from the Home Education Network website, where they said:

HEN was 'consulted' but the consultation was a matter of appearances. During the first two meetings DET carefully avoided saying what they had planned or even wanted to achieve. In the third meeting, they gave us a benign overview (e.g. 'a plan might be as simple as, for an ASD child, focusing on a facial recognition app for the first six months'). We submitted considered and constructive feedback, received a dismissive reply and the draft regulations were released unchanged.

Such was the respect — obviously disrespect — given to home educators. The home education community has a history of being subject to prejudice and hostility from the Victorian Registration and Qualifications Authority (VRQA), and these regulations are just another example. They are unfair, unjust, unnecessary and, I believe, should be disallowed.

I will make some very brief comments on some of the regulations that Mrs Peulich has identified in her motion that should be disallowed. Regulation 72(4), for example, stipulates that a student of compulsory school age, who is the subject of an application for registration must be enrolled at and attend a registered school until the VRQA notifies the applicant of the decision. This requirement to leave a child in school until plans to

homeschool are approved is not always in the best interests of the child. Such a requirement will possibly confine children to environments where they are being bullied or abused, unless a bureaucrat says they can leave.

There are many examples of parents withdrawing their children because of bullying. We all know that bullying causes great stress and great anxiety for students, and these victims of bullying should be given compassion; these regulations do not allow for that. It is a parent's right to ensure the safety of their child, and that should not require the approval of a bureaucrat.

In fact just looking at my notes I find that in 2016 HEN did a survey that indicated 60 per cent of home educators have withdrawn children from school, many of whom have been bullied or abused, so 60 per cent of children are going to be subject to these new regulations. Natural justice dictates that parents have a right to remove children from an unsafe environment.

I move now to 72(5), again another new regulation, which requires an application to register children for homeschooling. It sets out some of the things that need to be included around a proposed education program and details of education material and resources. There is no evidence, that I could find, that submitting plans or conducting reviews will improve the outcomes for children. Such a requirement puts an unnecessary burden on families at just those times when they are already experiencing high levels of stress. That is because 25 per cent of families who decide to home educate do so as a last resort.

Expecting these families to then calmly and meaningfully put together an education plan for an entire year, while coping with the daily stress involved in sending their child into an unsafe environment, is not only unreasonable, it is in conflict with the government's commitment to child safety. It also creates capacity for the VRQA to dictate the style of home education, curriculum content and the materials being used. Again I will say that the emphasis has moved from education to compliance, and this grants the VRQA wideranging powers. This is much more about control than it is about monitoring.

The other regulations that Mrs Peulich has brought up to have disallowed today are 73 and 79. These are around the application for registration and requirements of registration. The Department of Education and Training claims that it does not have enough data about home educators. Yet instead of undertaking proper research they are just imposing these extra demands around registration and requirements. They have had

years to gather this research but have failed to do so. There is no guarantee that assessors of the regulations, or of the plans that I mentioned before, will have home education experience. Home education specialists have not been included in the VRQA stakeholder engagement in the past, and the 2017–18 plan again excludes them. Quite honestly, when will this government learn that they must consult?

I will now mention the last regulation, 82(3), which is in regard to the review of registration. It is titled 'Requirement to give notice to responsible parent and specify information to be provided'. There is no limit to what a review will cover or consist of, or what a reviewer can ask for, so the authority may cancel a registration for homeschooling under the section of the act referred to if a parent fails to comply. The VRQA will have the power to decide what is acceptable, and there is no requirement for them to base that on successful home education practice or on evidence-based research. This is quite simply state overreach.

Homeschooling, or home education, is the education of a child outside of the traditional school system. It is a decision I made for my son for several years. The right of parents to choose this option is recognised under the Education and Training Reform Act 2006. As Mrs Peulich noted, there are over 4000 Victorian children who are registered for homeschooling; that is an increase of over 164 per cent between 2008 and 2016, and it is the highest number of all other Australian states and territories.

These parents who choose to home educate are not a threat; they are to be commended and applauded for their commitment. If any review is necessary, then research must inform that. I think that home educators have much to teach the education department about education policy in this state. In fact parents have a lot to teach the education department about education policy in this state.

Mrs Peulich — How revolutionary.

Dr CARLING-JENKINS — I think it would be revolutionary, but I think it is a very good idea.

I will end with this: Nelson Mandela once said, 'Education is the most powerful weapon for changing the world', and I think this is why we are here today. This is a battle between home educators who believe in parent-directed and student-directed education versus this government who believe in state-directed education. I think it is time for parents to be encouraged to make the choices they see fit for their children. So

today I stand in solidarity with home educators and I support this motion.

The ACTING PRESIDENT (Mr Melhem) — I remind the gallery they are welcome to be here, but clapping and participating in debate, including making comments, are not allowed. I ask you to respect that.

Ms SYMES (Northern Victoria) — I too rise to speak to Mrs Peulich's motion this morning. I wish to begin by acknowledging the legitimacy of homeschooling or home education as an alternative to attending government or registered non-government school. Since being elected I have certainly been contacted by many families who have shared their stories about their choices to homeschool, and the general theme is that parents who make this choice have an undeniable commitment to providing the very best for their kids. I have a prep-age child. She is doing remarkably well at school, and I am very, very proud of her, but it has been heartbreaking to hear the stories of parents whose children's experience at school has not been as positive as my family's.

The choice to homeschool comes from the desire to provide an environment wherein children achieve their greatest educational potential, and there are many, many reasons that families consider homeschooling as the appropriate choice for their family. I am also the wife of a secondary school teacher, so I am very well briefed in the contemporary issues and challenges that face some of our young people, and I certainly understand that mainstream school is not always the best fit for every child.

I will just run through the background in relation to the introduction of the changes to homeschooling. The regulations were tabled in the Parliament in June of this year. They introduced changes to the way that homeschooling is regulated in this state, and they are proposed to commence in January next year. At present Victoria is behind other Australian jurisdictions in terms of homeschooling regulation. The current regulations only require a parent to register for homeschooling. This is a simple form with no detail about the child's education, and there is no allowance for any oversight of the provision of that education.

The government is of the view that while the rights of parents to choose homeschool should be protected and upheld, it is also important that the rights of children to receive an education that will enable them to participate as full citizens in the community are also protected and recognised. The government recommends changes to the regulations of homeschooling to ensure that every child receives quality education. We believe the

regulations strike a balance between providing greater oversight to ensure that all Victorian students are receiving an education and still allowing homeschool families the freedom and flexibility to make decisions about how they want their children to be educated.

In terms of the proposed regulations, I just wanted to clarify a point that Mrs Peulich made. I think she made reference to the fact that there were 30 days of consultation, and in fact there were 60.

Mrs Peulich — No, I did not say that.

Ms SYMES — You did not? Sorry, Mrs Peulich. I will just put on record that there were 60 days of consultation in relation to that.

Mrs Peulich's motion seeks to disallow several discrete parts of the homeschooling regulations, in particular the requirements to provide a learning plan and to provide the authority, which is the Victorian Registration and Qualifications Authority (VRQA), with further information upon request. If the motion today were to be successful, I note that the homeschooling regulations would still continue to apply insofar as requiring a parent to register their child for homeschooling with the VRQA in a form approved by the VRQA, requiring a parent to provide evidence of the student's name and date of birth in the application, requiring the VRQA to notify the parent of its decision to register the child within 28 days, requiring the VRQA to maintain a register of homeschooling students, requiring a parent to deliver regular and efficient instructions which substantially address the key eight learning areas and are consistent with the principles of Australian democracy, requiring a parent to notify the VRQA annually of their intention to continue homeschooling their child and requiring a parent to notify the VRQA if they cease to homeschool their child.

I touched briefly on the differences across the jurisdictions in Australia, and it is important to note that even with the changes to the regulations Victoria will still actually have the most hands-off approach and flexibility compared to every other state in Australia. In New South Wales you must submit a learning plan, teach to the New South Wales Board of Studies curriculum, have a home visit for initial registration, submit an annual form for renewal and have regular home visits for ongoing renewal and registration. In South Australia you must submit a learning plan, teach to the South Australian curriculum, have a home visit for initial registration and have an annual review to monitor educational development. In the Northern Territory you must submit a learning plan that covers the eight key learning areas, have a home visit for initial

registration that demonstrates the proposed learning program, have a method of recording the child's learning achievements and submit a registration form annually for renewal. In Tasmania you must submit a learning plan that covers the eight key learning areas, have a home visit within two months of registration and have routine monitoring at regular intervals. In Western Australia you must submit a learning plan, teach to the Western Australian curriculum, have a home visit for initial registration, demonstrate the program is satisfactory and the child's learning achievements within the first three months and have an evaluation meeting at least once a year for renewal of assessment. In Queensland you must submit a learning plan that covers the eight key learning areas, and a parent must complete an annual report for renewal of registration.

In contrast, in Victoria under the new regulations families will have to submit a one-off learning plan that covers the eight key learning areas and provide annual notification if they continue to homeschool, and the VRQA will be able to review approximately 10 per cent of families. I think that demonstrates that we are proposing fairly low restrictions under the new regulations.

In relation to the learning plan, the changes that are proposed are for families to submit a one-off learning plan to the VRQA when they start homeschooling. I understand that a template for this plan will be provided for the parents to use, and importantly it must be noted that this is not to apply to parents who are currently registered to homeschool. I do not consider this as overly onerous, and I think that a learning plan is a great opportunity for parents to demonstrate their preparedness in undertaking to homeschool their child. The learning plan is a flexible document tailored to the needs of their child. It does not need to contain a day-to-day lesson plan. It is a framework for the first 12 months of homeschooling.

There is no requirement to follow any particular curriculum or methodology as long as the plan addresses the eight key learning areas, which are well-known to us — English, maths, science, humanities and social sciences, the arts, languages, health and physical education, and information and communication technology. The purpose of requiring parents to submit learning plans is to ensure they provide the outline of the child's education, but as you can see, there is a fair bit of flexibility in that proposal.

If the disallowance motion were to be successful, it would remove the requirement for parents who are seeking to become registered as homeschoolers to provide a learning plan. This means that a parent could

register their child for homeschooling without any requirement to demonstrate how they actually plan to do this. Drafting a learning plan can play a very important role in preparing yourself to take on the responsibility of your child's education, and I would suspect that most homeschoolers have pretty much got this kind of documentation at hand. The disallowance motion would also remove the requirement for a parent to provide further information to the regulator on request. This would mean that a parent who submits an incomplete application, for example, would not be required to respond to requests from the regulator for further information. Similarly, when the VRQA seeks to review a homeschooling registration they will not be able to ask parents for further information on how they have been providing education to their child.

The reforms to homeschooling are intended to ensure that parents are providing a quality education to their children. Of course this is not an accusation that homeschool parents are not doing this; it is just a regulation check. The regulator may ask the parent to submit samples of a child's work or to provide details of test results. Allowing the VRQA to collect that information will enable it to satisfy itself that regular instruction is taking place and that the student's learning is progressing.

I understand that there is a lot of concern about the requirement to remain enrolled for 28 days while an application is being assessed. It is categorically untrue that the reforms will force children to remain in school for 28 days before being homeschooled. The act requires that all children of compulsory school age must be enrolled in a school or be registered for homeschooling. The proposed regulations do not prevent a student from being removed from school or impose any new requirement on homeschool families. The period for considering an application for homeschooling has been extended to 28 days to allow the VRQA sufficient time to assess applications that include the new learning plan. It is anticipated that the majority of applications will not require 28 days to be assessed.

Sadly, we all know of situations where children enrolled in school are unable to continue for a period of time due to illness, stress, bullying or other difficulties. So where there is a reasonable excuse for non-attendance a child can be excused from attending school. If a parent decides that their child would benefit from a homeschooling environment, the parent should contact the VRQA and start to prepare a registration application and a learning plan. The VRQA will need a number of days to review the application to ensure that it contains all the necessary information and to assess

the learning plan. Obviously, as I have said, this will often be very quick and not require the 28 days, but we have to allow for situations where they might have to seek further information et cetera.

During this interim period a child of compulsory school age must remain enrolled at a school, but that does not mean that the child has to physically be there. The child's school may be able to support the parent and child during this time by providing some materials, homework or guidance. Once the VRQA has assessed the application as suitable, the child will be registered for homeschooling. Under no circumstances does this government want any child to be forced to attend a school where they feel unsafe, bullied or ill. I think it is a bit concerning that there are people out there telling homeschoolers and this house that that is the case when it is not the case.

People have asked, 'What is the evidence behind these changes?'. Of course we acknowledge that the vast majority of homeschool families are doing a wonderful job — their children are healthy, happy and progressing very well under the homeschooling system — but the VRQA has reported that this is not the case in all situations. There have been some dubious registrations for homeschooling. Examples include reports that parents state that they wish to become registered for 'Centrelink' purposes — homeschooling registration will lead to an exemption from having to seek work or attend training to comply with the Centrelink activity test, for example. There have also been reports of families from other states seeking to register with the VRQA, effectively using a false address in Victoria to avoid the slightly more onerous requirements for registration in those other states.

Furthermore, and probably more alarming, some of the complaints received by the VRQA have been from grandparents of children who have very serious concerns about the education and development of their grandchildren. Under the current situation the VRQA is powerless to request to review those situations, and I think that is really problematic. The disallowance motion today would continue that practice where if a genuine complaint comes from somebody who loves and cares for a child there is no capacity to go and check the education provision.

We say that by requiring families to submit a learning plan with their registration form the VRQA will have a greater ability to ensure that families who seek registration have truly thought about how they will deliver instruction and have a plan in place. I think this would be pretty easy for most of those that are committed to providing education to their children. I

think they would pretty much have the plans in their drawers, in effect.

On the topic of consultation, as part of the review the department conducted a public consultation period from December 2016 to February 2017, calling for submissions on the proposed regulations and the regulatory impact statement. During this consultation period the department received well over 500 submissions, which of course were taken into account before making the final regulations. In the last months the Deputy Premier has met with representatives of the homeschooling community and the Home Education Network to talk through their concerns and the new homeschooling regulations. Similarly, representatives from the Department of Education and Training have met with the Home Education Network to establish the Victorian Home Education Advisory Committee.

The committee has been created as a new way for the homeschooling community to provide education to the department. Dr Carling-Jenkins made the point that the homeschooling community has lots to offer in terms of providing information and advice to the department, so this is a measure for that to be facilitated. That advice can be provided not only to the education department but to the VRQA, particularly in relation to the implementation of the new homeschooling regulations. As I have said, they have the capacity to provide feedback on all other related matters. There is broad agreement on the form of the committee. It will provide a really strong basis for ongoing engagement with the homeschooling community.

The committee will comprise a chair — who will be the assistant deputy secretary — a representative from the VRQA, another departmental representative, an academic, a disability sector representative and, importantly for the homeschooling community, six to eight representatives to be elected from that community. It has been agreed that they will conduct an election process for the homeschooling members of the committee, and the first meeting is scheduled for 31 August. The committee will meet three times before the new homeschooling regulations are introduced at the start of next year. They have already set dates for that in August, September and October. Furthermore, the homeschooling community is working together with the VRQA to select a new manager of homeschooling.

I understand that one of the issues that was continually raised during the consultation and review process was access to distance education materials. As a result, the department has worked with distance education to

ensure materials are available to homeschooling families at cost price. There will be ongoing conversations with the homeschooling community.

Hopefully I have managed to alleviate some of those concerns and myths that are circulating out there. As I have described, there are mechanisms in place to have further ongoing, meaningful discussion about the implementation of these regulations. It is not the government's intention to support Mrs Peulich's motion. We think that that would be counterintuitive to the best outcomes for all children in this state in relation to their education.

Ms BATH (Eastern Victoria) — I rise today to speak on the motion standing in Mrs Peulich's name. First of all I would like to say that The Nationals are wholeheartedly supportive of this motion. I was very proud this morning to present to the house a petition containing over 2300 signatures from homeschooling families and their supporters in relation to supporting this disallowance motion that wishes to see eight of the regulations removed.

It is interesting to listen to the debate coming from the other side of the house and their concern for homeschooling families. The regulatory impact statement (RIS) came out on 21 December, which was just before Christmas, and subsequently basically went through without major amendment at all. What is interesting with this government is that if there had been particular attention paid to consultation with those groups and individuals at its heart, at the core of this Labor government, they should have directly consulted prior to making these regulations and prior to turning the regulations upside down and had direct and positive consultation with, for example, HEN — the Home Education Network — and their representatives. Indeed HEN put in one submission. Of the 45 submissions put in as a result of the RIS, HEN were noted as having provided one submission, but it was made up of hundreds and hundreds of family representatives.

To my mind, we in here believe — and I think generally we believe — that the family is the core unit of the building blocks of society and of our state. There are millions of dollars put into supporting families, and families come in all shapes and sizes in this state, which is fantastic. We should embrace families — single-parent families, same-sex families, traditional families. Whatever makes up a family, families are the important core, and we should be valuing them and also wrapping our arms around them to support their children to learn to the best of their ability, and if their ability drops short, we need to support them even further.

The decision of families to homeschool their children is not made lightly. In fact it is made sometimes under very stressful situations. I have been contacted by and have met with a number of homeschooling families whose children are (a) the top priority in their life and (b) sometimes experiencing situations in a formal school setting that they cannot cope with. They are either being bullied by other children in the school or may have some learning difficulties and are not coping well in that school setting. It is a big job for parents to give up their life, in many ways, to become the teacher of their children. It is not for everyone; actually it is only for a couple of thousand. It is for about 4000 students out of almost 1 million. These people do not choose it lightly, in my opinion.

The other point I make is that I am a former secondary school teacher, and I am an advocate for our state school system. In particular I would say that in country schools and in the schools that I have had experience with, most teachers do a fantastic job with the students in their care, but there is a small minority of parents who feel that their children are not being well served at the school. We should give the right to those parents to homeschool their children as they see fit. There have been regulations in the past, and homeschoolers are not saying we need to wipe all regulations — not at all — but they are saying that we need to have proper consultation and proper dialogue to form these new regulations. I think they feel let down by the government.

In relation to the act, the Education and Training Reform Act 2006 states that parents have the right to choose an appropriate education for their child, but we feel that in effect the regulations that are being put upon them at this point, and the ones that we seek to disallow, do not follow the intent of the act. I will look at various regulations within the disallowance motion that we have before us today. I note that the authority that I refer to is the Victorian Registration and Qualifications Authority (VRQA).

Regulation 72(2) states that at the beginning of a year when a child is to be included in homeschooling their application must be submitted by 30 November the previous year. This deadline does not apply to other normal government school settings; you do not have to apply by 30 November for your child to be enrolled.

Regulation 72(3) states:

Where a student is proposed to start homeschooling other than at the beginning of a school year, an application under subregulation (1) may be submitted at any time.

That is fine, but regulation 72(4) states:

Unless otherwise authorised under Part 2.1 of the Act, a student of compulsory school age who is the subject of an application under subregulation (1) must be enrolled at and attend a registered school until the Authority notifies the applicant of the Authority's decision to approve the application in accordance with regulation 74.

What we see in subregulation (4) is that a student must be enrolled at and attend a school until the department accepts or rejects the application. There has been some discussion around the period of time of 28 days. In fact the previous regulation for an application for a notice of decision of the VRQA to notify the parents was once 14 days and it has now blown out to 28. That does not take into consideration the fact that the parent has made a choice to take their child out of the school and then write these onerous lesson plans specifying when and where instructions are to take place and a whole raft of requirements. That also does not take into account the fact that they have to write these lesson plans or learning plans et cetera, submit them and then wait 28 days. In fact it can be almost up to a couple of months before the child is removed.

The argument counter to that is that it can be left to a principal's discretion to enable the child to be removed from school. Unfortunately sometimes the relationship between the parent and the school may be fragile or fractured because of their continual notice to or conversation with the principal that their child is under threat or concern. So there may not be a very positive relationship with the principal in order to endorse that decision to remove the child. Indeed sometimes the principal may refuse; then we may have a situation where the parent of the child can face truancy charges.

The Home Education Network has done a fairly sizeable study, which found that 60 per cent of home educators had withdrawn their children from mainstream schools. Rather than never starting them in school, those parents have put their children into a school setting and then 60 per cent of those parents have removed their children from school. Of those 60 per cent, 15 per cent had removed their children from school due to bullying or physical or sexual abuse. It is just a tragedy to see young people experiencing anxiety or thinking of harming themselves. This is not the situation for all, but it is for a considerable number.

Another point has been raised with me in relation to concerns about regulation 72. Parents must provide a proposed learning plan and specifics on when and where instructions are to take place, and that must cover a whole year. They also must have specific details of educational materials and resources and how the

student outcomes will be recorded. Whilst it is important to have a standard and to provide quality education for students at home — no-one should argue against that — we should not get to a point where the government is only looking at ticking boxes for quality assurance rather than a proper standard, which I fear is the case.

As a former teacher I recall that I did not have a whole year's worth of learning plans for my students but I did have a curriculum, and I note that other jurisdictions across the country have requirements for homeschoolers to use a specific curriculum. This government has not chosen that, and I am not proposing that either way is the right way in terms of specific state-based curriculum, but it needed to have had a conversation with the educators — the Home Education Network — prior to this.

The other thing about homeschooling is that it enables flexibility. It enables a child and a parent to run with a particular interest, and that may not come up by 30 November of the previous year. I feel it stifles this level of creativity and meeting the child's needs. An experience may come up in the course of something happening in the state during the year.

Another thing about homeschooling is that there is often a direct one-to-one — or one-to-two, one-to-three or one-to-four — ratio. There is often a specific low ratio of care from teacher to student. It is also important to note that it is quite an intensive process and needs some flexibility.

I did say that I would only speak for 5 minutes, and I have gone on far longer. I endorse this decision. I feel as though the government is asking the homeschool community to pull up their socks, but they were already wearing socks — they already had regulation. The government is asking them to pull up their socks. They are not saying how high to pull them up because they can throw back and say, 'No, you do not meet the requirements set'. It is a way of batting back to the homeschoolers and the homeschooling family, 'You may not meet the criteria. Bad luck. You must send your child back into the school community'. They have taken this situation very seriously.

I endorse the disallowance of the regulations as proposed by Mrs Peulich. The Nationals will be supporting this motion.

Ms PENNICUIK (Southern Metropolitan) — I am rising to speak on behalf of the Greens on this motion, which was moved by Mrs Peulich, to disallow certain parts of the Education and Training Reform

Regulations 2017. Like many members, I have received much correspondence on this issue over the past few months — at least six months, possibly more. I would like to thank everyone who has written to me and say that I have read all of the emails I have received from people who have written to me — and some of them have written more than once. I would like to thank the people I have spoken to, both in person and over the phone, on this issue, and thank the representatives of the Home Education Network that I met with a little while ago.

The Greens' education policy includes support for homeschooling options for parents to educate their children at home if they meet the requirements to provide a balanced education, core educational outcomes and social interaction with their peers. I have given a lot of time to this issue. As I said, I have read all the emails and considered the issues raised. I have read the regulatory impact statement that was prepared with regard to the regulations, as is required for all reviews of regulations as they sunset after 10 years. I have also compared the previous regulations with the new 2017 regulations, and I have also looked at the regulation of homeschooling in the other states and territories. So I have spent a lot of time on the issue.

I understand that, as has been raised by previous speakers, a certain percentage — I think 15 per cent was mentioned — of children who are being homeschooled have been pulled out of school as a result of bullying or other abuse that they have experienced at school, and it is very, very concerning if that is the reason. That gives parents a role that perhaps they were not necessarily looking for — to educate their children at home. As Ms Bath has said, it is a big undertaking to educate your children at home, particularly over a number of years.

Of course there is also a large number of parents who choose to homeschool their children in any case — not as a result of something that may have happened to the child at school but as a proactive decision that they have made. I personally know many parents who are homeschooling their children, and I know many people who have been homeschooled. I acknowledge as well the point made by Dr Carling-Jenkins, that the outcomes of homeschooling in terms of the achievements by children who have been homeschooled are very good — in most cases, not all cases.

I think it is imperative to say at the start of my contribution that while it is important to acknowledge and support the rights of parents to homeschool, it is also important to ensure that the best interests of the

child are always at the forefront. Unfortunately there have been reports — and Ms Symes went through some of those — with regard to a minority of parents who may not be doing the right thing in the education of their children. So it is important that there are regulations in place to make sure that the minority of parents who are not doing the right thing with regard to homeschooling, resulting in their children not getting the outcomes that we all wish to see from homeschooling, are under the oversight of the Department of Education and Training.

We have a system in Victoria and in other states of Australia where education is compulsory. Under section 2.1.1 of the Education and Training Reform Act 2006 it is compulsory for students to be either registered at a school or registered for homeschooling. It is compulsory that education is occurring in either of those settings. Also under the act a parent of a child of compulsory school age must not, without a reasonable excuse, fail to comply with that section — that is, to compulsorily register at a school or for homeschooling. There are a number of reasonable excuses under section 2.1.3, including section 2.1.3(fa):

the parent of the child has provided another excuse —

other than the other excuses that are set out under this section —

for the failure and the principal of the school accepts the excuse as a reasonable excuse ...

The principal must ensure that record in writing is made of the reason, if any, given by the parent.

This is an issue that has been raised with me in correspondence I have received in relation to parents whose children may be subject to bullying or other discriminatory actions or abuse at school or who are having other difficulties at school. The concern that has been raised with me is that the regulations would not allow a student to not attend a school.

It is clear under the act that students must be enrolled and attend school unless there is a reasonable excuse. That is in the act; the act has primacy over the regulations. Even if certain parts of the regulations are disallowed, what is in the act will still prevail. The regulations are merely ways to operationalise what is in the act. There has been no change to the act that requires that all children of a compulsory age must be enrolled in a school or registered for homeschooling. The proposed regulations do not prevent a student from being removed from school or impose any new requirement on homeschool families. The change to this process is that the period for considering an

application for homeschooling has been extended from 14 days under the previous regulations to 28 days to allow the Victorian Registration and Qualifications Authority (VRQA) sufficient time to assess an application that includes a learning plan, which I will go to in a moment. It is anticipated that the majority of those will not take 28 days to be assessed.

As is currently the case, it is understood that there may be situations where a parent would like to remove their child from school prior to receiving approval for homeschooling. This may be for reasons such as illness, stress, bullying or other difficulties. In this situation a parent could contact the principal to discuss the situation. In these cases the child can be excused from school and homeschooling can start immediately while registration is taking place. Principals are aware of their responsibilities in ensuring that in the case of a 'reasonable excuse' from parents, a child can be excused from attending a school for a period of time.

If a parent decides the child would benefit from a homeschooling environment, the parent should contact the VRQA and start to prepare a registration application and a learning plan. The VRQA will need a number of days to review the application to ensure that it contains all the necessary information, and to assess the learning plan. For some applications the registration process will be quick and for others it may take longer. This is information that people will already, I think, be aware of, but it is important to put on the record.

During this interim period the child of compulsory school age must remain enrolled at the school. If the parent chooses, the child's school may be able to support the parent and child during this time by providing materials, homework or guidance. Once the VRQA has assessed the application as suitable, the child will be registered for homeschooling.

It is important to note that where a parent requests their child be excused from attendance at school and discussions with the principal have not led to a resolution, the department has a comprehensive parent complaint policy that provides mechanisms for complaints relating to schools and principals to be addressed by the regional office, or the central office, as appropriate. If the department cannot deal satisfactorily with a complaint, the parent could contact the Independent Office for School Dispute Resolution for assistance.

These processes for providing the principal with a reasonable excuse for the removal of a student from school have always been in place and they do not just apply to homeschooling. They would apply to a parent

wanting to remove a student from a school for those reasons but not necessarily going on to embark upon homeschooling. It is a general application. It applies to any parent who wishes to excuse their child from attendance at school for any of these reasons, and that is set out in the act.

In terms of homeschooling, with the change from 14 days to 28 days to allow the VRQA to assess the learning plan, that is a change that has come in under these regulations. But I note that the particular regulation which refers to the 28-day period is in fact not going to be disallowed under this disallowance motion; it will remain in the regulations under the disallowance motion put forward by Mrs Peulich. Regulation 74 regarding the application for registration of a student for homeschooling and the 28-day period will remain in the new regulations under Mrs Peulich's disallowance motion.

I should say too that after I had received all the emails, spoken to a number of people and met with the Home Educators Network I wrote to the minister about the issues with the plan, with the 28 days and with regard to research et cetera and I received some response to that outlining what the requirements of the education plan will be. I know that it is a key concern of many in the home education community that this really is the main new requirement under the regulations.

Before I go into why I think it is not an onerous requirement that is being put into the new Victorian regulations I just want to go to the role of the Victorian Registration and Qualifications Authority, something which has also been raised with me by a number of correspondents. They have raised to varying degrees issues about the role of the VRQA in homeschooling, with some correspondents even questioning whether the VRQA has any role in homeschooling. However, it is important to put on record that under section 4.2.2 of the Education and Training Reform Act relating to the authority, one of the functions of the authority is to register students for homeschooling. That, as I said, is the role of the authority under the act.

Also under section 4.2.2 of the act relating to the role of the authority, the authority also has a role to exercise its powers to ensure that minimum standards are maintained by providers and organisations it has registered — that is, schools. Mrs Peulich made the assertion that the VRQA does not require minimum standards of schools, but it does under the act and it is required to under the act. In that same section, subparagraph 4.2.2(g) states that the authority must ensure minimum standards are maintained by schools and in homeschooling, so that —

Mrs Peulich — What are the minimum standards? Where is that defined?

Ms PENNICUIK — In the regulations. Section 4.3.9 of division 2 of the act states:

- (1) The Authority may—
 - (a) register a student for home schooling in accordance with the regulations; and
 - (b) cancel the registration of a student for home schooling if—
 - (i) the parents of the student or the student refuse permission to authorised officers of the Authority to review the educational program, material or other records used for or related to the home schooling of the student to determine whether the requirements of the registration or the regulations relating to home schooling are being complied with; or
 - (ii) the parents or the student fail to comply with the requirements of the registration or any regulations relating to home schooling.

I say that because even if regulations are disallowed, the authority still has the power to do these things under the act. The act is not being changed.

I turn to the issue of the education plan, which I have received a lot of correspondence on. Many people have been very concerned about it. As I said earlier, I have looked at the requirements in other states with regard to the provision of a program or a plan under their regulations, and as has been mentioned by Ms Symes, Victoria is the only state that does not require some sort of education learning plan to be provided by parents who are homeschooling.

The proposed regulations will introduce a requirement for parents to provide a one-off plan and to provide in that plan what type of materials they will be using and how they will comply with the eight learning areas. But in the case of Victoria the learning plan is intended to be a flexible document tailored to the needs of the child. It does not need to contain day-to-day lesson plans. It is a framework for the first 12 months of schooling. Unlike in other jurisdictions, there is no requirement to follow any particular curriculum or methodology as long as the plan addresses the eight key learning areas: English, maths, sciences, humanities and social sciences, the arts, languages, health and physical education, and information and communications technology. The purpose of requiring parents to submit learning plans is to ensure the quality education of the child while maintaining flexibility for parents throughout the child's education.

I know that flexibility in the way homeschooling is carried out is very important to the homeschooling community, and we support that. I do not see how the provision of this outline or framework is going to be an onerous requirement. As I said, it is required in every other state and territory. In many other states and territories the requirements are much more rigorous and onerous than even the new requirements in Victoria. For example, in the ACT, Northern Territory and Western Australia the learning and education plans are assessed during home visits. Home visit assessments occur in every state except Queensland and will not occur in Victoria, even under the new regulations. For example, in WA parents have to demonstrate that the program and the child's learning achievements are satisfactory within the first three months of providing the plan.

The Greens are not going to be able to support the disallowance motion. As I have outlined, we do not believe the regulations are going to be onerous. There will be, as Ms Symes has outlined, an advisory group made up of homeschooling and Home Education Network representatives — elected by them — who will be able to be very intimately involved in how this works out in practice. I feel that these regulations bring Victoria more into line with how homeschooling is regulated in the other states.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Heyfield timber mill

Ms DUNN (Eastern Metropolitan) — My question is to the Minister for Agriculture and Minister for Regional Development. Can the minister confirm that the government will be purchasing the Heyfield mill with four individuals as co-owners — namely, Vince Hurley, CEO of Australian Sustainable Hardwoods; Daniel Wright, sales and marketing manager at Australian Sustainable Hardwoods; Garry Henthorn, engineering manager at the mill; and Anthony Wilkes, mill supervisor and bench operator at the mill — and can the minister confirm that these individuals have not been able to secure financing from any bank so the state government is lending each individual \$1 million to buy their share of the mill?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question. The government is determined to provide the best possible outcome for employees at Heyfield. We have been working with management and the owners of the mill. A couple of months ago we announced that we had an in-principle

agreement with the owners, the Hermal Group, to purchase the mill. The management group certainly will continue to have a future in the mill. I am certainly happy to concede I do not know much about running a mill, but the management group certainly do.

The arrangements, though, are still being finalised. These are matters that are the subject of ongoing discussion and final due diligence checks. We are very confident in being able to finalise these arrangements soon, but the information that Ms Dunn specifically seeks is a matter of confidential commercial negotiations. I think the question is fundamentally unhelpful for us trying to bring these matters to a resolution, and I am not in a position to provide further detail on Ms Dunn's question.

Supplementary question

Ms DUNN (Eastern Metropolitan) — I thank the minister for her answer. Minister, can you confirm that in addition to the four individual buyers the state government will be assuming all debts of the mill, including any potential redundancies at that mill?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her further question. As I have indicated, this is a mill that was to be closing. This is a mill that the current owners have indicated to their staff on a number of occasions they would be closing. The mill is now not closing because of the government's intervention. Members in this chamber, perhaps aside from the community of Heyfield, would be the most informed people about this, as it has been the subject of a great deal of debate and interest in this chamber.

I will not labour the point again. You all know the circumstances very well. We have a company that had been promised a timber supply that was completely unreasonable — precious unavailable resources — put in place by the former government, which created a real pinch point for the mill at Heyfield. The owners said the mill would close. That was not an acceptable outcome for our government. We announced —

The PRESIDENT — The minister's time has expired.

Australian Paper

Ms DUNN (Eastern Metropolitan) — My question is to the Minister for Agriculture and Minister for Regional Development. On 10 August this year I asked you a question without notice regarding payments by the state government to Australian Paper. In your written response to that question you stated, 'In relation to the payments made with regard to the legislated

agreement in the Forests (Wood Pulp Agreement) Act 1996, the specific details of any payments are commercial in confidence'. Can the minister confirm that some of the payments made with regard to the act are fines due to timber being sourced from outside the wood pulp agreement forest area?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question. Ms Dunn has, by her own admission, indicated that she is seeking information that is commercial in confidence. If she is seeking information on the legislated agreement, then I would refer her to the legislation. But Ms Dunn's interest in these matters unfortunately I am not going to be able to satisfy, because these are matters of contractual arrangements between VicForests and, in this instance, Australian Paper. In response to Ms Dunn's previous question, the ongoing work and negotiations are being undertaken with the Hermal Group and the government.

Supplementary question

Ms DUNN (Eastern Metropolitan) — Thank you, Minister, for your answer. Can you advise the house why such payments, which are paid using Victorian taxpayers money, are considered commercial in confidence?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question. I know Ms Dunn will not rest while there is a native timber industry in Victoria, but it is certainly the view of our government that a strong and secure timber industry can exist in partnership with the protection of the environmental values that are so important to so many Victorians.

There are a number of arrangements — I would go so far as to say there are many arrangements — that governments enter into from time to time with private companies, the nature of which needs to remain commercial. The reasons for this vary, but certainly a key one among them is ensuring best value for taxpayers, as is the case with our administration of the Regional Jobs Fund. It is appropriate to retain a degree of confidentiality around these arrangements. There are occasions when a company may be happy for that information to be shared. There are other occasions when they are not. I can certainly assure Ms Dunn that we work hard to ensure best value and best possible outcomes for Victorian taxpayers in all our dealings across different grants programs and other arrangements that are entered into with the private sector.

Haining Farm

Mr YOUNG (Northern Victoria) — My question today is for the Leader of the Government representing the Minister for Energy, Environment and Climate Change. Consultation is always a hot topic in this place, and increasingly the louder voices of people from inner Melbourne drown out true consultation with communities in regional areas on issues that impact regional people. The latest case in point is Haining Farm in the Yarra Valley, an educational farm Parks Victoria is supposed to manage. However, Parks Victoria, along with Greening Australia and Zoos Victoria, have developed a plan that would shut the farm down and shut off public access to public land. The local community, which had not been consulted, objected.

In response the state government changed its tactic and provided a plan with two additional options which would see Haining Farm remain open. These options were put forward in an online survey for anyone with an interest to have a say. We understand there has been a concerted effort by Zoos Victoria to recruit people far and wide to vote on the option that they colluded with Parks Victoria and Greening Australia to create, without consultation with the local community. Minister, what percentage of the results from the Engage Victoria survey conducted as part of the last-minute consultation process came from the local community?

Mr JENNINGS (Special Minister of State) — Let me scan the online presence. Mr Young is obviously hoping that I will — and I will — refer this matter to the Minister for Energy, Environment and Climate Change. I am certain that she will be able to drill down into the results of this consultation and provide an appropriate answer. I do not want Mr Young to have too much comfort in his preferred way of describing this issue — in a way because it sounded as if there was a high degree of collusion and orchestration. He alleges this. This may or may not be of any relevance in relation to the facts at all.

Given that I am not aware of the issue, I am not going to fall for the trap of actually going too far one way or the other in relation to an assessment of what Mr Young has put to us. I am actually saying that he should not jump too far. He was not terribly gracious in the way he actually described the option, because he alleges that it has been provided begrudgingly in relation to support and consultation. I do not know that history. I am less jumping to conclusions than Mr Young jumped to conclusions. I would actually say that if there are a range of options available which keep

the farm open and meet a range of community expectations, I would have thought that sounded like a reasonable balance of the way in which to consult. It sounds at first blush to me as if it was actually quite a reasonable construct.

I will go and have a conversation with my colleague to see whether that was the case. I hope for all concerned that there is a balanced consideration of these matters, that the community's expectations are well understood and responded to and that conservation is a priority in relation to making sure that there are good conservation and environmental outcomes in relation to this proposal. Let us hope that there is a balance of consideration of it and a good result for all.

Supplementary question

Mr YOUNG (Northern Victoria) — I thank the minister for his endeavour to find some answers from the relevant minister in relation to this question. Far be it for me to jump to conclusions also, which is why we are in this forum bringing questions to the government in order to provide that information back to the local communities that have these concerns, but my supplementary question is: in separating local community responses from the outside responses, how do the results compare?

Mr JENNINGS (Special Minister of State) — Just as you have supplemented your question, I think the minister will need to supplement her answer.

Deaths in custody

Mr O'DONOHUE (Eastern Victoria) — My question is for the Minister for Corrections. Minister, a total of 39 prisoners have died in Victoria's prisons in the last two financial years, up from just four in 2011–12. Of those 39, it was reported that at least two prisoners have committed suicide in the new Karreenga prison, opened just last September. Minister, how many of the Ombudsman's recommendations following the inquiry into deaths and harm in custody have been fully implemented by the Andrews government?

Ms TIERNEY (Minister for Corrections) — I do thank the member for his question. In 2016–17 there were 20 deaths in custody, with two deaths recorded to date in 2017–18. Prisoners often enter custody in poor health or experiencing chronic disease, with the vast majority of deaths resulting from natural causes. The prison population has more than doubled in size since 2001, and deaths in prison have grown accordingly.

Victoria Police investigates all prison deaths and prepares a brief of evidence for the coroner, who

determines the cause of death, as you well know. The Justice Assurance and Review Office also examines every prison death and provides a report, which is routinely provided to the coroner. Importantly, the rate of prisoner deaths per 100 prisoners from apparent unnatural causes has remained low and relatively stable in recent years.

The Victorian prison system is managing an increasing ageing population, Mr O'Donohue. Since 30 June 2000 there has been a 300 per cent increase in the average number of prisoners aged 61 years and over. We are now catering for 10 prisoners over the age of 81; in 2000 there were none. The average age of prisoners at the time of death has increased from 44.2 years in 2002–03 to 52.4 years in 2016–17. Over recent years the older average age of prisoners has been the single biggest factor in the increased number of deaths in custody.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) — I thank the minister for much helpful information around this important issue, but I do note that she did not actually address the question posed. Be that as it may, I ask by way of supplementary: Minister, it has been alleged that on 18 August there were two attempted hangings at the Karreenga prison, a facility that was designed to accommodate minimum-security sentenced prisoners but was changed by your government to accommodate higher risk, medium-security sentenced and remand prisoners. Minister, what have you done to satisfy yourself that the Karreenga prison has the necessary infrastructure, monitoring and staffing levels to appropriately manage this higher risk and more volatile cohort?

Ms TIERNEY (Minister for Corrections) — Again, I thank the member for his question. As I mentioned in my substantive answer, Victoria Police investigates all prisoner deaths and prepares a brief of evidence for the coroner, who determines the cause of death. The Justice Assurance and Review Office, formerly the Office of Correctional Services Review, will also examine every prison death and provide a report to the coroner. All of those matters that you have mentioned in your supplementary question are under review.

Vocational education and training

Ms LOVELL (Northern Victoria) — My question is to the Minister for Training and Skills. Yesterday the National Centre for Vocational Education Research (NCVER) released its summary of vocational education and training in Australia for the 2016 year. The report shows that in New South Wales the number of students

in training grew by 11 per cent but in Victoria it fell by 2.7 per cent. Victoria also had the biggest drop in subject enrolments and the total hours of training delivered. Minister, why is Victoria the only state in mainland Australia where the number of students in training declined in 2016?

Ms TIERNEY (Minister for Training and Skills) — I thank the member for her question, because it does provide me with an opportunity to correct the record in respect of comments that have been made by Mrs Peulich and Ms Wooldridge on previous occasions. In terms of the confusion around NCVER, when Mrs Peulich first asked me a question in question time last time she asked why the *Victorian Training Market Report* had not been published. The report, I said, had not been released yet.

Ms Lovell — On a point of order, President, the minister seems to be responding to a question that Mrs Peulich asked in some past question time and not the current question that I put before the house today.

Honourable members interjecting.

The PRESIDENT — Mr Ondarchie, I very much suggest that you temper your interjections.

Mr Dalidakis — On the point of order, President, as you just experienced as you were waiting to give me the call, the minister had only been on her feet for less than 7 seconds before incessant interjections were made by the other side of the chamber.

Honourable members interjecting.

Mr Dalidakis — It is happening right now, President. So if they ask a question and they do not give the minister an opportunity to answer and to also provide context in relation to the statistics that the minister is asked about, then they cannot seek to try and sit the minister down or correct her when in fact they are behaving in a completely inappropriate manner.

The PRESIDENT — The minister has only just commenced her response. She has ample time to address Ms Lovell's question, and the fact is that she is providing some context to her answer and picking up on other commentary around skills training, which I think is valuable for members to understand and have at their disposal. I am sure she will get fairly promptly to Ms Lovell's direct question as well.

Ms TIERNEY — Thank you, President. I raise those matters in my response because there seems to be some serious confusion on behalf of those on the other side of the chamber who do not understand the

difference between the *Victorian Training Market Report* and the NCVER reports. Indeed that was absolutely demonstrated by the comments that Ms Wooldridge made when she followed up, not knowing the difference between the *Victorian Training Market Report* and the NCVER report.

The fact of the matter is that the NCVER report is used to extrapolate the Victorian statistics. I am now advised by the department that they will be able to provide the Victorian statistics later this month, which I am really pleased about. That is the set of data on which this state relies.

Supplementary question

Ms LOVELL (Northern Victoria) — The minister seems to think that they can send any data to NCVER which measures Victoria against other states and then produce their own set of data later. Minister, you have frequently relied on using your 2015 quality blitz on dodgy private registered training organisations to explain Victoria's declining student numbers. If that is true, why does yesterday's report also show that there were 52 000 fewer students studying at TAFE in Victoria in 2016 compared with the previous year?

Ms TIERNEY (Minister for Training and Skills) — Consistent with the position of this government I will respond to data that is drawn from the NCVER report that will be available later this month and respond accordingly when that data is available.

Adult and community education

Mr RAMSAY (Western Victoria) — My question is also to the Minister for Training and Skills. Victoria's not-for-profit adult and community education providers work on the front line helping vulnerable and disengaged learners in Victoria to re-engage with the training system. Unfortunately under the Andrews government a number of community learning centres (CLCs) and neighbourhood houses have folded as training organisations, many of them citing an increase in red tape and financial problems under government. Minister, since 2015 how many community learning centres and neighbourhood houses have folded as training organisations?

Ms TIERNEY (Minister for Training and Skills) — I thank the member for his question. The member is actually correct in that there are a number of private providers that do good work in the area of delivering on skills and training in this state. In fact I went to a couple of them in Gippsland last week and was very impressed with the work that they do. But this government makes

no excuses and makes no apologies for the fact that we are ensuring that we have a system that is robust and a system that is getting rid of dodgy providers and providers that just are not up to the mark in providing basic financials and basic governance information.

If you want that to continue, then you need to turn the policy levers back to what they were when you were in government, when you had absolutely no regard whatsoever for the Learn Local sector or indeed the TAFE sector. All I ask for is that you reflect on what you have got in terms of a Liberal Party policy package in relation to vocational education and training, and I think that you will be absolutely shocked and horrified by what you did to the system.

Mr Ramsay — On a point of order, President, I actually gave the minister some time to allow her to respond to my fairly direct question. The question was: how many CLCs and neighbourhood houses have failed and folded as training organisations? It is very simple. The statistical number is what I am seeking from the minister. So the point of order is on the relevance of whatever else she said.

The PRESIDENT — The minister still has time available to respond directly to that question.

Ms TIERNEY — The fact of the matter is, as I said, there are a number of organisations around this state that provide training and deliver skills across our state. The fact of the matter is that you have got no regard for these organisations at all. If you had regard for these organisations, you would have made sure that they were able to provide and continue to provide training to a lot of disadvantaged people and others within this community. But, no, you have failed. You have actually received a fail, fail, fail.

The PRESIDENT — Order! Minister, I did not extend on the point of order, because I did believe that you had time to address the specific question, but I must say the point of order that was made was in relation to both debating and relevance, whilst that was not taken up specifically by the member raising that as the grounds of his point of order. I certainly believe that you have had time now to put that context and suggest some of the challenges that your government had when you came to office, as you see it. But certainly, as you know, we do not have debating as part of the answer to a question, and I certainly believe that the most recent remarks do constitute debating. The minister, to finalise the answer.

Ms TIERNEY — Thank you, President. I simply refute the premise of the question, and that is that it is our policies that have driven certain organisations to bankruptcy. That is a refutable insinuation that I simply reject.

Supplementary question

Mr RAMSAY (Western Victoria) — I thank the minister for her response, and I note that she was not able to directly answer the substantive question I asked. I also note that I am sure she is not suggesting that CLCs and all neighbourhood houses are dodgy, as indicated in her response. My supplementary question is: in 2014 the then Labor opposition produced a policy on adult, community and further education in Victoria called, ‘A sector in crisis’. It stated:

... treating private RTOs and not-for-profit community providers of training as if they occupy a level playing field disadvantages not-for-profit groups who pay for additional support services to students and invest in the communities they operate within.

Minister, given so many not-for-profit education providers, CLCs and neighbourhood houses in private education in Victoria are collapsing under the Andrews government, why does your Skills First model maintain the level playing field that the Labor Party opposed in opposition?

Ms TIERNEY (Minister for Training and Skills) — Clearly the member just is not informed in terms of what happens in this area, because we as a government recognise that there are significant hurdles that community organisations face when delivering skills training and education, and that is why we have provided moneys for organisations to collaborate together in a geographic area so that they can do many of the back-of-house operations and bureaucratic work that is required to deliver their training. That is highly supported by Learn Local and the community sector, one, for the recognition, and two, because it actually makes their lives so much easier and they get to actually deliver skills and training to the community instead of being tied up with paperwork.

The other thing that the member clearly is not aware of is that there is actually a 20 per cent loading in recognition of thin markets and difficulties that regional community centres have in delivering skills training. These are the very things that come out of the Skills First philosophy in that we recognise that community organisations and neighbourhood houses play a very important role in the delivery of skills training. We recognise that there are thin markets. We understand that they have got extra hurdles. We understand that

they need to have an ability to undertake a range of bureaucratic —

The PRESIDENT — Thank you, Minister.

Prisoner classification

Mr MORRIS (Western Victoria) — My question is to the Minister for Corrections. Nayef El Sayed and Saney Aweys are reportedly former associates of Brighton gunman Yacqub Khayre and are serving 18 years in jail for their role in the 2009 Holsworthy army base terrorist plot. It has been reported that El Sayad and Aweys are radicalising prisoners and have built a large following at the Karreenga prison in Lara, recently opened and designed to accommodate only restricted minimum security prisoners. Minister, why are such serious terrorists, who have many years left to serve on their sentence, not being held in a maximum-security prison where they are more closely supervised and where cellular-style cells enable better separation and monitoring?

Ms TIERNEY (Minister for Corrections) — I thank the member for his question. As I have said when this question has been asked previously, Corrections Victoria places all prisoners in a classification. They are classified, they are placed and they are managed according to individual risks. Individual prisoner placement and classification are operational matters for Corrections Victoria. Corrections Victoria constantly monitors all prisoners, Mr Morris, working closely with other law enforcement agencies to share intelligence and ensure the security and good order of the system. The placement of prisoners is carefully considered to minimise the risk of radicalising views being reinforced, Mr Morris. Any prisoner attempting to radicalise others will be placed in a more restrictive environment to limit their influence.

Supplementary question

Mr MORRIS (Western Victoria) — Thank you, Minister, for that response. Minister, it has been reported that these criminals, together with those they have radicalised, have been laughing and joking about the Brighton siege and recent terrorist atrocities in Europe. Minister, how is the risk of radicalisation and the spread of extremist ideologies managed in open lower security correctional facilities such as Karreenga?

Ms TIERNEY (Minister for Corrections) — I answered that question in my substantive answer.

Mr Morris — On a point of order, President, the question was very specific, relating to a very specific facility. The minister’s initial response was a broad

response speaking more broadly about the operation of prisons.

Ms Shing — On the point of order, President, standing orders do not permit any minister to be directed as to how a question or a supplementary question is to be answered.

The PRESIDENT — Ms Shing's point is valid to a point. But there is an expectation of the house that answers will be accurate, that they will be apposite to the question and that ministers will, to the best of their ability, actually provide an answer that does address the question put. In that context, yes, ministers cannot talk about foxes if the question was about chickens.

Israel trade delegation

Mr RICH-PHILLIPS (South Eastern Metropolitan) — My question is to the Leader of the Government. The Premier will shortly undertake official travel to Israel. Will the Premier be accompanied by his special advisor on trade and business development in the Middle East, Mr Eideh?

Mr JENNINGS (Special Minister of State) — To the best of my knowledge the answer is no.

Supplementary question

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I thank the minister for his response. It has been the practice for the Premier to take his other special adviser on trade, Ms Thomson, on various trade missions. Can the minister outline why Mr Eideh, as the special adviser on trade in the Middle East, will not be accompanying the Premier on this trip?

Mr JENNINGS (Special Minister of State) — I think it would be wise for Mr Rich-Phillips, it would be wise for members of the opposition and it would be wise for members of the community to actually be reasonably dispassionate about this issue. The decision about the travelling party with the Premier is at the discretion of the Premier. Indeed the nature of the engagements that take place and the meeting schedules that he would be undertaking during his trips would determine the appropriate support that he would see fit. Whether it be through the department, whether it be through other members of Parliament or whether it be through other advisors that he may take with him, the support will depend on the content of the trip and the reasons for the trip. It is totally at the determination of the Premier in relation to what support he may feel is appropriate at that particular time in relation to that trip.

West Gate tunnel project

Ms PATTEN (Northern Metropolitan) — My question is for the Minister for Roads and Road Safety, represented in this house by the Minister for Agriculture. Media reports this week suggest that a second expert hired by the government to review its proposed congestion-busting West Gate tunnel, Mr John Allard, was critical of the road's claimed traffic levels as modelled by Veitch Lister Consulting. Can the minister explain why the government rejected Mr Allard's conclusions?

Ms PULFORD (Minister for Agriculture) — I thank Ms Patten for her question to Minister Donnellan. I will seek a written response from Minister Donnellan in accordance with standing orders.

Supplementary question

Ms PATTEN (Northern Metropolitan) — Thank you, Minister. Having rejected Mr Allard's conclusions, did the government engage a further independent expert to review the modelling, and if so, why?

Ms PULFORD (Minister for Agriculture) — Again, I will provide Ms Patten's question to the relevant minister and seek a written response.

QUESTIONS ON NOTICE

Answers

Mr JENNINGS (Special Minister of State) — There are six written responses to questions on notice: 11 390, 11 476, 11 498, 11 521, 11 543, 11 565.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — On the basis of today's question time I would refer for written responses Ms Dunn's first question to Ms Pulford, both the substantive and supplementary questions; that is one day. I understand that there are matters of confidence associated with it, but there are also some areas that, on review, may not be caught up in those confidential matters and the minister might reflect on them and see if she can provide some further information. On Ms Dunn's second question to Ms Pulford, just the substantive question, that is also one day; on Ms Patten's question to Ms Pulford, Ms Pulford has offered to obtain a written response to both the substantive and supplementary questions involving another minister, so two days. On Mr Young's question to Mr Jennings, Mr Jennings has volunteered to obtain

a written response to both the substantive and supplementary questions; that is two days because the minister is in another place. On Mr O'Donohue's question to Ms Tierney, the substantive and supplementary questions, it is one day. Ms Lovell's question to Ms Tierney, both the substantive and supplementary questions, is one day. Mr Ramsay's question to Ms Tierney, just the substantive question, is one day. Mr Morris's question to Ms Tierney, the substantive and supplementary questions, is one day.

CONSTITUENCY QUESTIONS

Eastern Metropolitan Region

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is for the Minister for Roads and Road Safety, and I ask: exactly what is the government spending the \$1.5 million they are investing in Fitzsimons Lane on and what is the timing for a decision on how to then actually fix this road, given the traffic congestion that plagues Eltham residents each and every day in relation to the congestion? The government has declared work is about to begin on upgrading Bolton Street, spending only half the money that VicRoads believes is necessary to properly upgrade this road. But Bolton Street is only part of the bottleneck that Eltham commuters face in getting to and from work when they negotiate the very congested Fitzsimons Lane. Over the last year I have asked seven questions on how this government is going to fix this important thoroughfare. Each time the government has refused to act or outline any of its proposals for change, so I ask that the minister actually respond to this question. Now we have heard from a government MP in the other place that there is going to be an investment, and we need to know, and the community needs to know, how this money would be spent because for three years nothing has happened and now we are looking for action.

Northern Victoria Region

Mr YOUNG (Northern Victoria) — My question today is for the Minister for Agriculture. It has been brought to my attention by residents of the north-east of the state. Hunting is an activity that can only take place in appropriate areas, and many rules and regulations, including land tenure, govern that. Given the number of public land types and the areas excluded from hunting it is difficult to obtain reliable information on where you can and cannot hunt. Lack of signage and appropriate boundary definition has made this almost impossible in some cases. The Game Management Authority provides maps for Victoria to show in detail permissible hunting areas, which local residents and visitors rely on. Two of these maps pertaining to an

area in the high country, numbers 52 and 42, have recently been removed from the website, and I ask the minister why this has occurred.

Eastern Metropolitan Region

Ms DUNN (Eastern Metropolitan) — My constituency question is for the Minister for Housing, Disability and Ageing. The permanent residents of Wantirna Park caravan park are facing eviction very soon — November 2017. Many of them are low-income households and do not have the funds available to relocate their homes to new sites, even though new sites are available. Given the dire need for housing, will the minister provide funding to relocate homes and to connect those homes to services to assist these residents who are at risk of homelessness?

Eastern Victoria Region

Ms SHING (Eastern Victoria) — The question that I have today is for the Minister for Industry and Employment, the Honourable Wade Noonan, and it relates to the issue of Carter Holt Harvey workers and indeed an assertion that was made by Ms Bath in the chamber yesterday around enabling Carter Holt Harvey workers to be registered as jobseekers on the Jobs Victoria Employment Network as a priority target group and to join the workers of Hazelwood who are included on this list, when in fact that is already the case and since that time more than 100 Carter Holt Harvey workers have registered with the Latrobe Valley Authority and received assistance. Eighty of them already have access to Victorian government funded training — 156 courses — along with information sessions provided at Carter Holt Harvey's mill prior to closure, and all affected workers have been made aware of the opportunities and the resources that were available in the suite of government services. I would ask the minister to make sure that Ms Bath is not under any illusion that this support and assistance is not being provided to Carter Holt Harvey workers.

Northern Metropolitan Region

Mr ONDARCHIE (Northern Metropolitan) — My question is to the Minister for Local Government on behalf of residents in Northern Metropolitan Region that have raised these issues with me, particularly residents in the City of Moreland, the City of Yarra and the City of Darebin. I have had approaches from many residents, including Mr Halloran, who said to me that he has seen ratepayers funds spent on campaigning for same-sex marriage, constitutional recognition for Indigenous Australians and even the push for independence by West Papua. The issue is not whether

one agrees with those positions or not; it is whether it is appropriate to use council funds to campaign on national and international issues. The question I have, given the things that have happened this week with Yarra City Council and Darebin City Council in relation to Australia Day is — and this is the question from the residents — does the minister think that these particular activities of local municipalities are consistent with her expectation of the use of ratepayers money in these campaigns?

Western Metropolitan Region

Mr EIDEH (Western Metropolitan) — My question is for the Minister for Sport, the Honourable John Eren. The Victorian Institute of Sport (VIS), an integral sporting asset in our state, is driving the development of elite athletes to do our state and nation proud at international competitions such as the Olympics and the Commonwealth Games. In 2016 we saw 29 Victorian athletes bring home medals from the Rio Olympics and the Paralympics. That is why I was so pleased to hear that the Minister for Sport recently announced an additional \$26.8 million in funding for the VIS over the next four years. With the Winter Olympics and Paralympics next year, the Gold Coast Commonwealth Games also next year and the Tokyo 2020 Olympics approaching, we need to ensure that we are ready to go with our best athletes. While it is essential to financially support our key elite athlete development organisation, it is just as important that we support community sport and grassroots clubs. Can the minister please advise how this funding for the VIS will drive community-based outcomes in Western Metropolitan Region?

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is to the Minister for Roads and Road Safety. Point Cook Road continues to be a daily nightmare for thousands. Every morning locals' patience is put to the test as they crawl along Point Cook Road for the joy of then crawling along the Princes and West Gate freeways. It is an intolerable situation that impacts on the livability of large portions of Melbourne's west. What is the minister doing to ease congestion on Point Cook Road, and when can we expect to see action on this?

Northern Victoria Region

Mr GEPP (Northern Victoria) — My constituency question is for the Minister for Families and Children regarding the Kinder Capital project underway at the Mallee Minors Child Care Centre in Ouyen. The Mallee Minors Child Care Centre operates across the

catchment at Murrayville, Underbool, Sea Lake and Ouyen. Children's learning and development is supported and encouraged through their attendance at the centre, and programs are specifically designed and implemented to meet children's learning needs. These programs are designed by staff qualified in early childhood development.

Research shows that children who have a stimulating, supportive and healthy start to life are more likely to do well in later life, and those children who attend kinder score between 10 and 20 points higher on NAPLAN tests. Can the minister please provide an update to the house on how this important project for the Mallee Minors is coming along in Ouyen and what this upgrade will mean in terms of helping young children in Ouyen to get the best early childhood education to ensure they are ready for school and ready for life?

Southern Metropolitan Region

Mr DAVIS (Southern Metropolitan) — My constituency question today is for the Minister for Public Transport and relates to Punt Road and the public acquisition overlay. Far from ending the uncertainty, the government's recent announcements on Punt Road have seen the uncertainty extended and deepened. What I am seeking from the minister is a commitment. I am asking him the question: will he come forward and meet with the Punt Road advocacy group, the Drop Punt group, which has a very strong commitment to seeing the acquisition overlay lifted?

This is VicRoads rolling the minister — that is what has happened here — and the people along that area have a legitimate gripe about the government's approach and the secrecy surrounding the panel, and it is time that the government and in particular the minister faced up and met with the Drop Punt group. I seek a meeting with the Drop Punt group from the minister. Will he meet with them?

Eastern Metropolitan Region

Mr LEANE (Eastern Metropolitan) — Last week I was fortunate enough to visit the Melba College in Croydon's new building and construction site and after that have a brief conversation with the principal and a representative of the school council. They described to me their application for funding from the Shared Facilities Fund to build some basketball courts in conjunction with the Kilsyth basketball association. They have an application in for funding from the Shared Facilities Fund. The question I would like to ask the Minister for Education is: when will the successful applicants be notified of their application?

HOMESCHOOLING

Debate resumed.

Ms PATTEN (Northern Metropolitan) — I rise to speak to the home education disallowance motion briefly. With many issues that come before this chamber I learn a lot in the process of the passage of legislation. I am one of the few members who has to be across every bill that comes before the house to vote on it; every vote is a conscious vote in many ways for me. This has been a really interesting one for me. When looking at the regulations on the surface they seem like a very sensible approach. We needed some regulation of homeschooling, and when you compared Victoria to the rest of Australia we seemed to have a very light touch on the regulation of homeschooling. But over the course of this year I have had the opportunity and pleasure of meeting many of the parents from the Home Education Network — and even some of their children this morning — and I have a far greater understanding of the reasons why people homeschool.

My sister and her partner are both teachers, and I spoke to them about homeschooling. I was expecting a very different response from them. I thought that they would be negative about it, but they said, 'No, not every child fits in in school and not every child can work within the school structures'. But I do believe that we need some regulation here. The regulations that this disallowance motion goes to were raised with me a number of times by parents, and I sought reassurances from the minister's office about this. I think their particular and principal fear is that the regulations as framed would compel a child to attend a school where that attendance is a source of bullying or mental health issues or other significant issues that have caused the parents to want to remove the children from school and that this would be difficult.

I want to read into *Hansard* how the minister responded to me on this:

... the period for considering an application for homeschooling has been extended from 14 days to 28 days to allow the VRQA sufficient time to assess an application that includes a learning plan. It is anticipated that the majority of applications will not require 28 days ...

As is currently the case, it is completely understood that there may be situations where a parent would like to remove their child from school prior to receiving approval for homeschooling, this may be for reasons such as illness, stress, bullying, or other difficulties. In this situation, a parent should contact the principal to discuss the situation.

In these cases the child can be excused from school and homeschooling can start immediately while the registration is taking place. Principals are aware of their responsibilities in ensuring that in the case of a 'reasonable excuse' from parents, a child can be excused from attending school for a period of time.

The Home Education Network (HEN) was not satisfied with this. So we went back to the minister's office to talk specifically around where the principal was not supportive of a child being removed. The minister's office came back saying:

Where a parent requests that their child be excused from attendance at school and discussions with the principal have not led to a resolution, the department has a comprehensive parent complaint policy that provides for complaints relating to schools and principals to be addressed by the regional office, or central office, as appropriate.

They go on to say that if a child is experiencing mental health issues or bullying, that would be a reasonable excuse and the department would uphold that.

I was quite satisfied with the minister's response, but I understand the parents' continuing concern. I understand that the parents have a somewhat — you could call it — distrust of the department. I feel that the minister was quite unequivocal on this, but I do appreciate that the parents do not feel that they were properly consulted in this situation. While the parents themselves in their conversations with me have agreed that regulation is required in this area, these regulations are not the ones that are needed. The parents have not been consulted enough. They do not have great faith in the Victorian Registration and Qualifications Authority (VRQA) in assessing their curriculums. These regulations are onerous; the requirements are above and beyond those required, as Ms Bath mentioned, even of teachers and certainly of other schools, like Steiner schools, in preparing a year in advance a full year's curriculum.

I have been really torn with this issue, because I think we do need regulation and I think that there are some areas where we are lacking in Victoria that other states have responded to in effective ways. On this issue I am giving the parents the benefit of the doubt and I am supporting the disallowance motion. I think these regulations do need to be considered. I would like to see the government go back to the parents and sit down with them and develop a series of regulations that can be supported by the Parliament, by the government, by the department and, most importantly, by the parents.

Mr MORRIS (Western Victoria) — I rise to make my contribution to the motion moved by Mrs Peulich. I congratulate Mrs Peulich on bringing this disallowance motion to the chamber. It is an incredibly important motion that would see the important work of homeschooling parents be respected by the government. I note that there has been a lot of discussion between members on this side of the house and the many, many families who choose to homeschool their children. I know that our shadow Minister for Education, Nick Wakeling, has taken a strong lead in this matter by discussing it with many affected families. He understands the importance of schooling and the impact that these changes would have on those families.

This disallowance motion will allow parents who choose to homeschool their children to be able to do so without undue encumbrance from the government, and that is really what this is about. This is about the government overstepping its bounds. It is about the rights of parents to determine how their children are educated. Like many people in this chamber, I choose to send my children to school. However, I have met with many families who have chosen to homeschool their children. I have been enlightened as to the many varied and extremely valid and reasonable reasons as to why people choose to homeschool their children. Whether it be because their children do not necessarily fit into a traditional school setting or whether it be because of additional needs their children may have, the right of parents to be able to homeschool is an incredibly important one.

The regulations attempted to be put in place by the government in effect take away parents' rights to homeschool their children and to do so at short notice. I have met with parents who one day sent their children off to school and who the following day had to begin homeschooling their children. These regulations do not facilitate that. These regulations disallow parents making a quick decision — and that could be due to many and varied circumstances — to ensure that their children get the right education and the education they need at a particular time in their lives. For the government to be interfering in the lives of families in that way is overreach and it goes beyond the pale. We on this side of the house acknowledge that parents are best placed to choose the right educational settings for their children. It is not up to the government to interfere and dictate exactly how children are to be educated.

I have discussed with many parents the need for appropriate regulations around homeschooling, and I certainly have not heard any arguments against appropriate regulation. The many families I have

spoken with discussed the fact that it is important that a curriculum of some description be taught to children in homeschool settings, but for the government to expect that to be in place before homeschooling is commenced is just unrealistic and would make life untenable for the many people who choose to homeschool. I am a teacher, Mrs Peulich is a teacher and Ms Bath is a teacher. We certainly understand that children have different educational needs and need to be supported in many and varied ways. Homeschooling provides the setting for the many parents who chose the home as the place to educate their children.

These regulations were brought in by the government basically under the cover of darkness. As families were preparing to celebrate Christmas and go away on holidays and the like, the government attempted to slide this on through, expecting and hoping that nobody would pick up on the fact that they were making it exceptionally difficult for families to homeschool their children, something they have done for many years, without undue interference from the government. For the government to expect that that is acceptable is certainly beyond the pale, and on this side of the house we were aghast to see that attempted by the government.

Sitting suspended 1.00 p.m. until 2.02 p.m.

House divided on motion:

Ayes, 20

Atkinson, Mr	Morris, Mr
Bath, Ms	O'Donohue, Mr
Bourman, Mr	Ondarchie, Mr
Carling-Jenkins, Dr	O'Sullivan, Mr
Crozier, Ms	Patten, Ms
Dalla-Riva, Mr (<i>Teller</i>)	Peulich, Mrs
Davis, Mr	Ramsay, Mr
Finn, Mr	Rich-Phillips, Mr
Fitzherbert, Ms	Wooldridge, Ms
Lovell, Ms	Young, Mr (<i>Teller</i>)

Noes, 20

Barber, Mr	Mikakos, Ms
Dalidakis, Mr	Mulino, Mr
Dunn, Ms	Pennicuik, Ms
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Purcell, Mr
Gepp, Mr	Shing, Ms
Hartland, Ms	Somyurek, Mr (<i>Teller</i>)
Jennings, Mr	Springle, Ms (<i>Teller</i>)
Leane, Mr	Symes, Ms
Melhem, Mr	Tierney, Ms

Motion negatived.

DAIRY INDUSTRY

Mr PURCELL (Western Victoria) — It is my pleasure to move:

That this house notes the results from the initiatives taken by the Victorian government following the 2016 dairy clawback by Murray Goulburn and Fonterra, including —

- (1) if the results of the Victorian state-funded initiatives for agriculture are working; and
- (2) whether other interstate or overseas models would help improve the viability of agriculture in Victoria.

Today I rise to speak about a matter critically important to this government and to my electorate — the dairy industry and its seemingly never-ending range of challenges. This is particularly pertinent at this time when yesterday Murray Goulburn made its announcement of a \$370 million loss for the 2017 financial year. The cooperative reported its total milk intake for this year fell by 22 per cent, to 2.7 billion litres. In its report the company stated that it had had a difficult and challenging year in 2017, and I think that is certainly an understatement —

Mr Barber interjected.

Mr PURCELL — Absolutely. And that the company has immediately frozen all spending. This latest revelation from one of our major dairy companies shows the dairy sector is most certainly not recovering and most definitely in a time of crisis. The motion will address the key challenges facing agriculture in Victoria, examine what the government and public and private groups are doing to offset these challenges and look at ways the state government might better support the agricultural industry in Victoria, and in particular the dairy industry.

The agricultural industry in Australia and Victoria has been reducing in size for quite a number of years. Sheep numbers have reduced by 7 million over the last 15 years and beef cattle numbers have reduced by around 200 000. Nevertheless the agricultural industry is still strong and has growth potential, and the declining numbers point in part towards a move to manufacturing high-value food products.

My electorate of Western Victoria Region has some key advantages as a site for agricultural production, including reliable rainfall; a temperate climate; access to infrastructure, including the deep sea port of Portland; and Avalon Airport. It also includes a diversity of dairy, sheep and beef, and strong industry-led research and development. A significant current issue for the dairy industry is economic

volatility and commodity price volatility. From 2016 onwards the dairy industry has been faced with a series of price crises that have put farmers under great financial pressure. The causes of these are complex, but I will outline what I believe to be the main three causes.

The first is the unexpected contraction in international domestic markets for milk products. Most predictions prior to the 2016 forecast on demand and prices paid for Australian milk products were that they would rise in the coming decades, and many farmers invested heavily in expanding their businesses to meet this demand. When prices dropped suddenly many farmers were left with loans that they were unable to repay.

The second cause is that Murray Goulburn, which is and was a key milk distributor, retrospectively cut the prices paid to farmers in the 2016 year. This resulted in reduced profits and for some farmers substantial financial losses, particularly those who had expanded their farms prior to the price cut.

The third cause is cuts in international wholesale prices. Milk powder is treated as an internationally traded commodity, and sharp falls in the price of the commodity in 2016 led to adjustments in the domestic market for milk products. Victorian farmers are also more reliant on milk powder exports than those in other parts of the country, so these adjustments were particularly damaging to Victorian farmers. Exports present the strongest growth opportunity for Victorian farmers. Australian agriculture has a strong brand identity, which is being recognised in growing Asian export markets and which presents opportunities for farmers to make and sell more profitable premium products. Victoria has high food safety standards and is well placed to meet top international biosecurity standards. Federal funding is available for farmers to improve biodiversity surveillance and analysis, and state and federal governments are investing to improve animal tracking technology to ensure international customers retain confidence in Australia's agricultural products.

One of the big problems we have in the agricultural industry and in particular the dairy industry is the ageing of farmers. This is a substantial challenge. The average age of the Australian farmer today is 56, which is 17 years older than the average Australian. Ten years ago the average age of farmers was 54. Only 13 per cent of Victorian farmers are under 35. Many unproductive smaller farms are staffed by older farmers transitioning towards retirement, many of whom are unwilling to embrace new technology, farming methods or business models, and many of whom may not have the expertise to capitalise on new markets and business

opportunities. The rising age of Victorian farmers is hampering the state's agricultural productivity.

Young farmers see a career in agriculture as unrewarding and unattractive, and young labour is often difficult to find. The Victorian state government runs a limited set of programs to help young farmers pursue their careers, such as the Young Farmers Scholarship. These programs are tailored towards young people with pre-existing experience in the industry and do not encourage young people from either rural or metropolitan areas to actively consider a new career in agriculture. Government-run education and advocacy programs promoting careers in agriculture could help to alleviate this issue.

There are several programs and initiatives available for the Victorian agricultural sector, but not specifically for the dairy industry. The Victorian state government operates many programs that provide regulatory training and financial assistance to farmers across the state. Most new programs are funded under the government's food and fibre sector strategy, a long-term plan for the industry launched in 2016. Some examples of government funding and operating programs targeted at the agricultural industry include grants, subsidies and sponsorships, research and development support, and advocacy and advisory programs.

In 2016, in response to Murray Goulburn's reduction in the milk price, followed by Fonterra, the state government established the Dairy Industry Taskforce, made up of government, industry leaders and lobby groups. The task force resulted in funding boosts to existing financial counselling and mental health programs, with no regulatory changes or direct financial subsidies given to affected farmers. Changes in milk purchasing contracts have recently come as a result of the industry establishing its own voluntary code of conduct without government involvement. While there is no indication that this task force has disbanded, it does not appear to have produced any new policy outcomes since May 2016.

In my part of the world, the Great South Coast Group's food and fibre action plan aims to address most of the industry challenges identified earlier. The key to this plan is boosting productivity for smaller farms and developing a holistic plan to educate young people in the agricultural sector. The state government has promised an unspecified amount of funding to deliver the plan as part of the Regional Partnerships program. It is unclear how most elements would be delivered, particularly its targets for educational outcomes and infrastructure funding. It is painfully obvious that the

industry is still suffering despite the state government's task force, established in 2016 in response to the Murray Goulburn and Fonterra crisis.

What can be done? Most of the problems discussed previously can arguably be reduced to shortfalls in skills and training or a lack of available capital. That is where I think an effort needs to be considered to make certain that we do have the skills, the training and the available capital. These are the two areas that are not particularly well covered by current state policy and would be easy to target with new policy.

Farmers working on small farms often struggle to access the capital they need to adopt new technology which would make their farms more profitable and productive. Often, however, they also lack the skills to use this technology. Moreover, many farmers lack the business and financial management skills to capitalise on new business opportunities. The state government already provides subsidies and access to some training programs — for example, the Tactics for Tight Times program — but higher subsidies and more straightforward access to these programs might help some farmers to better realise their business productivity and export potential. Some recipients of the Upskill and Invest — Young Farmers Scholarship program suggest that the program taught them how to help older colleagues to use new agricultural tools and technology to capitalise on new business opportunities.

The Great South Coast Group's food and fibre action plan identifies a lack of available capital as the key to small farmers' inability to adopt more productive farming methods. The state government's own reporting indicates that greater financial assistance to adopt new technology would help small farms increase their productivity and access new markets. Both state and federal governments only rarely offer direct subsidies to farmers to purchase productivity-enhancing equipment and technology.

Another answer may be a task force similar to the manufacturing skills and training task force formed in 2004. This was established to help address the looming shortage of Victorian manufacturing workers. It would be worthwhile for the agricultural industry to encourage young people to take up training in this sector. Alternatively, such a task force might examine how best to equip farmers with the financial advice and business skills needed to fully capitalise on new markets and opportunities.

What is happening interstate and overseas that we may learn from? There are various support packages nationally and internationally. Last year in New South

Wales the government offered dairy recovery concession loans, while in South Australia the government invested in the Do Dairy campaign to educate South Australians about the range and quality of local dairy products. Just this month the Queensland government announced it would inject funds to help promote Queensland milk, while last year the Tasmanian government announced a range of additional initiatives to support the struggling sector.

In Europe last year the European Commission spent more than €500 million to support farmers, including the European Union-wide scheme to incentivise a reduction in milk production. This was less than a year after an initial €500 million package. France contributed €600 million in July 2015 to a package of urgent aid for farmers, including the annulment of €100 million in taxes, with a further €500 million to be set aside to allow farmers more time to pay taxes and other debts, €50 million in funds to help farmers reduce their debts and the public investment bank to guarantee up to €500 million in loans to the farming sector in a further attempt to alleviate the cash crisis. I am certainly not proposing that this state go to the same degree as France, but we do need to take action along the lines that I have previously mentioned. That is mainly in regard to education and training and also in regard to developing new equipment for farmers to use.

Finally, agriculture is the backbone of our country and the dairy sector is an overwhelming component of this. Unless we do something to support our struggling dairy industry we will create a world where we cannot compete in the global agricultural space and we will become more heavily reliant on imported goods. We are a unique country with what was once a flourishing agriculture and dairy sector. I urge the government to do anything and everything they can to support our dairy industry to remain competitive.

Ms SHING (Eastern Victoria) — I rise today to speak on Mr Purcell's motion, and at the outset I applaud him for his commitment to addressing some of the issues which have really cut to the heart of rural and regional communities around the state for many years now. At the very essence of what we are dealing with in relation to policy challenges, economic drivers and support for market-led incentives to ease the challenge of rapid changes to commodities is the uncertainty that can lead to an enormous amount of stress, pressure, frustration and anxiety for people who live and work in our farming communities and who make the most phenomenal contribution, not just to our state's coffers but to the reputation we enjoy in Victoria for producing some of the world's very best primary produce. In Mr Purcell's area obviously there is a huge demand for

the niche product which is developed there. Also, no doubt we will hear from other speakers on the premium product that comes from the north of the state.

In Gippsland, the area from which I hail, I am unashamedly biased on the product that comes from that part of the world. To my mind we have some of the best grazing country and some of the most formidable genetic lines for dairy produce. In this sense it means that our output is pretty magnificent and our product quality is consistently high.

What we also know is that the primary production of milk solids and protein has been at the mercy of intense fluctuations in value over the years, often with little or no notice. In addressing the motion from Mr Purcell it is worth noting that this volatility goes right across this sector of agricultural production. In recent times we have seen enormous fluctuations in pricing as it relates to lamb and pork. We know that the seasonality of produce can mean a boom or bust response for farmers in that sector. We have also seen huge peaks and then troughs in beef prices due to changes in domestic and international markets.

Dairy is one of those markets which has been, alongside a number of others, really at the mercy of market forces, and that has occurred, to the minds of many who farm, in a very unfair way. It has ultimately created enormous pressure on and stress to farmers. We have seen from the milk price drop that occurred in 2016 and the recent posting of a \$370 million loss from Murray Goulburn in the 2017 financial year that it is taking a long time for our dairy farmers to begin the process of recovery. I know, having heard from many farmers and from being on farm myself, that many farmers in fact had to cull really heavily. They relied on neighbours to put food on their table when the milk cheques stopped. They experienced enormous pressure and mental fatigue associated with the sudden announcement of enormous debts that they would have to repay.

This had a ripple effect within local communities. It required extensive talks with banks around whether refinancing was possible. For some farmers this was able to be done. For others arrangements around financial hardship for the repayment of loans, including in-contract arrangements, were able to be negotiated. But for others some really significant decisions had to be taken around the choices that farmers were faced with — for example, to service machinery on the one hand or to get a vet out to attend to a sick animal on the other; to put food on the table on the one hand or pay the power bill in any particular month. It has been a really hard time for many farming families throughout

the state. Today I think it is incumbent upon every level of government to provide assistance and support wherever and however it possibly can to ease that burden and also to ensure that farming families and communities that rely upon discretionary spends as a consequence of farming yields get that support and know that they are not alone.

Farming can be a very isolated activity. We all know that. We also know that that is entirely appropriate and something that is one of the best parts about farming. However, it can also lead to intense isolation, and that can manifest in very serious depression and anxiety. It can result in people not being able to access services, including health services, that they need to keep their wellbeing ticking along and to make sure that they can weather the storms — storms that this sector and this industry have seen in great volume since the milk price drop and will no doubt see again in future fluctuations.

The key thing around support for the industry is that we learn from what has occurred as a result of market volatility. There needs to be continuous improvement to on the one hand buffer our farming communities from the worst of those troughs — the worst of that uncertainty — and on the other hand enable our farming communities and the agricultural sector more broadly to build as much fat around their autonomy in contractual negotiations and access to market, whether domestic or international. There needs to be security so that farmers are able to move, for example, as new farmers often do, from a hobby farm or a shared farm to building equity in a business, so that over time a level of fat and reserve is built up to assist farmers when and as they come across those difficult times.

It is crucial that we take a very holistic approach to this policy challenge. I note that in his initial remarks on the motion Mr Purcell referred to a number of initiatives that had been created and funded in the course of the state government's response to the milk price drop and to Murray Goulburn's retrospective adjustment to the baseline prices. Initiatives including Look Over the Farm Gate, programs dealing with farmers who have fallen on hard times, the National Centre for Farmer Health, programs to provide greater financial literacy around options and opportunities for refinancing and better training of field officers to assist have had a benefit. We know this because of the uptake that has occurred. We know that we need to keep the work going. We know that it is integral to a strong, vibrant and healthy agricultural sector, particularly in dairy, that this effort continues to be funded over time.

Providing assistance for tanker drivers and others to receive mental health first aid training has also been a

really big part of this work. To that end the work that has occurred through organisations such as food relief and Gippsland Farmer Relief Incorporated has been nothing short of astounding. To see that you only need to look at their online community and the outreach that occurs, even at a very general community level.

Being able to share information is one of the greatest parts of alleviating the stress on farmers. They are often required to make very difficult decisions about how best to keep their business afloat — and often their family fed — and ensure people get what they need, whether it is their children's educational needs being met or, as I mentioned earlier, machinery being serviced or vets being called to come on farm when and as sick animals need it.

The outcomes that we need to drive need to be able to weather the storms, not just of recovering from this price drop but into the long term. To my mind they also need to translate effectively across sectors and across industries within agriculture so that we can be better and more resilient in providing support to our farming communities.

In the course of dealing with the milk price drop and understanding the impact upon farming families and communities we note that a number of inquiries were initiated. At a state government level there was a package provided immediately to give assistance to farmers who were affected. In addition the commonwealth government has taken steps to understand, through an Australian Competition and Consumer Commission (ACCC) process and inquiry, how it is that the system and the structure of pricing and contract delivers or does not deliver security for farmers in primary production.

In this regard there has been an awful lot of community input, as there should be. Amongst the submissions that were provided to the ACCC inquiry we have seen calls for a change to the model of Australian milk pricing to in fact move away from the current system and have a system that involves two core contractual structures, including a foundation processor agreement whereby a farmer would sign an agreement with one foundation processor, who would be responsible for collection, quality testing and delivery of milk from the specified farms to one of its factories based on an agreed table of fees and charges. This element of the agreement would be something akin to the cane supply agreements that are signed between sugarcane farmers and sugar mill operators as well as warehousing agreements between grain farmers and storage operators. Understanding the portability of measures that could apply in the dairy industry that are already in place in sugarcane

production and in grain is an important measure that we should be taking on board.

Under the proposed model that was put to the ACCC the foundation processor would also be the buyer of any standard milk price volumes produced by the farmer, with standard milk price volumes being those collected by the foundation processor from the farmer in excess of any fixed-volume contracts for that farmer. That means that the standard milk price would remain a floating volume, a floating price milk market mechanism as it is today.

The second component of the proposed system that has been put to the ACCC inquiry would refer to fixed-volume contracts, whereby the farmer would have the right to sell milk under fixed-volume contracts to both the foundation processor and to other buyers. This is an important step as far as understanding the privity of contract that operates on the ground within our dairy sector at the moment and the impact that it has had on fixed price and exclusivity of supply that occurred in and around the milk price drop of 2016. Under these fixed-price volumes the foundation processor, under the proposed model put to the ACCC inquiry, would be obliged to deliver milk to other buyers whenever the farmer contracts with them, earning a fee in the process. This system is similar to the grower economic interest transfer system seen in the sugar industry. Again we learn from what has worked in other sectors and industries around production and supply. In this situation, the farmer would only be able to commit a certain percentage of forecast volumes per month to fixed-volume contracts to manage production risk — for example, in the situation of not having enough milk to cover their fixed-volume contract obligations.

To look at other sectors and commodities in which this has operated, in sugar the limit is set at 65 per cent, which means that 35 per cent of forecast production for each farmer is expected to flow to a floating price or a floating volume price mechanism. Deliveries made by the farmer to their foundation processor in excess of fixed-volume contracts would be the standard milk price volumes that I referred to in my opening remarks about this potentially new way forward to provide more certainty and more autonomy to primary producers in this sector.

We do have a level of innovation that is occurring, as the house has just heard from my remarks about the proposed system, that might be considered at a federal level to alleviate this pressure on farmers. As part of a tripartite measure in addressing the pressures and the challenges for our farming communities, this would

need to work hand in glove with state-based initiatives. Looking at these state-based initiatives, we need to make sure that the value of our agricultural production continues to rise overall — and in 2015–16 this value was \$13 billion. We also need to make sure that Victoria occupies the largest possible market share of agricultural production by value. In 2015–16 that was 23 per cent, and we accounted for only 3 per cent of the landmass. In translating production and output to real terms we are punching well above our weight.

We need to make sure that that stays the case. We need to make sure that we avail ourselves of the best technology, the best measures to encourage and improve efficiency in primary production and the best measures to encourage and preserve efficiency and water security. We need to keep these issues at the forefront of the minds of any government — whether it is the Andrews Labor government or any future government — and continue the work with any federal government so that we avoid duplication wherever possible. This is so that funding sources can be directed to enable the best possible benefit to the industry and to make sure that we can rebuild and sustain trust with our primary producers and look after the interests of those who are working the land.

We have got a huge food and fibre manufacturing base in Victoria that exports around \$11.9 billion of valuable production — or at least it did in the 2015–16 financial year. Understanding that we have got around 30 000 businesses in the state that employ 190 000 Victorians, mostly in regional Victoria, we can see that in economic terms, as well as in social terms and from the perspective of regional growth and development, this is an incredibly important part of the state's growth prosperity and its need for investment.

In 2015–16 Victoria accounted for 81 per cent of Australia's dairy exports. In this regard Mr Purcell's motion is well-placed. We had 20 per cent of meat exports, 55 per cent of animal fibre and wool, 48 per cent of horticultural exports and 39 per cent of prepared food exports. We have a huge global market. Obviously with populations increasing we look at — again quoting the rumour mill — people in China being prepared to pay up to \$12 per litre for fresh milk with the powdered milk industry going through the roof. We need to make sure that we can capitalise on that market share, we can grow it consistently and we continue the reputation we have for clean and green produce. We also need to make sure that the ancillary requirements of supporting this industry, such as the large water volumes required for dairy and also for processing, are supported into the future.

Making sure that we look at what is happening in other jurisdictions is another really crucial part of the motion, which in fact was well-placed and was well put by Mr Purcell today. Ensuring that we have a series of programs that proactively encourage industry and business to thrive and to flourish will not just make sure that we are in a position to meet our own needs as a state as our population grows — and we are looking at what it is estimated to be an additional 4.6 million people in Victoria 2050 — but will also make sure that we continue to grow the volume which is exported, either to other parts of Australia, particularly as climate change makes its impact and as dairying opportunities and viable land areas change and fluctuate, but also internationally. We are continuing to see global population growth, and this should be seen as an opportunity that all governments of all levels should leap at in a proactive and responsible way.

In providing for drought and dairy support in 2016 the Andrews government provided over \$38 million across two years for assistance to farmers who were affected by drought and dairy farmers affected by low milk prices in the form of business management support, financial counselling, mental health services and community events. There were also extensive outreach and extension services to over 5000 farmers, encompassing a really wide range of activities designed to improve production and sustainability and also looking to harness the momentum around technically oriented discussions that take place in farming communities and families increasingly, which is as much a part of modern farming as having a herd and a functioning dairy. These activities included technically oriented discussion groups, on-farm demonstrations, accredited training, workshops and seminars and recognising the way that dairy farming has changed and evolved when you compare one farm with another.

We are looking in West Gippsland at a farm which is all but ready to go off the grid entirely. We are seeing increasing reliance on robotics. We need to make sure that correspondingly power supplies and generation are not vulnerable and can indeed be maintained in the event of outages, and in Gippsland we see a lot of wind and a lot of inclement weather particularly in winter and spring. Whilst it brings rain, and that is fantastic for feed production, it can also make for some very challenging times as far as primary production in dairy is concerned.

Animal welfare is another part of the work that we are doing. In September 2016 a draft action plan was launched for improving the welfare of animals in Victoria, with a final action plan which is going to be released soon, to be Victoria's first-ever strategic plan

for improving animal welfare, along with the biosecurity measures which the Minister for Agriculture, Ms Pulford, has talked about at length around sheep and goat electronic identification, as well as breeding and genomics initiatives.

This is again evidence of the importance of innovating in farming and making sure that we continue to support farmers to get the most out of their land, to get the most out of their stock and to get the necessary support to grow their businesses through a reduction wherever possible in red tape, through support on-farm and in community when and as it is needed for mental health and wellbeing, and also the broader initiatives around water grid and other security for energy that is as much about successful farming as anything else.

Having had work from a range of experts within Agriculture Victoria we have made sure that we are at the cutting edge of technological development, whether it is in genomics, whether it is in making sure we are capitalising on biodiversity and opportunities to enhance market share or whether it is about improving forages and the way in which stock is managed across different options throughout the year, and we see that on the ground.

There are many farmers who do this very, very successfully already, and in this regard — and I want to single him out, but I note that there are hundreds of others across the #dairylove page on Facebook — Paul Kent of Woolamai is one such farmer who takes a very scientific approach to developing diploid and tetraploid forages for his cows and to making sure that he has a very specific understanding of the technical elements of farming and the way in which pathogens are a necessary part of the building blocks for successful farming. So right down to that cellular level, in making sure that he has a good grounding in the way in which his farm works, he is able to make the most of the soil that exists in the South Gippsland area, to make the most of the weather as it changes throughout the year and to make the most of technology in relation to when and how he plants, when and how he calves and what he does to build the genomics within his particular herd.

Paul Cocksedge of Leongatha is another farmer who has taken the genetic elements of stock selection to a really fantastic level. We see this expertise in our farming communities everywhere. We all know of farmers in dairy — at least those of us who live and work in regional Victoria and are proud to call regional Victoria home — who have specific expertise, whether it is veterinary expertise, whether it is stock selection, whether it is the way in which a herd is developed over

time, or whether it is in land management or stock management, or indeed in biodiversity.

These are the sorts of things which need to form part of the conversation, not just around what the federal government is doing with its ACCC review, not just around what the state government is doing with the \$38 million that was provided after the milk price drop in 2016 but also within our communities — and being able to share that information is crucial.

To add another part to this motion, however, it is also really crucial that we acknowledge and respect the role of women farmers in our industry. All too often we see that women who farm describe themselves as being farmers' wives whilst retaining an enormous amount of corporate knowledge about how the business of farming works. They might refer to themselves as 'just doing the books', but in fact just about nothing could be further from the truth. These are women who have a deep understanding of the way their land operates, what the challenges are, when and how previous problems have been addressed successfully and where to go for help. Women farmers are resourceful, innovative and also make the most of the networks, including those that can be established on social media and in their communities, to get the best that they can, not just from their own herds and not just from their own businesses on-farm but also for their communities.

These are really important things to recognise and remember in looking at the work that can be done to assist and enhance our farming communities, moving away from this invisible farmer model, where women have all too often stood behind a male leader within a farming family and simply done the work in the background. We have come a long way, and any and all support that can be offered from the federal government as well as through initiatives such as the Invisible Farmer project and the work that the ABC and Museum Victoria have done, is in fact really welcome and a big part of making sure that we are making the most of every person who contributes to farming on the ground.

Our standing internationally and nationally has been enhanced through the work that Agriculture Victoria has done to invest time and resources into establishing really strong research links with private and public agencies across Victoria and also across the world. Our agricultural research and development and also education are part of a national agricultural innovation system that is based on collaboration. In this regard the regional summits and the work that agribusiness does throughout Victoria, from those very people who know their communities best and who know the expertise

required for successful farming, has been a big part of beginning and sustaining that conversation over time.

Biosecurity is another area where we have thrived. Australia has, due to our very natural quarantining arrangements as a very large island, got biosecurity measures that warrant keen protection over time. Agriculture Victoria is working really closely with the federal government, as I referred to earlier, as well as with other state and territory governments to support through their agencies the detection and management of outbreaks of pests and diseases.

Supporting the verification and certification activities for agriculture and food products is a big part of this, as is making sure that as the leading milk producer Victoria, sitting at 65 per cent of total production, can stay that way and keep its product at the very top of international wish lists in relation to contracts for our goods. Making sure that we have dairy research that underpins this work is another really important part of how we can support our farmers. As an export-focused industry the dairy industry has also been required to meet the challenge of keeping production costs low. We have done well over a succession of governments to be second only to New Zealand in relation to the cost of production.

Our systems are unique here because of the relative advantage of having access to pasture for grazing and access to competitively priced cereal grains. I referred in my opening remarks to making sure that we have measures in place to weather the volatility, and wherever possible to smooth it, to provide greater autonomy to farmers around the way in which prices are set — and I have taken us through a couple of the proposals put to the ACCC inquiry around changes to current milk pricing arrangements that would deliver improvement to farmers — and also making sure that government does its part in the heavy lifting, funding, resourcing and engagement in areas such as research and development, biosecurity and the embracing of technology.

When we look around the world — and Mr Purcell referred to this in his comments — we do see an increasing reliance on automation, an increasing reliance on technology and changes to production output as individual countries choose to go their own way in how to maximise the primary produce that they have within their borders. We need to make sure we do the same, and the milk industry and dairy are too important not to invest in to the extent necessary to have this happen.

We have got a greater diversity of dairy systems, as I referred to. We have got pasture only on the one hand, and then on the other side of the spectrum we go right through to feedlot. The key difference is that in Australia less than 1 per cent of dairy farms are fully feedlot. They are often a hybrid or mosaic system, in contrast with the US and Europe, where dairy feedlots are common. Anyone who is part of any of the extensive range of online dairying and dairying support groups will see that often it is as much about inclement weather and dietary control as anything else but that there is a much greater reliance on feedlot systems in other jurisdictions. However, we do have some really fantastic opportunities through our climate and through the availability of forage and pasture to have a much greater opportunity for our livestock to roam around and to therefore develop into premium product as a result.

Having that flexibility, though, for farmers in their farming systems is a really important part of being able to choose to feed higher amounts of supplements. We know that, again, to get back to the science of what makes for great dairy, what makes for great beef or what makes for great lamb, pork, cereal, sugar et cetera, making sure we understand the science that underpins good farming is as much a part of successful farming as anything else. Feeding higher supplements to grazing cows is an opportunity that exists compared with other pasture-grazed dairy industries, and that would also depend upon the input costs and milk price as well.

There is a lot of work going on around the future focus of Agriculture Victoria, and we note that there is digital technology and infrastructure — again, a very common topic of discussion whenever the minister has been on farm and whenever Agriculture Victoria has done round tables. Again, when I have been on farms some of the technology I have seen in place will in fact blow your hair back. It is remarkable what has been done to achieve automation in some of the most far-flung places in the state and the extent to which people have adapted to this and made it work in favour of the needs of their own herds and their own stock levels over time.

We must also make sure that we have got skills in agriculture as well. Mr Purcell referred to farming scholarships and the difficulties and challenges associated with getting and keeping young people on the land. Volatility, like the milk price drop in 2016, does not help. In fact it was an enormous disincentive for people who were either sharefarming or thinking about getting into farming when they realised that without very large amounts of equity and without a very large support base it would be nigh on impossible to farm in a financially viable way until prices stabilised

and until people could go in with a fair buffer between them and a zero on their milk cheques.

It is something that requires assistance, a skills base and development as well as experience with mentors who can provide the sort of wisdom that is often gained through 20 or 30 years of farming and across a number of different generations. That is really important around building that confidence, because we need to make sure that our farming communities are invigorated and well resourced, have access to good current information and can tap into a network for assistance, programs and services when and as they need them.

It is also about making sure that we can deal with intensification in our horticultural industries. To look at the portability of things and the lessons that are there to be learned after the price drop, we do look at horticulture as well, and intensification is a big part of increasing our market share. Whether it is micro herbs, tomatoes, capsicums, zucchini or cereal, there are opportunities that exist here for us within our environment of optimal biosecurity to really take a greater share of the market and to enhance the profitability for the farmers as well, making sure in that regard that we have access for them to freight their stock either internationally or to a good solid road network that can get goods to market or to port. That is really important too.

On-farm energy action plans are another way that, through the ripple effect that Mr Purcell referred to in his contribution, we can take care of farmers to a better extent. Reducing the amount of energy required to run a dairy — again, an energy-intensive practice, as it is a water-intensive practice — is a big part of this because the more money we can help farmers to save, the more money they will have to put back in their operation to either buy machinery or further invest in their land. It is about prosperity for the sector, as is making sure that prominence is a big part of this too and that the branding we have through export guides and arrangements to make the most of what we are producing so that we can compete with New Zealand Pure Dairy and so that we can compete with the way in which other jurisdictions have in fact done rather well in the way they market their product. A better turnover of Australian product through grouping, through provenance and through traceability means is a big part of making sure that we can support the industry at the consumption end of the market.

It has, though, in closing — as people would no doubt be pleased to hear — been a really tough time for our dairy farmers and for the sector in the same way that it has been a tough time for primary producers across

other sectors and in the production of other commodities. In this regard I do not think that any government should ever lose sight of the fact that at the end of a milk cheque that has a zero on it and nothing else there is a family. And at the end of that family with that milk cheque with a zero is a town, and there are businesses associated with that town and there are people and families associated with those businesses.

It is all too easy for consumers to adopt an out-of-sight, out-of-mind approach to where and how they obtain their dairy products. The localised effort to buy branded full-price dairy products after the milk price drop occurred in 2016 was pretty magnificent. That continues to apply across the board. Pleasingly, it continues to be the case that branded full-price dairy will be sold out, particularly in the smaller regional and rural supermarkets, simply because people are making the choice to invest that little bit more after we saw the \$1 per litre milk price wars. People understand that buying a litre of milk for \$1 means we are permitting, through our consumption, a system that gouges primary producers in dairy, that gouges those farmers and that makes it difficult for them, their families and their communities to survive and to thrive.

Not everyone has the means to pay full price for dairy, and that is understood. There are families for whom generic branded milk, cheese, yoghurt, butter and ice cream is the only option that they have; that is well understood. In many cases the farmers themselves struggle to do anything but pay for generic product or to take from the vat themselves — many farmers will tell you that in fact the product from the vat itself is better than anything they might get from the supermarket fridge.

We need to make sure that this effort continues around valuing the product as it is produced at a very local level. Educating consumers to understand where our product comes from and the sacrifices and the work involved in bringing it to the market is as much a part of providing support to our dairy farmers, in the terms of Mr Purcell's motion, as any other component of the broader industry support and response that I have referred to in the course of my speech.

The government supports the terms of Mr Purcell's motion. As a representative from the Gippsland area I applaud Mr Purcell for bringing this motion to the house. I hope that the work will go on in the best way possible and in good faith to make sure that all of our dairy farming communities and families are supported, not just now as we come out of the milk price drop — and it will take a couple more years — but into the future. I look forward to seeing our farmers go from

strength to strength, and I look forward to continuing to support the dairy industry, not just in Gippsland but across Victoria.

Mr O'SULLIVAN (Northern Victoria) — I wish to make a contribution to this motion that Mr Purcell has brought to the chamber:

That this house notes the results from the initiatives taken by the Victorian government following the 2016 dairy clawback by Murray Goulburn and Fonterra, including —

- (1) if the results of the Victorian state-funded initiatives for agriculture are working; and
- (2) whether other interstate or overseas models would help improve the viability of agriculture in Victoria.

I must say it is a worthwhile motion that Mr Purcell has brought to the chamber, and the Liberals and The Nationals will not be opposing this motion.

It gives me much pleasure to follow on from Ms Shing, because there is no doubt Ms Shing has been reading the theory books in relation to agriculture and has given us a very good summary in relation to that. Ms Shing, I agree with many of the things you said during your contribution — I absolutely agree with a lot of the things you said — and there are also some that I do not agree with, and I will probably take up some of those on the way through.

One thing in relation to farming is that there is no doubt that there are peaks and there are troughs. Whether it is dairy, the grain sector, horticulture or red meat — whatever farming sector it is — there are ups and downs. While one commodity will be up for a while, as sure as the sun will come up tomorrow there will be a down period in the future. That is the cyclical nature of farming, and it is one of the things that farmers certainly know when they go into the business, but that does not make it easy for them. Certainly they do reap the rewards when times are good, but they do know that there will be difficult challenges around the corner, and farmers are some of the most resilient people around in terms of being able to deal with that.

There is no doubt that dairy farms have had some challenges over the last couple of years with the clawbacks that were undertaken by Murray Goulburn and also Fonterra, which in effect saw farmers having to pay back money that they had already been paid by those organisations. From a farming model perspective, quite often the money that they would have received as part of those dairy cheques would have already been expended in other areas, so it is not as if that money was just sitting around and they could give it back. There is no doubt that it caused a whole range of

problems for dairy farmers along the way, and that is not the way we like to see business conducted anywhere. Anything that has a retrospective element to it causes problems because people do not necessarily see it coming, and when a decision is taken by some power to make something retrospective, it has consequences all over the place.

One of the things I do want to make mention of today is in relation to the plight of dairy farmers. One of the reasons they are doing it fairly tough at the moment is not purely based around price, although obviously the price of their product is a considerable factor. As Ms Shing said, the input costs are something that dairy farmers — and all farmers unfortunately — have to take into consideration when it comes to farming.

I am off a farm myself. I am off a grain farm, which also in its past has run cattle and sheep. There was no dairy at our farm or up in the north-west part of Victoria where I come from, but my electorate, across the northern part of Victoria, has considerable dairying in it. As we know, there are three different dairy areas: up in the north; down in the Western District, where Mr Purcell is from; and down in Gippsland, where Ms Shing is from, in Eastern Victoria Region. Each of those three dairy regions is very critical to Victoria's overall status as the number one dairy-producing state for the whole of Australia. From a fairly small landmass our contribution in terms of dairy is significant. Some two-thirds of the whole of Australia's dairy production — and it is even higher in exports — comes from Victoria, but unfortunately that has slipped in the last couple of years.

One of the real issues that the dairy farmers are facing now in relation to their input costs is the price of energy. As we know, energy prices are starting to spiral northwards, and every person, when they get the mail and it is their electricity bill or it is their gas bill, just dreads what the number is going to be inside it because one thing that I can guarantee is that it will be a whole lot bigger than the last one. Industries such as dairy are fairly energy consumptive in terms of undertaking their production, whether that is in refrigeration costs, the actual operation of the dairy itself or the cost of energy to run irrigation pumps and so forth. With the dairy process, dairy farmers are milking two or three times a day, so it is not just once per day but they are doing it on multiple occasions, and essentially that in some ways triples the energy that they use because of the production process that they do two or three times per day.

What we have seen is some businesses having significant increases in their energy costs to run their

dairies, to keep the milk refrigerated, to run the irrigation pump and to grow the grass that their stock eat from and produce the milk from. There are examples of dairies which have had, in the last couple of years, up to 300 per cent increases. I was speaking to a dairy farmer just yesterday, and a lady told me that at her dairy farm they have had increases of some 300 per cent. That is a big increase, by anyone's imagination, when you get your electricity bill and it is 300 per cent higher than what it was previously or in the previous couple of months or couple of years.

I can give you some specifics. Alanvale Dairy in Hawkesdale, down in the western district, has had a 43 per cent increase in its electricity costs in 2017 alone — a 43 per cent increase, and we are only in August. We have only been going for eight months of the year, and they have had a 43 per cent increase. Kyvalley Dairy Group up near Kyabram has had a \$48 000 or 23 per cent increase in 2017. Think about the poor old dairy farmer who has had the clawback of their income last year from some of these dairy companies and who has then been hit with the double whammy of having much higher energy costs to the tune of Kyvalley's increase — \$48 000 in just the first eight months of this year. That really hurts.

The problem we have with energy prices going up is that it is not as if you can look at weather conditions or anything like that as the cause of it. I know Mr Barber is going to disagree with what I am going to say, but there have been a whole range of government policies undertaken by this government — this Labor government right here — that have caused energy prices to go up. I do not think Mr Barber would disagree with that.

Mr Barber — Yes, I do.

Mr O'SULLIVAN — Mr Barber, I have just demonstrated Alanvale Dairy's 43 per cent increase in their electricity prices in eight months. The reasons for those electricity prices going up include that Hazelwood power station, which was producing 22 per cent of Victoria's electricity, has closed. Yes, Hazelwood was an old plant. It was not the cleanest power-producing coal plant that we had going round, and no-one disputes that. It was always going to close, but I think it should have been done over a staged process and not done in the hurry that it was.

We know very clearly that this government had a policy to close Hazelwood. They went to the 2010 election with a policy to close Hazelwood. But what I find is even worse with this current government is they did not actually have a policy to close it at the last

election but what they have done is they have brought about the closure of Hazelwood through the back door. What they did in last year's budget was put in a \$252 million coal tax, and the impact of that coal tax on those companies was to really put the pressure on them until it got to the point where it was not viable for them to operate with a tax hanging over their heads that they were forced to pay as a result of the policy of this current Labor government.

So the decision was made that it would close, and as a result of that we have seen skyrocketing power prices right around the state. Anyone who has got businesses that rely on energy, whether that be gas or electricity, is really feeling the pinch of increased power prices. That is one of the major reasons why the dairy industry is struggling. It is not just prices — that certainly hurt them — but the ongoing impact in terms of their increased input costs is really hitting the bottom line. That is unfortunate, and that is as a result of policy decisions taken by this government.

There are other issues that have also hurt the dairy industry in relation to some of the water aspects. Obviously with dairy they are high users of water in the plant itself but mainly in relation to irrigation. There are a number of policies that have made water security more difficult for the dairy industry generally in Victoria, and the first one we will have a look at is the north-south pipeline introduced by the Brumby government at a cost of some \$750 million. When that was put in, the quid pro quo in relation to the deal done by the then Labor government was that there would be 300 gigalitres of water taken out of the north of Victoria to come down to Melbourne through the north-south pipeline.

As we know, that water did not end up coming to Melbourne because Peter Walsh, the former Minister for Water and former Minister for Agriculture and Food Security, put a stop to that and made sure the rules were tightened so that that water would remain in northern Victoria for production purposes. But it certainly was a policy of a former Labor government to take water out of northern Victoria and bring it to Melbourne. That water has to actually come from somewhere; it does not just appear. As we know, all the water has allocations — whether that is for environmental or production purposes — so that water was taken out from production purposes, and those production purposes grow the food that we not only consume but also export to the world.

The north-south pipeline was a disaster, not only because of the cost of \$750 million but also because of the water that was taken away. Then we saw another

harebrained scheme by this government to actually reverse the north-south pipeline. But I must say we have not heard any more about that in the last few months. Perhaps this government has decided that the less they say about that the better, because I do not think that is an exercise that will bear any fruit for anyone — and I will not mention the desal plant in terms of poor water decisions taken by Labor governments.

Going back to the motion in relation to dairy, you can look at other scenarios in relation to water that have taken water out of production. You can look at the water buybacks that were undertaken by Senator Penny Wong when she was the water minister in a federal Labor government. It was right in the middle of a millennium drought where everyone was struggling for water that Penny Wong decided that they would go into the market to buy water and take that water out of production, which meant there was less water around for irrigation, for dairy farmers or whatever sector of agriculture that people need water for. That was another mistake that was made in relation to water policy. I am thankful that federal water minister Barnaby Joyce and former state water minister Peter Walsh were able to introduce a cap in relation to water buybacks and then after that actually ban any further buybacks in the state. So that was stopped.

Also under the Brumby government we had the Northern Victoria Irrigation Renewal Project (NVIRP), which was great in theory but did not quite come together in practice. I know that when he was the water minister Peter Walsh struggled for years to try to bring it back online. There were several inquiries into it, and eventually NVIRP was brought into Goulburn-Murray Water to try to sort it out. Obviously it is still having difficulties. It is now being called the Connections Project, and current Minister for Water Lisa Neville is struggling her way through it. She has a single-minded focus to get the project finished, but I do not think she has taken into consideration the care that is required in terms of the final outcome for irrigators. We will see where that one ends up, but that is another pressure on dairy farmers as we go through in relation to their water.

Just going back to the motion, the dairy industry is very important for Victoria, and it is very important for the economy. It employs many people in those small regional communities. It creates wealth for those small regional communities in terms of the dairy farmers and the money they earn. The dairy industry is also important for the grain industry, because they rely on not only grain but fodder to feed the cattle. So the dairy industry is very important beyond just the production of

milk and milk-type products. There is no doubt that Victoria is a world leader in terms of agriculture. We need to do everything possible to ensure that that continues. It is a very big employer in regional Victoria. It is also a very big producer of wealth for this state, not only domestically but internationally through exports. This side of the chamber will continue to support the dairy industry and continue to support agriculture in every way we can, because if regional Victoria is doing well — if the agriculture sector is doing well — the whole of Victoria is doing well.

Mr RAMSAY (Western Victoria) — I am pleased to speak to Mr Purcell's motion. As many of you in this chamber would know, I have had 30 years in the farming industry not only as a practising farmer but also as a lobbyist for the industry itself. I am certainly very aware, as Mr O'Sullivan said, of the volatility of the end prices, not just in dairy but in all the commodities that make up our food production industry. Dairy is no different.

What I want to speak about today is somewhat different from Ms Shing's speech, because she spoke about all sorts of things that were not related to the motion at all. Mr Purcell in his motion asks what initiatives have been taken by the Victorian government in respect of the dairy clawback by Murray Goulburn and Fonterra, and paragraphs 1 and 2 go on to talk about funded initiatives for agriculture generally — which moves away from dairy — and 'whether other interstate or overseas models would help improve the viability of agriculture in Victoria'. I want to spend a couple of minutes talking about that.

I do want to talk about Murray Goulburn particularly at this stage. I think it would be remiss of us, given that we have the motion here, to not actually think about what led to, one, a fairly superficial forecast of price by the then CEO, Gary Helou, who was advocating to suppliers of Murray Goulburn that last year potentially a price of around 60 cents per litre could be achievable. Consequently the dairy industry as it is started to gear itself up to that particular price. Obviously with financial advisers, rural counsellors, banks and others they geared their operation to the fact that a milk price of around 60 cents would be achievable by Murray Goulburn, and they factored that into their budgets.

Well, as we know, it was a pipedream by Gary Helou. He did that on the basis that he needed to raise capital — about \$500 million. He needed outside investors, so what he did was talk the industry up. He talked the dairy industry up to a point where there were some believers that came along for the journey — but got seriously burnt. Consequently, as we know now,

Murray Goulburn has lost an enormous amount of suppliers — 22 per cent of milk supply lost over the last 12 months — and had a reported \$420 million loss. Even though there was a net profit for the last financial trading year of \$34.7 million, the total loss, with the loss of \$350 million, brings it — with the extraordinary items that are included in the balance sheet — to about a \$420 million loss.

What I did find interesting, though, was that the board saw fit to pay Gary just over \$2 million to congratulate him on his work in relation to that artificial price that he went to the shareholders and the stock exchange with. I note that the board even saw fit to pay the chief financial officer (CFO), David Mallinson, a total of \$1.54 million for his expert advice in having a balance sheet that had a net loss of around about \$424 million. Not only that, they saw fit to pay him a \$116 000 bonus for all that good work the chief financial officer did in relation to Murray Goulburn. Then along came the acting CEO, Mr Mervis. For five months work with this projected loss they paid him \$1.4 million — for five months work to have a company that lost 22 per cent of its milk supply and recorded a net loss of around \$420 million. If that was not enough, they thought he did such a great job that they paid him a \$550 000 bonus — a cash bonus — for a loss of \$420 million for the company and a 22 per cent loss of milk supply. People who are a little financially acute — and I note, although unfortunately Mr Purcell, who moved the motion, is not in the chamber, that he is an accountant from Port Fairy — would understand that that \$420 million loss was more than triple the entire market capitalisation of the publicly traded shares.

So you have to ask yourself: why the hell was this company not reported to the Australian Competition and Consumer Commission (ACCC), the Australian Securities and Investment Commission and all the other associated governance bodies in relation to the activities and the behaviour of the executive? I think that is where dairy farmers in Victoria, particularly suppliers to Murray Goulburn, have been let down badly.

Mr Purcell in his motion also talks about the clawback. Ms Shing spent about 35 minutes going through the notes of the Senate inquiry into the behaviour of the executive, particularly the CEO, in relation to the clawback provision. I was pleased to see that the ACCC finally took notice of what was going on with this clawback, which had a significant impact on the suppliers of Murray Goulburn regarding the potential debt that was accruing in relation to that provision.

As I understand it now, that clawback provision has been taken out of any potential future contracts. In fact

it may well be illegal. I cannot remember what the final outcome of that Senate inquiry and the ACCC investigation was in relation to the clawback provision, but I would suggest that there is no contract anywhere in Victoria now between suppliers and processors that has a clawback provision that would have such a financially devastating effect on the suppliers in terms of them having to provide a part return of milk cheque to cover the debt that Murray Goulburn was exposed to in relation to its drop in price.

Regarding the results of the Victorian state-funded initiatives in relation to dairying, I cannot think in respect of that particular issue around Murray Goulburn's corporate behaviour that the state government actually provided any initiatives, and I am not sure that they should anyway. The market forces were actually at play here in relation to the marketplace and a cooperative company that was part private, part public in its governance. It was more of a matter for the federal government to ensure that the appropriate integrity authorities were engaged in inspecting and investigating the corporate behaviour of Murray Goulburn in relation to its executives. As I understand, that has been done to a point by the intervention of the ACCC.

In relation to drought assistance, which Mr O'Sullivan referred to, and I concur with him, the federal government through Barnaby Joyce's department did provide significant support for the dairy industry in terms of household support, particularly when it was going through significant challenges with not climate change, Mr Barber, but drought that were affecting not just the dairy industry but all industries across the food production area. This was in relation to a shared arrangement with the state through the Rural Financial Counselling Service, which I do believe is a very good initiative of not just the Andrews government because it was an initiative supported by all parties, no matter if they were in government or not, in providing a much-needed Rural Financial Counselling Service to help particularly the dairy industry. About 80 per cent of the clients of rural counselling services are from the dairy industry in trying to prepare budgets and meet the challenges that the industry threw on them, which was through no fault of their own. It was about preparation and implementation. I think it was a very good initiative.

On concessional loans, I am not yet convinced that they are good for any industry, particularly when there are low interest rates. If 1 or 2 per cent pushes you from being non-viable to viable, then I expect that concessional loans are not the best tool or best mechanism to support an industry that is unviable

without that particular financial support. Nevertheless, they were available and they were taken up. It was disappointing that we again had this fight between the federal government and the state government in relation to the disbursement of these concessional loans through what was Rural Finance in the old days, which was done through the Rural Bank or something else this time around.

Ms Pulford — You lot privatised that.

Mr RAMSAY — We actually committed to the Murray Basin rail project from that — Ms Pulford, which you are taking all the credit for, I might add. We barely get a mention about that \$200 million from the sale of Rural Finance through Elders — hardly a mention to say that actually it was the Napthine government that kicked that funding mechanism off to allow for the Murray Basin rail project. Then you went to the feds and said, 'Can you kick in the other \$200 million?', and you have virtually not spent one cent on the Murray Basin rail project. It has all been previously allocated money through the sale of Rural Finance and the federal government's \$200 million. So you got away scot-free on that big investment in regional rail. Anyway, I am digressing.

There have been some support mechanisms. Mr O'Sullivan went into the water issues, and very well, so I am not going to go over them, but I do want to talk about energy issues. I think the state government has made it very difficult for the dairy industry. You are yet to grasp the importance of three-phase power, particularly in south-west Victoria, where we have processors and dairy farms that rely on heavy energy use, particularly in refrigeration and cooling vats, and where the opportunity for three-phase power does not exist. I remember when I was president of the Victorian Farmers Federation calling for an investment in three-phase power across the south-west region, not to mention that there should be universal access across the state of Victoria. Particularly in the region that I represent there is still a strong push for access to three-phase power not only from the producers but also from the processors. The government has let down the dairy industry in not strongly advocating for access to three-phase power, as it did with the closure of Hazelwood, as Mr O'Sullivan said. There was a promise that there would only be a 4 per cent increase in energy costs associated with that closure, but we know that many processors, both dairy and beef, are telling us now that there has been an over 300 per cent increase in energy costs. In fact one beef processor in Geelong tells me there is an additional \$1 million to his costs per year now due to the increase in the cost of

energy and power. So the government's energy policy has come at a significant cost to the dairy industry.

On roads, the dairy industry in particular is heavily reliant on a good road infrastructure. Again we have seen the government drop the ball in relation to providing local government road funding. The loss of the country roads and bridges program is a typical example, but generally speaking there has been a real reluctance by the Andrews government to invest in regional road infrastructure. They put in a few million dollars here and a few million dollars there while they are happy to spend \$8 billion or \$9 billion on the Metro Tunnel. In fact from memory the ratio of investment in metro as against investment in regional Victorian transport is about 33 per cent to 3 per cent, so you can see that the figures are clearly indicating that there is significant underinvestment by the Andrews government in regional Victoria in the transport arena.

The dairy industry does rely on a good infrastructure. We know now, with the dairy tankers doubling in size and carrying capacity, that there is a need to widen and strengthen some of our local roads and even some of our B and C-class roads, yet the Andrews government has not seen fit to invest with any sort of significance in those. The business costs are still the same as they were. In fact they are increasing for many of those in the dairy industry and with agriculture generally. Again, without any really significant investment in the farming sector we will see this worsen as time goes by.

The most important area where I think the Andrews government has dropped the ball is in research — investment in research and innovation — and the transition to commercialisation. We as a government, the coalition government, spent a lot of money investing in many of our research industries to try and make our farming industries as productive and efficient as possible so they can be competitive in a global market, knowing that we have no real subsidisation as our competing countries do. So it is very disappointing to see that the Andrews government again has not really invested significantly, particularly through the old department of agriculture or in agriculture generally, in science, research and innovation to make sure that we are at the front of the game in relation to innovation and commercialisation of products that make us more competitive in the global market. I think I have run out of time.

Ms PULFORD (Minister for Agriculture) — I will start by responding to Mr Ramsay's comments around support for funding for dairy roads. I remind Mr Ramsay — he may have missed this — that on 9 August the government announced some initiatives

that are part of the Local Roads to Market program. In round 1 the overall program is supporting 29 projects worth \$22 million across 26 local government areas.

I know Mr Ramsay shares my great affection for south-western Victoria, it being in our electorate, and much of the discussion today has of course rightly focused on dairy and the dairy region in western Victoria. Funding of \$480 000 towards the cost of upgrading 18 intersections in the Shire of Glenelg is all about more efficient dairy pick-ups. This has been developed by the Glenelg shire in partnership with the local dairy industry. For the Shire of Moyne there is funding of \$841 000 to improve intersections along Woolsthorpe-Hexham Road, which is a strategic link for freight vehicles serving specialised dairy. There is also \$195 000 to identify and prioritise future road and bridge infrastructure projects, which is the Barwon south-west dairy supply chain study, on which we are partnering with the Moyne, Colac, Southern Grampians and Warrnambool shire councils and the Great South Coast Group. I just wanted to respond directly to Mr Ramsay's comment about support for roads that are important to dairy. There are other examples in Gippsland and in the north as well.

I welcome Mr Purcell's motion today. It is an opportunity for the house to debate such an important area of activity for so many regional Victorian communities and also for the whole state economy. I might start with the second part of Mr Purcell's motion rather than the first. Mr Purcell asks us to contemplate whether there are other things we can do to be improving the viability of agriculture in Victoria and wonders about interstate or overseas models that we can learn from. I certainly reassure Mr Purcell that in government support for agriculture we are constantly innovating and constantly seeking to learn new things and to improve the support that we are providing to our primary producers.

For context, I remind members of the house that the value of agricultural production in Victoria in 2015–16 was \$13 billion. Victoria has just 3 per cent of the land mass of the country and represents 23 per cent of agricultural production by value, which is of course a wonderful figure to be talking about with interstate colleagues. We have extraordinary variety, a range of different climate zones and a group of producers who are incredibly innovative and capable people passionate about what they do. This sector comprises around 30 000 individual businesses and employs more than 190 000 Victorians, and of course most of these are outside of Melbourne.

Food and fibre is one of the government's six priority sectors, as members know. Much of the debate today has focused on the challenges that have been faced by our dairy industry. When we talk about dairy in Australia, we are substantially talking about dairy in Victoria. Victoria represents 81 per cent of Australia's dairy exports, which is a massive share. We are 20 per cent of meat exports; 55 per cent of animal fibre — essentially wool; 48 per cent of horticultural exports — our horticultural sector goes from strength to strength; and 39 per cent of prepared food exports. We work closely with the commonwealth government to boost those export opportunities by supporting their work in negotiating trade access protocols and promoting our produce wherever we can as well as maintaining our clean, green image that is our value in the global market but also improving traceability and making sure we have a strong biosecurity system.

It was suggested by opposition speakers that the government is not investing in dairy. I would remind members of the \$200 million Agriculture Infrastructure and Jobs Fund (AIJF), which is providing significant support to our primary producers in a range of different ways in different regions. In Gippsland there has been a big investment in the Macalister irrigation district. There is also the Local Roads to Market program, which I referred to just a minute ago. In the Wimmera there has been an opportunity for us to provide funding to overcome that very old problem about the lack of real-time weather data in the Wimmera. Between Mildura and Mount Gambier there is no weather radar tower, but there soon will be. That is a \$5 million initiative from the AIJF. A similar amount of funding in terms of the ongoing costs over 15 years is being met by the commonwealth government. I certainly commend the work of both local federal member Andrew Broad and the federal minister, Greg Hunt, in helping us to get their part of this in alignment with our desire to fund that infrastructure.

There is the Food Source Victoria program, to which I referred in the house earlier today. The most recent grant is the one I announced this morning to Flavorite. This is all about recognising the value of clusters and exploring and providing an entree into export markets for producers who are currently not getting a part of the export action. We are doing a lot in industry development and planning. SproutX is Australia's first ag tech incubator. It is here in Melbourne, and I think great things will come from SproutX. It is something that we are doing in partnership with the National Farmers Federation. Certainly we are committed to doing what we can to support the already great amount of innovation that is going on in ag tech.

We have re-established the Rural Women's Network, which is so important to so many farming families and women in agriculture and in rural industries. It is inexplicable to me why the former government cut funding to this, but people made it pretty clear to me that they wanted it back, so bring it back we did. It is up and running again, which is a wonderful thing.

There is a great deal of work going on in planning-related issues, including the *Planning for Sustainable Animal Industries* report by the Animal Industries Advisory Committee. Members would remember that there was a period a little while ago where we had one awful dispute after another between community and producers — one was a beef farmer, a very high profile case, and another was a piggery. Clearly we had planning rules and arrangements in place that were just not suited to the changes that were going on in agriculture, so there has been a great deal going on there which is all about improving strategic planning for animal industries, clarifying planning requirements and supporting the planning permit application process for producers, for local councils and for everybody else who gets involved in this.

I know Mr Purcell talked about the importance of young people in agriculture. This is a fabulous sector, but it does I think suffer from a perception that it is full of people who are really struggling, it is full of people who are much older and it is an industry that does not have a great future. Certainly my view, and I think the overwhelming view of people who work in the sector, is that nothing could be further from the truth, but Mr Purcell is absolutely right about our need to support young farmers and to make it as easy as possible for people to enter this exciting sector.

There are a couple of initiatives that we have been working on. One is our young farmers ministerial advisory group. They will be reporting to me next month or later this month. There is not much left of this month — it might be September. Certainly I am looking forward to hearing the results of the work that they have been doing on the things that government can do to support young farmers who are starting off or to support young farmers to enter the sector. We have a wonderful group of people on our young farmers ministerial advisory committee. I see them often, I run into them often and their passion for the sector is palpable. They tell me that it is all about skills. Our Young Farmers Scholarship program has already supported 25 young farmers. I have had the opportunity to meet most of those people and have heard a little bit about what the opportunity to be part of that scholarship program has meant for them.

If I could also respond briefly to Mr Ramsay's comments around our involvement in research and extension, I want to reassure Mr Ramsay that there is still enormous dedication and commitment to research that will create step changes for agriculture. This occurs in a number of ways. It occurs within the context of a national framework agreement through which different states and different jurisdictions partner with industry to lead this work in a national context. Our great strengths in Victoria are of course in dairy and in grains, and there are significant investments and people are doing extraordinary work at Horsham, at Ellinbank, at AgriBio in Bundoora and at other research locations across the state.

You have all probably heard me talk about this, but there is the important innovation around the electronic tagging of sheep and goats as well, which is going very well. It is a really, really big reform, but it is incredibly important. When you think that —

Honourable members interjecting.

Ms PULFORD — Everybody is talking about it in sheep and goat processing land, I can tell you. It is something that has had the odd mention here in the Parliament, and it is a really exciting reform. People have embraced it, which is fantastic. It is a year today since we announced that we would be going on this journey, and Victorian farmers and everybody else in the supply chain have responded to this incredibly well.

Mr Ramsay — How is that helping the dairy industry?

Ms PULFORD — It actually helps the dairy industry a lot because cattle have been tagged for some time now — since a former Labor government tagged them. I was at a dairy event and talking to people about a week after we announced it, and they were certainly as pleased punch. They thought it was a wonderful thing that we were closing the gap that exists in our biosecurity system in which there is less than ideal amounts of traceability for sheep and goats and that we were strengthening the biosecurity for dairy and for beef farmers as well.

On dairy, Ms Shing spoke about this and other members will be familiar with the \$18 million package that we started to put together within a week of Murray Goulburn's announcement. We convened the Dairy Industry Taskforce a week to the day from Murray Goulburn's announcement. It turned out to be the day Fonterra announced their price cut. That package has been rolling out. It has been very targeted to support

dairy communities in the south-west, in Gippsland and in northern Victoria.

I note Mr Ramsay's comments and concerns about Murray Goulburn. Anybody who has seen the *Weekly Times* today will know that Murray Goulburn are still obviously experiencing an incredibly challenging time, but we are also supporting communities who have been impacted by this, most recently with the announcement of the closure of the Rochester and Kiewa plants a few months ago. Last week I made an announcement of some support for the local Campaspe and Indigo shire councils. We have been working closely with them and we have been working closely with the National Union of Workers, which is supporting its members who are at the sharp end of these decisions. Some have lost their jobs already; some will do so over the coming months. But Murray Goulburn has certainly experienced some enormous difficulties.

I was interested to hear Mr O'Sullivan's observation about this being mostly about energy prices. The prevailing theory about what caused the dairy price shock that so many people have had to endure is that it was a combination of caps on trade being lifted in Europe, our loss of the Russian market and fluctuation in demand from China, combined with decisions that were made in a boardroom at Murray Goulburn, which have been the subject of considerable reviews by the Australian Securities and Investments Commission and by the Australian Competition and Consumer Commission. But Mr O'Sullivan has a different theory, and I suppose the Parliament exists for him to be able to proffer that opinion.

We will continue to support our dairy communities, and we will continue to support all agricultural producers in Victoria in lots of different ways, such as adapting to climate change. There is an increasingly urgent need to support people to develop the skills they need to manage their businesses in the increasingly volatile world in which we live. Whether it is climate volatility or pricing volatility, people need the skills to see these things in advance and respond to them and manage those difficulties. That is why the dairy package was particularly focused on programs like Tactics for Tight Times and Taking Stock, and of course we are also working hard to make sure that all agricultural producers, not just a few, get to embrace new technology so that they have a strong future too.

Mr BARBER (Northern Metropolitan) — This is a motion to take note of some things that are going on in the dairy industry at the moment. I would just like to add a few more things of which I think we should take note. I was working on that list in preparation for my

contribution to the debate on this motion, but after listening to the Liberal and National Party speakers and the things they did not say about the industry, it is clear that they have really abrogated any responsibility for any of the problems. Apparently they did everything they should have done when they were in government and at every other level, and apparently all of these problems popped up just in the last year or so. In fact they completely defined this whole problem as being something that has happened just in the last couple of years. I have been talking about this problem in this chamber for quite some time, even before Mr Purcell was here, but I know he has had a long-term interest in the industry. I have been here longer than Mr O'Sullivan. I have been here longer than Mr Ramsay, and I have got a slightly longer memory than the coalition apparently has in relation to its own area of responsibility.

The three things I wanted to talk about that are definitely having an impact on this industry over the longer term and right up to this moment are: number 1, a volatile climate; number 2, the cost of inputs; and number 3, the structure of the industry itself. The impact of climate change on dairying areas is in fact rolling out exactly as the models predicted; if anything, it is worse. The idea that we would keep polluting and keep making those problems worse —

Mr Ramsay interjected.

Mr BARBER — It is all right, Mr Ramsay, you can just roll over, hit the snooze button and go back to sleep on this whole question of climate change. It will not worry you one little bit. But if you could see what has already been happening, you would know that we are not headed for an environmental crisis, we are in an environmental crisis, and the idea that we would keep polluting and keep warming the earth up through an average warming of 1 degrees, 2 degrees, 3 degrees is absolutely horrifying.

Dairy areas were always located where they were because of more or less reliable rainfall and because of moderate temperatures, and temperature of course impacts then on the amount of evaporation and the amount of actual available water for the pastures. A drought in a dairying area looks very different to what you think of as a drought when you look at the rest of Australia. In fact the volatility of weather in these areas, driven by climate change, is already starting to produce some extremes. Back in 2008–09 when we had a crisis in western Victoria, all those people did was bang on about the carbon tax the whole time, but very quickly a group of farmers found themselves in distress because we had a very rapid heatwave which dried off all the

pasture. People could not cut hay and could not make silage. They could not get hay for love nor money anywhere. The whole countryside just browned off.

Then we had huge downpours of rain which resulted in mud everywhere, causing mastitis and further problems. Our illustrious dairy processors took that moment to announce a milk price war — \$1 per litre — screaming headlines on the side of every bus shelter in Melbourne. You would have known back then that they were not necessarily a group of people who had in mind the best interests of dairy farmers or the sustainability of the valued production chain as a whole. Did we get action from the coalition government when they came into power? No, we did not.

But I am getting ahead of myself. That aspect of the volatile climate was a wake-up call for some of those people over there who are still obsessed with what happened yesterday in this Parliament and who completely fail to articulate any kind of vision for where they see this industry going, notwithstanding the fact that they are in government federally and they think they are about to be in government at the state level. We did not hear a word out of them.

Look at the cost of inputs. I listened carefully to Mr O'Sullivan's comments. He is from grain cropping country, and of course he may very well have sold his grain to dairy farmers. Well, these dairy farmers could not afford grain. I can tell you that my grandfather, who was a dairy farmer, could never afford grain; he could not afford any imported feed. If you are running your dairying operation off large quantities of expensive imported feed, particularly grain, you are at double risk from the impacts of climate change because you are actually now tied into what is going on in those cropping areas in Victoria and also further afield.

In relation to electricity as an input, yes, dairy farmers are probably some of the biggest users of electricity compared to other farming operations. They have always struggled with getting a good-quality electricity supply and being able to afford it. There is a huge amount of refrigeration on the farm, there is a huge amount of electricity used during processing and if you are talking about a fresh milk product, there is electricity used all the way down the line until we buy it.

Everybody knows — perhaps with the exception of Mr O'Sullivan and maybe some other people on his side who pretend they do not know — that the current impact on electricity prices has come from the soaring cost of gas. Just look at what the spot price of electricity is doing; look at what electricity futures are doing.

There was a bit of a blip in the futures market when the Hazelwood closure was announced. Of course most people had already anticipated it and factored it in —

An honourable member interjected.

Mr BARBER — Just get on the ASX website and have a look. There was a bit of a blip when Hazelwood closed because a lot of that had already been priced in. There was a further small blip in wholesale electricity prices when it was announced unexpectedly that the Portland smelter was going to stay open. I think a lot of those electricity traders had priced in the fact that 600 megawatts of demand was about to disappear out of the Victorian market which would in many ways have offset a large part of what Hazelwood's actual production was, not the nameplate production that Mr O'Sullivan and his mates persist in talking about. Hazelwood was not quite running at half speed, but it was certainly not running on all cylinders. Today we can look at Yallourn power station and see the same thing happening. It is getting excluded from the market, and it is nothing for one of those units to be operating at quite a low level. The same situation is occurring all over again. You can see it coming.

But in fact what has driven up wholesale prices over the last year has been a rapid increase in the wholesale spot price of gas, and wherever gas is used to generate electricity you are getting a huge increase in spot price. That is why the modelling that has come out today in relation to the Victorian renewable energy target shows the exact same thing that former Prime Minister Tony Abbott's modelling showed when he commissioned a study and attempted to destroy the federal renewable energy target. It actually showed the opposite. It showed that gas is really expensive and that renewables are really cheap and getting cheaper, so the more renewables and the less gas you have, the cheaper your electricity. More renewables are actually going to drive the price down even faster. If these coalition MPs do not even understand these sorts of basic things, then they are in an extremely poor position to explain this to a group they see as their own constituents.

Thirdly, there is the industry structure. It would not matter what the commodity was. If you showed me a map of this industry structure with a near duopoly of supermarkets, a small number of processors and thousands of small farmers, you would know exactly who was making the super profits — or at least who carried the market power. The situation here is no different to the way we look at the electricity market right now, which is rapidly re-monopolising in certain parts of the industry. But again you have got a group of politicians who refuse to acknowledge that this is what

is happening, and therefore they will not go anywhere near it.

In October last year I picked up a new correspondent; he sends me emails quite regularly. Someone named Ben Gursansky suddenly added me to his mailing list. He is apparently the general manager, policy, industry and government, at Murray Goulburn. It is nice to be kept informed by people who think I am a stakeholder in their industry. But generally speaking when they add you to their mailing lists, it is a sign that something is probably not quite going too well in their industry, so it is a bit of a giveaway.

That was in October last year. I have been getting emails from Mr Gursansky quite regularly. On 31 July I got one with a subject line 'ACCC statement of claim'. I will just let you know, Mr Purcell, that this is not the first time that we have brought these issues up in the chamber. In fact on 20 February 2013 we were having a debate in this chamber. I was here, and Mr Ramsay was over there on the other side, and I made the fairly bold suggestion that perhaps not everything was right in the dairy industry. Early on today when Mr Ramsay made his contribution, he very quickly threw the lever to populism. He started paying out on these big bosses with their big salaries and their big bonuses. It was pretty obvious where he was going to lay the blame. He certainly wanted to put people off the scent. He did not want anybody to think that it had anything to do with anything he did or did not do in his illustrious long career, outlined in his CV that he described for us, or even, heaven forbid, when he was a member of the government during the relevant period. None of it was anything to do with him; it was the big bad bosses.

In 2013 when I put it to this chamber that perhaps certain parts of this value chain and the contracts that were being put in place represented unconscionable conduct — and I use those words quite deliberately in terms of their legal meaning — I got howled down. In fact I got a continuous barrage from Mr O'Sullivan's predecessor. I got a continuous barrage from Mr Ramsay when I suggested that maybe a bit more action was needed here to prevent this kind of unconscionable conduct that was occurring in relation to dairy farmers.

Mr Ramsay interjected, and you can see it in *Hansard*:

You just take a populist view, as you've always done — a simplistic, populist view.

I was reflecting on that when I opened up my email from Mr Gursansky talking about the Australian Competition and Consumer Commission (ACCC) action. This is a live action, so I do not intend to try the

case right here, right now. But what we saw on 28 April 2017 was a press release from the ACCC in which they said they have instituted proceedings in the Federal Court against Australia's largest milk processor, Murray Goulburn Co-operative Co. Limited, alleging it engaged in unconscionable conduct and made false or misleading representations in contravention of the Australian Consumer Law. Good old ACCC. I called for it in 2013. They drove down there in the world's slowest police car and actually took action in 2017. Mr Ramsay is zigging when everybody else is zagging. It was all just a load of populist nonsense when I said it. Today he tried the same act. He is always one step behind the action.

It is just unfortunate that the coalition do not have a lot of real respect for free markets and how they operate. At various times they come here and they profess their love of, their loyalty to or even their worship of the market, but they do not know how markets need to be structured, and they do not know much about how markets need to be managed to keep doing the thing that we want markets to do. What they do is come in here and run resistance, throwing out smoke to cover the actions of the big end of town every single time. In this debate, which has played out from the late 2000s to this very day, they have shown it yet again.

I am not pulling this out of a textbook. I am saying I have met many dairy farmers in western Victoria, in Mr Purcell's electorate. I have visited their farms, and this is my experience. We need to expect a lot more, particularly as demonstrated today, from the coalition MPs in this place if they are going to accept any responsibility and take on the responsibility of assisting this industry to grow and flourish.

Motion agreed to.

PRODUCTION OF DOCUMENTS

Ms FITZHERBERT (Southern Metropolitan) — I move:

That this house —

- (1) notes that —
 - (a) the Legal and Social Issues Committee requested a copy of the Muir reports from the Minister for Families and Children in writing in February and this was refused on the grounds of executive privilege;
 - (b) the Community and Public Sector Union gave evidence to the committee on 30 May 2017 that it was provided with a copy of the Muir report by the Department of Health and Human Services;

- (c) the secretary has advised she was directed by the Attorney-General not to comply with the summons, in a letter dated 16 June 2017;
 - (d) the Muir reports are integral to the current inquiry into youth justice that is being undertaken by the committee; and
- (2) in accordance with standing order 11.01, requires the Minister for Families and Children to table in the Council by 12 noon on Thursday, 7 September 2017, copies of the two security reviews of critical incidents in the youth justice system in October 2015 and March 2016 (the Muir reports), and any responses should conform with standing orders 11.02(3) and 11.03(1)(a).

I rise to speak on this motion, which is a production of documents motion in relation to the two Muir reports. This documents motion arises from what has arisen as part of the inquiry into youth justice, which is currently being undertaken by the Legal and Social Issues Committee, which I chair. The motion itself outlines, I think, a fairly short time line of events, and I want to briefly elaborate on these and provide a little further detail for the benefit of the house.

The government, as I understand it, is declining to hand over these documents and is claiming executive privilege. We have in this place on a number of occasions in the years I have been here debated what executive privilege is and who is able to determine that it exists et cetera. We have quoted *Odgers' Australian Senate Practice* and so on. I am not going to do that today but simply note that Odgers — and I am paraphrasing here rather than quoting from a specific page — indicates that it is Parliament that decides when executive privilege exists; it is not ministers or departments.

Executive privilege was first claimed in response to our letter that was sent in February by Mr O'Donohue, who was then the chair of the committee, who requested the reports. It was knocked back, his request — his polite request for these letters was knocked back — but the documents, however, have been provided to other parties and extracts from them have been appearing in newspapers. There has been no explanation as to how this came to be, and in my opinion this undermines the claim of executive privilege over these documents. I will return shortly to this issue of who has received the documents and the significance of that.

There is of course a process for determining executive privilege in our standing orders, and it is in section 11.03. I think this is familiar to members of the house, so I do not plan to read that out on this occasion. I note that the minister, in responding to our request, has referred to the fact that there is apparently personal

information within the documents and that she is concerned about letting this information out — for want of a better term. I note that there is an obligation under the law to protect personal information and identities in some instances under the secrecy provisions of the Children, Youth and Families Act 2005. I would argue that there is a more general obligation by members of Parliament when they are dealing with very personal issues and issues to do with minors, as many people in this case are, to be very careful and prudent in how they handle this sort of information.

I do note that the committee has quite a long history in dealing with information that is sensitive in a similar way, and certainly in my time on the committee it has been very, very careful in terms of respecting privacy, given the relative ages of some of the individuals concerned and the very personal nature of some of the issues that are contained or are disclosed within documents. This committee undertook, under Mr O'Donohue's leadership, the end-of-life choices inquiry. This was an inquiry that involved a large number of submissions — more than a thousand. Many of these were highly personal in nature. Many of them were to do with individuals' lives. They were all considered in a way that I consider prudent and reasonable and with a view to respecting the privacy of the individuals concerned and how and when it was appropriate for information to be made public or identified as pertaining to certain individuals. Indeed in this current inquiry we have had evidence from young offenders. We have had written submissions which we readily agreed to receiving from young offenders who, at the time that they wrote, were within the youth justice centre. We received verbal evidence from one young person who had previously served time within a youth justice centre. We have had a variety of frank and I think constructive discussions about very personal information — information about minors, when to make it public and when not to do so. I think that the record of the committee on that front is, to be quite honest, impeccable, and certainly it has been within the time that I have been involved in this committee within this Parliament.

Other documents motions that we have considered within this house have referred to a large number of documents; in this case it is a very simple request — it is to do with two reports. The excuse cannot be made that it is going to take a large amount of time to locate and identify documents and then go through the process of determining what to do with them. It is simply not the case in this instance. I spoke earlier of the fact that we know that these documents have been in the possession of people and organisations well outside the department and the minister's office. I want to return to

that now, because that is quite a defining feature of difference when considering this claim of executive privilege.

We know, for example, as I mentioned earlier, that the minister is concerned about disclosing personal details, names and so on, but we know that at least one Muir report ended up having extracts published in the *Age*. Somehow it has been leaked to the *Age*. I have asked rhetorically but with genuine interest in this place before whether there has been any form of investigation as to how this happened, because we are being told that we do not want to breach on one hand a range of protocols and possibly laws about disclosure of information but also in particular the secrecy provisions of the Children, Youth and Families Act 2005. I would be extremely interested to know what sort of investigation there has been, if indeed any, into how the *Age* got this particular report and was able to publish it.

We also know, from the evidence given to the committee on 30 May this year from the Community and Public Sector Union (CPSU), that the CPSU has a copy of one of the Muir reports. I am not sure which one it is. They made it very clear that they were not going to give it to the committee, but they also told us that they had received it from the department. Again, I have asked previously in this place for an explanation of in what form they received it: was it the complete document, was it redacted in any way, was it given to them for a specific purpose, was this spelled out in writing? All of this is totally unknown. I should note also that there are some other parties who we know have a copy of the Muir report — two copies. The two Muir reports have gone to the commissioner for children and young people, and we understand that the Human Rights Law Centre also has at least one of the Muir reports. We know that because again they told us this in testimony at one of our hearings, and they also — again, I am paraphrasing here — made it clear that they thought that the committee should also have it if it was going to undertake an accurate and appropriately resourced investigation, as it has been charged to do by the Parliament.

So these documents have been made available to other parties — arguably they have been given to other parties — and it appears that that has been done in ways that are appropriate. When I say 'appropriate' I am referring of course to the Commission for Children and Young People, who used the material as part of their own reporting, which is part of their role. That is completely appropriate. It has gone to the *Age*, probably not in a regular or appropriate way. It has gone to the CPSU, and it may well have gone to other parties. This, I think, is one of the very troubling

aspects about whether it is valid to make a claim of executive privilege over this document when we know that it has been widely circulated through various means to a number of other parties.

The issue of privilege is really an issue for the committee, which operates with the authority of the Parliament. Alternatively it is an issue for this house. I do not know whether there has been any privilege of any sort or, as I said earlier, any redaction in relation to what has been provided to the CPSU. We simply do not know that.

The timeline, briefly, is this. The reports were asked for by Mr O'Donohue on 9 February this year. We were verbally advised that there was concern about releasing personal information. From memory, that concern has also been repeated in a letter that has come to us from the minister. A summons was served on the Secretary of the Department of Health and Human Services requiring her to provide the two documents to the committee by 16 June. We had a response from the secretary on that day indicating that she would not be doing so and enclosing a letter that she had received from the Attorney-General which notes that she has been issued with a summons and informs her that the executive government has now on behalf of the Crown made a claim of executive privilege in relation to those documents which are the subject of the summons. The committee has been told of this by letter from Minister Mikakos dated 2 June. Lastly, the letter from the Attorney-General states:

As the first law officer of the state, I direct that you abide by the claim of executive privilege and not provide the committee with those documents which are the subject of the summons.

With respect to the first law officer of this state, he would know very well what the process is for determining whether executive privilege applies to these documents, so requiring the secretary to abide by the claim would perhaps mean submitting it to the process that is spelled out in our standing orders.

There have been a number of reports on youth justice during this Parliament, commissioned by the government, including the Muir reports, and there have been a number of others as well. This is completely reasonable. No-one contests this. What we are saying is that we would like to have the benefit of some of the insight that has gone into those reports because those reports, while valid and very, very useful and of undoubted value, are unable to provide the same sort of scrutiny that comes through the Parliament — and that is our fundamental role in this place.

Our report does not need to pass through the minister's office for clearance. We do not need to negotiate with the minister's office over the sort of wording we use. We can make decisions based on what we are told and what we see. We have recently again extended when we will report in relation to youth justice. That will now occur early next year. This has been done, I think it is fair to say, on a couple of grounds. One is that it has taken a considerable amount of time to receive many of the pieces of information that we want to have access to, and it will take us time also to go through that. But again, the two Muir reports we see as being quite critical to the work that we are doing. As I said earlier, one witness at our hearings who has had the benefit of receiving those documents made the point, having seen them, that he thinks it is exactly the sort of information that we should be receiving.

In concluding my comments, I ask for the support of the house to require the minister to provide these documents. We are asking that they be provided by 12 noon, two weeks from tomorrow. We think that will enable sufficient time for those documents to be located. We are open, I think, to any suggestions that we be particularly sensitive about some of the contents of these documents. If the minister has particular concerns about them, I ask her to identify them because we will happily consider them as we have considered an enormous number of similarly concerning and sensitive issues of content and identity. I ask for the Council's support in providing these documents to the committee so we can get on and conclude our job.

Ms SPRINGLE (South Eastern Metropolitan) — I will keep my contribution quite short and sweet.

Mr Jennings — Sweet?

Ms SPRINGLE — It will be sweet — maybe not for you. It might be rare, but I do concur with my colleague, Ms —

Ms Shing interjected.

Ms SPRINGLE — Finished?

Ms Shing interjected.

Ms SPRINGLE — Okay; good. I think the fact that we are standing here speaking about a documents motion in relation to youth justice in and of itself is very telling and probably the whole reason why this inquiry that we have undertaken into the detention centres in Victoria exists in the first place. From my perspective it is around the lack of transparency that has been part of this whole scenario from the beginning. I must admit, and I have said it clearly on the record

before, that when I started looking into this area of public policy in more detail it was almost impossible to find any information that would lead to any substantive understanding of the situations in these detention centres. It does concern me a little that we are still in this space so many months down the track — probably getting on for 12 months down the track — and we are no clearer on some of these issues than we were when we started.

I concur with Ms Fitzherbert on the committee's ability to deal with highly sensitive material. It is, I suppose, indicative of the purview of a social and legal issues committee that it deals with very sensitive and private issues of the public. We have done that not only with the end-of-life choices inquiry but also with the permanency reforms inquiry when we looked into that legislation, which is highly, highly sensitive and pertains to issues of child protection and out-of-home care. We have also done it with the retirement housing inquiry and with the supervised injecting rooms inquiry, so we do have a long history in this term of government of dealing with highly sensitive material. I do not think this particular inquiry is any different.

The other point I would briefly like to make is that some very pivotal decisions seem to have been made based on this report. In her answer to Ms Crozier's question of 8 June pertaining to the Muir report the minister said:

... the major theme from this review was that the custodial infrastructure inherited by the Andrews ... government was not fit for purpose and has been a contributor to incidents occurring in the centres.

That is why, on receiving this report, I commissioned a business case for a new fit-for-purpose facility.

That is an enormous undertaking, and it is a pivotal and important decision that this government has made to say, 'We need a new facility in Victoria'. Apparently it is based on the report that we have no access to as a Parliament, and therefore I can only say that based on those sorts of issues the Greens will be supporting this documents motion. We should have access to that information, and if there is —

Ms Shing — Have you not got that information?

Ms SPRINGLE — No.

Ms Shing — You don't?

Ms SPRINGLE — No, I do not. Otherwise we would not be asking for it, Ms Shing.

Ms Shing — You are prepared to go on the record on that?

Ms SPRINGLE — I do not have the Muir report, no. The first Muir report, I do not have.

The ACTING PRESIDENT (Mr Elasmarr) — Through the Chair.

Ms SPRINGLE — Based on this, and I am going to cut it short now, we will be supporting the documents motion.

Ms SHING (Eastern Victoria) — I rise today to make a contribution on the documents motion put by Ms Fitzherbert, and at the outset I note that the calls for transparency and rigour are somewhat ironic in the circumstances of a coalition motion which in fact is a 'Do as I say, not as I do' motion following a 2014 report on Parkville which was prepared for the then minister, Ms Wooldridge, and which was then kept secret in relation to that facility.

There are a number of references that we have had in this house relating to documents held by the former government which it did not release when it was in government and then sought to actually have produced by the Andrews Labor government — documents which relate to a cabinet-in-confidence process, documents which relate to commercial-in-confidence material and documents which relate to information that even those on the coalition benches were not aware had been agreed to, including but not limited to various side letters and funny little tricks and manoeuvres around, I do not know, just for an example, the business case for the east-west link. We all know how well that turned out, because it came back with a business case and an economic return, I believe, of 41 cents in the dollar.

The way to deal with that particular issue was to produce a business case, which those of us in the chamber who enjoyed the rigour of that particular debate will all know came down to an 11-page document with dot points and lots of triangles and pictures and ultimately an economic return of 41 cents in the dollar and also further information that related to increasing tolls and to tolling new arterial roads within the city.

The wording of this motion should not be lost on anyone, coming as it does from a coalition which has steadfastly refused to be even remotely transparent in its dealings with not just the Parliament but the public at large. Then we also saw that this culminated in some extravagant political behaviour in this place at the expense of democratic process when in fact the opposition teamed up with the Greens to get rid of the

Leader of the Government in the chamber, Minister Jennings, for a period of six months for not providing documents which were in fact cabinet in confidence and commercial in confidence and had in fact been provided in the course of a period of disclosure and production in a way that was far more fulsome, far more transparent and in far more good faith than anything the coalition ever actually produced when it was in government.

In fact when we look to the Muir report and to the way in which information was not provided under the former government, we note in fact that Ms Wooldridge was all too keen to have the coalition government go to VCAT to actually suppress information, the release of information and the production of documents. We are talking about a government which has inherited a culture of secrecy and obfuscation —

Mr Mulino — But rejected it!

Ms SHING — and now rejects that because it is convenient for only cheap political purposes. In this teaming up of the Greens and the coalition yet again — it is an unsurprising duo; they work well together, one taking the high road, one taking the dirty road — in relation to the production of information, I note that we do in fact have precedents for producing documents well above and beyond the number and the type of documents that were ever produced by the former government. These are documents which relate, amongst other things, to the east–west link documentation, to information relating to the functions of government agencies and departments, to information around the grand prix and to other major projects.

What we also need to make sure that we understand in the context of the motion as it has been put by Ms Fitzherbert today is the work that is going on to modernise our youth justice system and to target violent offending and in fact to keep our community safe. Keeping our community safe is something that takes assiduous work. It takes assiduous resourcing, and it takes integrity. That is something that this government is working extremely hard to deliver. It is all too easy to catcall across the chamber that it is important to be tough on crime, but in fact ‘tough on crime’ may just come down to the lowest common denominator of a bad wine choice with seafood at this stage, when you look at the current conduct of certain people in the Victorian Parliament. That does a disservice to us all, not just to the gastronomes amongst us who could not quite ever understand why you would pair Grange with lobster but to those amongst us who see that confidence

in the Parliament and confidence in politicians is compromised when we have disgraceful behaviour that undermines the things that we on the one hand say are so important. It erodes public confidence in people who are elected to represent the community in the Parliament and in fact invites people to reach a conclusion that politicians are only as good as their conduct, because their word counts for little, if nothing.

The flip side of that is the work, the investment and the engagement going into medium and long-term planning for modernising the youth justice system and the medium and long-term planning that is going into violent offending and managing and targeting that particular part of the justice system and keeping our community safe. In this regard I note that we have released our response to the Armytage-Ogloff review, *Meeting Needs and Reducing Offending*, and provided an additional \$50 million boost to the system. That is an inconvenient truth for those opposite. It is an inconvenient truth for the co-sponsor of the motion, the Greens.

This review — it should go without saying, but I am going to put on the record nonetheless, because those opposite will seek to refute its existence at every turn — is the most comprehensive look at Victoria’s youth justice system in more than 17 years. It is broader and deeper in scope than any other previous or current inquiry, including — and I am just going to go back to the cunning little coalition that has been the subject of this particular motion this afternoon — the Liberal-Green coalition’s parliamentary inquiry into youth justice centres in Victoria.

I note that this also forms part of a multifaceted approach to addressing issues of law and order and offending within the community. When we talk about putting our money where our mouth is, it is not spent on lobster dinners and it is not spent on backroom deals. In fact it is \$50 million to modernise the system. It is spent on 3135 new police for our system. It is a \$1.9 billion response to family violence to implement the 229 recommendations of the royal commission that we said we would deliver when we were elected; that has occurred and has culminated in 1900 pages to examine the biggest law and order issue that we have in the state.

What we see is a preparedness not just to talk about the issues which lie at the heart of some of the most difficult and complex policy challenges in the state but in fact to do something about them — to do something about them in meaningful terms that make a difference and that amount in the aggregate over time to an improvement of the prospects of young offenders, to an improvement of the assistance and the support provided

to victims of crime, to an improvement of perceptions of public safety in our community and to an improvement of access to technology that means that police are not spending 40 per cent of their time on family violence cases and are not in fact hamstrung in the way in which they are limited in their use of the technology because they are forever using fax machines and do not have the necessary administrative or protective support to enable them to spend more time in the community.

As I referred to earlier, the Armytage-Ogloff review is one part of the response to rebuilding the Victorian youth justice system. What we have in this overarching response is a record investment in our youth justice infrastructure, including the new \$288.7 million fit-for-purpose youth justice facility to be built at Cherry Creek. Now, those opposite will pick holes in this, those opposite will seek to undermine this and those opposite will find fault with this. Yet when push comes to shove the Andrews government has committed money, funding and a plan to tackling youth justice issues within our community and has in fact demonstrated its commitment over time to addressing the issue of youth justice within our community in the most holistic, sensible and responsible way that we possibly can.

We know from the recidivism figures that putting people into a facility that does not address the causes of interfacing with the justice system does nothing but make sure that people will return to that system again and again, that their prospects of rehabilitation will be commensurately reduced and that they will lack the social and life skills necessary to obtain education, to secure employment and to make a contribution that means that they are in a position to correct their ways and not to return to behaviour or conduct which may have been the subject of legal proceedings in their earlier lives.

We have new challenges that have not been faced by our youth justice system previously. Yet those opposite will seek to chase cheap headlines, because cheap headlines and three-word slogans are their stock-in-trade. That must be their stock-in-trade because they have little left to offer, with empty coffers, presumably after having contributed to that particular bill at the Lobster Cave. That sort of thing does not come cheap. I read a review on it, and despite the fact that the food and the prices sound extravagant, it seems that you do not get much bang for your buck. I am yet to find out, and in fact it is not a restaurant that I imagine finding myself at.

What we do have is a situation where those opposite do not care about good policy. They do not care about good policy because it does not make for good headlines for them. Good news does not sell newspapers, so they like to catastrophise the challenges that this government is tackling in improving a system that was woefully neglected when they were in government.

They walked away from committing to the futures of young people across a range of different areas that responsible government ought not do, including education, including youth justice and including opportunities for connectedness for our young people. Now, when the 'Do as I say and not as I do' mantra comes to the fore again for the coalition, yet again we hear them talking about how the youth justice system is in crisis and how this government has failed to act.

This is rich, because they failed to do anything and they have also failed to acknowledge the policy work that is going on in this government, the urgent and assiduous policy work that is being undertaken and the extraordinary and urgent funding — and I say extraordinary in the sense that it had not occurred under the former government — to make sure that facilities are fit for purpose, to make sure that facilities are safe and to make sure that staff working across this sector are given the support and the resources that they need to do their jobs.

This is a coalition that has paid lip-service to everybody within this sector and that has said that it is important — but not so important as to warrant a cheque! — that this system function just enough to avoid the papers when it is in government. When the shoe is on the other foot it is all about the three-word slogans. It is all about the cheap headlines when they are in opposition.

As we know, the previous Liberal government undertook a number of reviews into youth justice that were never made public. In 2010 there was an Ombudsman's report into Parkville, and that exposed these weaknesses. A new facility should have been built as a result of that report. Was a new facility built as a consequence of the Ombudsman's report in 2010? I can assure you, ladies and gentlemen, for those of you following along at home, no, it was not. From 2010 to 2014 there was no new facility built.

There was no new facility built, the cheap headlines continued and the coalition sought to pass the buck and play the blame game without actually doing any of the heavy lifting itself.

This is something that typifies the way in which the coalition governs — ‘It’s all too hard, it’s somebody else’s fault, we don’t have the money and we’re not prepared to invest’. That sends a very, very disturbing message that is illustrated in the recidivism rates during this time. We saw recidivism rates continue to go down until about 2012 when they started to go up again, and that is because of a corresponding lack of investment in the sorts of programs, services, assistance and support that people need in order to avoid reoffending. It is not rocket science, but for those opposite it is all too hard.

The Liberals sat on the Ombudsman’s report in 2010, and they shelved a secret master plan for Parkville. They had this secret plan, and they did nothing about it. It is funny that we are here talking about the importance of transparency when in fact they have form when it comes to doing precisely the opposite. Secrecy is in fact part and parcel of the way in which they govern. Ms Fitzherbert and the Liberal-Green coalition’s parliamentary inquiry into youth justice centres in Victoria should in fact reach into the bottom drawer of the former community services minister, Ms Wooldridge, and dust off that master plan document if they are in fact looking for something to read because it would make for good reading and it would make for perhaps a lesson in the importance of resisting the urge for hubris.

Ms Fitzherbert — On a point of order, Acting President, Ms Shing has been speaking for about 17 minutes. She is yet to actually say anything about the Muir report. I suggest you might like to direct her to come back to the actual subject of my motion.

Ms SHING — On the point of order, Acting President, I note that in their contributions Ms Fitzherbert and Ms Springle both referred to the importance of transparency. I think context is important in this regard.

The ACTING PRESIDENT (Mr Melhem) — I take your point of order, Ms Fitzherbert, and I ask Ms Shing to come back to the motion. I know you have been debating the motion, but concentrate more on that.

Ms SHING — I am very happy to talk about the motion itself and to go to the detail. Noting of course the committee process that is referred to in point (1)(a) of the motion from Ms Fitzherbert, the request in writing for the Muir reports from the Minister for Families and Children in February and the refusal on the grounds of executive privilege, I note that executive privilege has in fact been the subject of extensive debate in this house. I think that talking about the notion of executive privilege as it appears in the

specific wording of this motion and going thus directly to the point of relevance that Ms Fitzherbert is so keen to maintain for me in my own contribution this afternoon, I note that executive privilege was in fact something which the coalition-Greens grouping paid scant regard to when it turfed the Leader of the Government for six months and made sure that it was able to claim that Minister Jennings was able to be booted without being able to usurp a number of claims of privilege, including commercial in confidence, cabinet in confidence and executive privilege, because the standard established by those opposite, the standard established by the Greens and the coalition working in concert together, was sufficient to overthrow these longstanding conventions —

Mr Davis — That’s just rubbish.

Ms SHING — of the way in which the cabinet operates and the way in which privilege operates. I note that Mr Davis says, ‘That’s just rubbish’, and I agree with you, Mr Davis. It was rubbish that that occurred, and you should be ashamed of yourselves for stooping to such lows in a way that meant that the leader of this house, the government representative and leader, Mr Jennings, was in fact not permitted to step foot in this chamber because those opposite, including those who had been part of the development of documents which they then requested from a subsequent government, were looking for these documents to be revealed when they had failed to do so themselves when they had the opportunity.

I note also under point (1)(b) of the motion that the Community and Public Sector Union gave evidence to the committee on 30 May that it was provided with a copy of the Muir report by the Department of Health and Human Services. I would like to know about the extent to which redactions or in fact changes to the content were provided in the course of the document being given to this particular witness who appeared before the committee on 30 May, noting of course that committees may in fact conduct themselves through an in camera process that involves, among other things, the release of information. It is something which we have seen from time to time in the committee process in this place. I note that committee integrity — and this is another word we have heard a lot in this chamber in recent times — has often not mattered a scrap to people who sit around this chamber. It often has not had any currency whatsoever because it is almost a little too coincidental that on occasion you can hear something in a committee discussion and then — wow, extraordinarily coincidental — open a paper the next morning to see evidence of that conversation in the media. There in fact lies the rub.

On the one hand I suspect that there are people who do not respect the integrity of committees in any meaningful way. I do not pretend to attribute responsibility, and I do not seek to attribute responsibility to any one or multiple members of this chamber in my comments in this regard. However, I note that there appears to be a fundamental process involving lip-service to the integrity of committee confidentiality and the privileged nature of committee discussions which means that in fact all number of different people may have information or documents that have been released in an in camera process and that these conventions and these requirements around privilege are then not respected in any way, shape or form. That is an absolute disgrace. It is a disgrace because it makes a mockery of the process of the parliamentary inquiries that we have conducted here. It makes a mockery of the in camera process and of the public confidence that we seek to engender in the way in which we conduct ourselves in this chamber and on references.

Paragraph (1)(c) of the motion states — and I note again that I am speaking directly to the motion here in a very relevant way:

... on 8 June 2017 the committee served a summons on the Secretary of the Department of Health and Human Services, requiring her to provide a copy of the reports to the committee by Friday, 16 June.

It is, again, something which committees are wont to do, where indeed they have the capacity to do so through holding the chair of particular committees and being able to do in effect what they want. When we look at the committee structure and the way in which parliamentary committees in this chamber have been established across a range of different areas, we do see that in fact summons are able to be issued — that is not controversial in and of itself — but in fact these committee processes may well then turn into a fishing expedition.

We have all seen it on a number of occasions. Any of us who have been lucky enough to sit on committees that have held extensive inquiries into subject matters that touch on the government's work across a range of portfolios would know that where there is a coincidental alignment between the work of one particular committee member and perhaps their own responsibilities within their party as a spokesperson, we will see summonses issued and we will see documents sought from witnesses to those inquiries. We will see a particularly high level of attention to detail around summoning witnesses and inviting their testimony as part of that particular inquiry process.

I say that without any subtext. However, I do note that it would be highly advantageous for certain members of committees to issue summonses and — noting that the coalition and the Greens have the numbers in this regard, should they wish to — have summonses issued for certain witnesses to appear before inquiries and for certain documents to be produced. As I said earlier, the in camera process is not necessarily one which is respected, and it is again to the detriment of the integrity of our parliamentary committee structure that this occurs, and seems to occur with such abandon.

I look forward to seeing integrity returned in some way, shape or form to the committee structure so that we are in a position to conduct the inquiries that are given to us — whether by way of self-reference on the one hand or by way of substantive motion from the house on the other. But I do note that the primary purpose of committees must necessarily be grounded in good faith and must necessarily take place in a way that ensures that public confidence and the public interest is served as a consequence.

I refer to paragraph (1)(d) of the motion that Ms Fitzherbert has moved:

... the secretary has advised she was directed by the Attorney-General not to comply with the summons, in a letter dated 16 June 2017.

In so doing, the claim of executive privilege — —

Mr Jennings interjected.

Ms SHING — It is important, for the sake of *Hansard*, to take up the interjection of Minister Jennings to note that it would have been an important mistake if I had not in fact said that this had been undertaken in 2017, because we would never allow a report to languish for 10 years. That would be inappropriate. It is good that we have managed to clear that up. There is occasionally a collegiate approach that can be taken in matters of this nature, and I am pleased to see that it has not yet been extinguished in the course of our debate this afternoon.

In advising that she was directed by the Attorney-General not to comply with the summons, it would seem to be axiomatic that this would occur where a claim of executive privilege were to be made. On that basis I am a little confused as to why there would appear to be a doubling up of the components of the motion, noting:

- (a) the Legal and Social Issues Committee requested a copy of the Muir reports from the Minister for Families and Children in writing in February and this was refused on the grounds of executive privilege ...

and

- (d) the secretary has advised she was directed by the Attorney-General not to comply with the summons, in a letter dated 16 June 2017.

This is not uncharacteristic where there is a claim of executive privilege being executed. The difference that we have, however, in form as a government is our steadfast preparedness to provide a far greater volume of documents to this chamber and a far greater volume of documents to inquiries when and as they have been conducted, and in fact to demonstrate the very transparency that those opposite are now claiming is missing from the way in which this government has addressed youth justice and the integrity, which Ms Springle in her contribution also referred to as being part of the youth justice system, that was necessary and, in her submission, lacking.

Paragraph 1(e) states:

... the Muir reports are integral to the current inquiry into youth justice that is being undertaken by the committee.

Given that the work of the committee variously appears in different papers and different publications around the state, given that the findings, discussions and deliberations of a number of committee inquiries before this place have in fact been the subject of public discussion — often before being resolved by the committees themselves — and given that that flies in the face of the privilege that these committees supposedly enjoy and the protection that is given to witnesses that appear before these committees and to hearings and inquiries conducted by these committees, I find it somewhat extraordinary that we are in a position now whereby the committee says it cannot fulsomely do its work unless it has a copy of the report.

In that regard we would like to think that if a copy of the report had been provided to this committee, it would not have been linked to the nearest available news outlet. I do not know whether we can in fact say in all certainty that that would not have occurred. There are great challenges associated with the integrity of documents of this nature, and it is indeed a great compromise and a great shortcoming that this has been the subject of discussion and debate on the one hand, whilst a simultaneous release and leak has occurred on the other.

I note also that paragraph (2) of the motion refers to standing order 11.01, requiring that the Minister for Families and Children table in the Council by 12 noon on Thursday, 10 August 2017, a copy of the Muir report and any response being required to conform with

standing orders 11.02(3) and 11.03(1)(a). In this regard I note that where we look at the way —

Ms Fitzherbert — On a point of order, Acting President, Ms Shing referred to a return date in August, which I think was the previous version of the motion.

Ms SHING — It was changed overnight.

Ms Fitzherbert — It has been amended.

Ms SHING — Overnight.

Ms Fitzherbert — It is on the notice paper.

Ms SHING — On the point of order, Acting President, I am not sure, firstly, that that is a point of order, but I do note that in the event that the date has changed, I am looking at a document that was prepared yesterday and which states 10 August 2017. In the event that overnight the coalition has changed its mind and provided a new date, then I would be happy to hear from Ms Fitzherbert in relation to that particular motion. If the coalition has changed its mind, then I would be very happy to have that corrected on the record.

Ms Fitzherbert — Further on the point of order, Acting President, it is a minor administrative change to reflect the fact that the government took these motions out on the last date when we were due to address it, and that meant that we would have superseded the date by which it had to be provided. We have updated it and put a date that is after the date when we are actually debating it — today. As I said earlier when I was addressing this very point, and I think Ms Shing was in the chamber, this was to allow two weeks for the government to do its work in identifying the documents and preparing them to be handed over. It is merely administrative.

Ms SHING — I am very pleased with that explanation. That is very helpful, and I am grateful to Ms Fitzherbert for that clarification.

In contrast to the previous government, we are increasing staffing levels to better manage young offenders at Malmsbury, and we are increasing our input to make sure that people have a more rewarding and satisfactory career in the ways they contribute to youth justice in the state. In making sure that we deliver on that record investment in youth justice infrastructure we are making sure that what we build and commit to now continues the work that was being undertaken until 2010 — when the coalition took us backwards — to make sure that we are in fact developing legislation to

toughen consequences as well as to deliver services to improve behaviour and prospects into the long term.

In last December's budget update we announced 41 new custodial staff positions, a further 21 safety and emergency response team staff within the government's \$50 million investment, Corrections Victoria security and emergency services group staff and experienced corrections managers. Unlike those opposite, unlike those who have authored the motion today and unlike those within the Greens quarters who have supported the motion, we are not slashing full-time positions from the youth justice system. We are implementing rolling recruitment to ensure that vacancies are filled as quickly as possible, and now we are going above and beyond that in creating new positions and giving more attention to the cause of these particular issues. With that brief contribution I thank the house.

Motion agreed to.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Fire Services Bill Select Committee: final report

Mr MELHEM (Western Metropolitan) — I rise to speak on the inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017 final report. When the bill was before the house it was referred to a select committee to inquire into the proposed legislation, and I was one of the lucky ones who made it onto the committee. First of all I want to acknowledge the good work done by the members of the committee, who worked through the winter period to give serious consideration to the bill.

I had the pleasure of attending a number of hearings in regional Victoria and Melbourne to, most importantly, listen to the firefighters who will be directly affected by this bill. I am referring to the members, both volunteer and career, of the 35 integrated stations. Throughout the process we heard from both sides — both volunteer and career firefighters. What the government is trying to do with the proposed legislation had universal support from the integrated stations. We also heard from Emergency Management Victoria in relation to the proposed legislation. Emergency management commissioner Craig Lapsley supports the proposed legislation. He talked about the benefits of what we are trying to do. There is no question: the majority of the evidence presented to the committee was in support of the proposed legislation.

Basically the changes will bring the Country Fire Authority (CFA) back to being a volunteer organisation. The 1200 brigades that currently exist in regional Victoria will remain intact — there will not be any change to them — and the CFA will be fully funded as a volunteer organisation. However, in urban areas and in greater Melbourne there will be Fire Rescue Victoria, which will be a full-time firefighter organisation. It is very important and about time we as a society acknowledge that in any major populated area we need to have full-time career firefighters responding to fires and to not just depend on the volunteers, who do a terrific job. They do a great job, but I think it is hard enough for them to go to work, raise their families and respond to multiple fires in metro areas. I think it is an abuse of the generosity of volunteers. I understand there is less pressure in country areas and in areas that are not heavily populated. In heavily populated areas it is important that we have full-time firefighters provide the service. That stood out clearly in the various submissions we received from various parties.

Unfortunately when it came to the final recommendations the party lines of the Liberal-National parties and the Shooters, Fishers and Farmers Party were in force, and they were in total opposition to the proposed legislation. A number of recommendations came out of this inquiry, which I will refer to briefly in the minute and a half I have left. The minority report agreed to some of the recommendations either outright or in principle in relation to, for example, undertaking consultation with Emergency Management Victoria and the recommendation that the government:

... develop and publish a detailed implementation plan in parallel with any further fire services reform proposal.

So we agreed on that. One thing we did disagree on, though, was whether or not the actual demerger or the creation of Fire Rescue Victoria should integrate the 35 integrated stations with the Metropolitan Fire Brigade. That obviously has been a fundamental disagreement. To me that is not a logical disagreement. It is party politics. It is a political disagreement, because the Liberal Party made a political decision to oppose what the state government — the Andrews Labor government — is trying to do to reform an act dating back to 1958, based on political grounds. That is the only thing separating the parties.

Honourable members interjecting.

Mr MELHEM — If only these members heard, listened to and were actually paying attention to the firefighters, paid and volunteer, at the 35 integrated fire stations who are supported by this legislation. Instead those members have opted for a political decision and

said no. I commend the report to the house with the exception of that particular recommendation. When you look at this proposed —

The ACTING PRESIDENT (Mr Morris) — Thank you, Mr Melhem.

Department of Treasury and Finance: budget papers 2017–18

Mr DAVIS (Southern Metropolitan) — I want to make a couple of points today with respect to the state budget 2017–18. One of the aspects of the state budget that was a surprise to many people is the state government's plan to commercialise the land titles registry function. I note from the budget breakfast run by the Public Accounts and Estimates Committee that there was a clear statement from the Secretary of the Department of Treasury and Finance that the government had actually booked an amount in the budget for the sale, so the state budget already incorporates a sale price. I have no doubt the government wants to realise more than that in its sale.

The opposition has concerns about the government's approach to this sale process and notes the very great importance of the land titles registry function. We are very aware of the history of land titles registration in Victoria. We are aware of the matters around integrity in the land registration system that is a huge part of our secure land system in Victoria. Going back through the Torrens title system, from the 1860s onwards, Victoria has had one of the best land titles registration systems, with a guarantee of reliability that is second to none around the world.

I am in possession of a letter from the Law Institute of Victoria. That letter, dated 21 April, is from Belinda Wilson, the president of the law institute. It is directed to me and others, including the Treasurer and the shadow Treasurer, and points to many of the concerns of the law institute. I share many of their concerns and have indeed spoken — on platforms at surveying functions with members of the law institute — on these matters.

It is important to note that parallel to this the government is seeking to tighten up and clean up the pre-1860 system through a land bill, which is in this chamber now, and is also seeking to bring forward a part of the government's revenue approach that was in part 9 of the state taxation legislation. I understand that the government is intending to bring these matters back to do annual uplift in land valuations and that under the government's plan valuations will be centralised with the valuer-general and taken from councils. I think

many people have great concerns about the impact on employment locally and also the integrity of our system where councils have no immediate interest in uplifting values. They want to get reliable and accurate values. Rates are used at a council level merely to divide the rate that is to be collected in that municipality. Of course land tax operates on a different basis. With the state government control of land tax, the valuation process offers a genuine risk to accuracy and a risk to public confidence, so I say the government has got to work very carefully. The transparency and the accountability of their process has not been satisfactory to date. Indeed the opposition has real concerns about how this will apply.

On another matter, I should also say that the state government is increasingly focusing on bearing down on councils in a very strange way. There is a bill about to come to this house, and I do not want to foreshadow it, but we will deal with a bill on Central Goldfields Shire. The opposition, and I suspect the minor parties, will also support the government's steps in that particular case. But in the case of Geelong the opposition has made a different decision, and we thank the Greens for their support on that originally, to set an early date for the return — an earlier date than proposed by the government — of the City of Greater Geelong Council.

Elections are looming now, but I must say that I think the minister has lost the plot on this matter. The minister announced today on the front page of the *Geelong Advertiser* that she intends to appoint a monitor or monitors for the council in Geelong. I make the point that council elections have not been held yet. We do not even know who the candidates are, we do not know who has actually been elected and we certainly do not know about the performance of the returned council. I think this is bordering on an excessive focus by the minister, a focus that would be troubling if it were to continue. I make the point that I think many in this chamber are concerned about the minister's approach.

The ACTING PRESIDENT (Mr Purcell) — Thank you, Mr Davis.

Fire Services Bill Select Committee: final report

Ms HARTLAND (Western Metropolitan) — I too wish to talk about the Fire Services Bill Select Committee's final report. Firstly, I want to thank the staff, because I think they did an extraordinary job to bring this together in such a short amount of time. While I am supportive of the bill, I believe the government's consultation on it was poor. It has meant

that we have not been able to have clear air to debate the real issues of how to make the community and firefighters — career and volunteer — safe.

The reason I put my name to the minority report was that I wanted the report to be based on fact rather than politics. During the hearings the expression used by both career and some volunteer firefighters was how they felt that they were being used as a political football by some MPs and media. They just wanted to get back to being firefighters and protectors of their community. We received information from people who have had long experience and who I have a great deal of regard for, such as Craig Lapsley, Steve Warrington and Greg Mullins. I want to quote from the report. Mr O'Sullivan asked Mr Lapsley a question:

We have had Jack Rush sit there no more than an hour ago and absolutely with conviction contradict everything you have just said. The problem is you have come in here and made your case and contradicted everything he has said. In my view you are the two more credible witnesses this committee had.

Mr Lapsley's response was:

I do not know what Mr Rush has said today. What I will give you about my conviction is that I have experienced it face-to-face, hand-to-hand and right now. I do not think I need to say anything more. That is not questioning Mr Rush at all. It is simply saying that I am in there. I deal with it every day. I have the letters over my desk. I have the emails. I have the face-to-face. I have seen the people. I have had a group officer in the outer metropolitan not so long ago walk up and say, 'Craig, fix it. We need to get this done; move it on'.

Mr Steve Warrington, the chief fire of the Country Fire Authority (CFA), gave a very similar kind of evidence, saying:

Thank you for giving me the opportunity. If I have not been clear, let me be really clear: this sector, including CFA, needs reform. I am an advocate for reform for the aforementioned reasons. The reality is at the highest level it is not CFA reform, this is MFB, so this is sector-wide reform. We have two organisations with career firefighters with different recruitment, different development and different training. I can tell you that it is this bizarre in Victoria — and I am probably embarrassed to put it into the public space — that we put up ladders differently. We do stuff differently. That is not good enough. That is not in the best interests. We need reform in this state.

He went on:

The third point that I would make in this space and very clearly is that I am sick to death of good people being put against good people. Our good name has been eroded in a public confidence sense.

Both of these men, with long histories in emergency services, are telling us that we have to get on with it —

we have to stop using firefighters as a political game. I believe that they made some good points.

It was also very clear from the data that we received from the CFA that there are real problems, especially in the outer metropolitan areas, that need to be addressed. There is a recommendation in the minority report that from now on we should actually receive data from the CFA the way we do from all other emergency services — Ambulance Victoria, Metropolitan Fire Brigade (MFB) and the police. The CFA should be included in that. I know for many people the CFA data has been complicated. I was fortunate enough to go to a meeting with the CFA at which they explained to us in detail exactly what the data meant.

My final comment is that even though the presumptive rights part of the legislation was not in the referral, I do think it is a very important part of the legislation. It is a package. If we keep firefighters safe by reforming the service, hopefully they will be less likely to become ill with one of the 12 cancers that they are known to contract. I would also urge members on the other side to remember that we could have had presumptive rights legislation four years ago if they had stepped up and either voted for my bill or brought in their own bill.

Standing Committee on Legal and Social Issues: end-of-life choices

Ms BATH (Eastern Victoria) — This afternoon I would like to make some comments on the inquiry into end-of-life choices and look specifically at recommendations 1 to 29, which are on palliative care. In my contribution this afternoon I would like to note that a bill on this issue is before the Parliament, but my specific interest today is on the role of palliative care within hospitals and within the community, particularly in rural and regional communities, and how that can best be administered. I have some exciting news around measures concerning palliative care that a Liberal-National government would introduce.

Recommendations 1 to 29 look at an integrated approach to palliative care. The committee gave its utmost consideration to the patient and the patient's loved ones, who should be at the heart of decisions about the patient's welfare, along with the health service providers — and they are a detailed lot — and the residential care facilities. The recommendations involve a community-based approach to end-of-life choices. The recommendations certainly identify a need for the development of an evidence-based funding framework for the palliative care workforce. Those who work in that industry are a very valuable group of people, and many of us could not cope with the work

they do. Consideration should be given to the fact that there is a current shortfall in this worker base and also to the growing demand that people face for palliative care services. We have an ageing population, people with chronic diseases are living longer and there is an increased demand for palliative care services.

Rural and regional palliative care networks must be supported in an identical manner to those in metropolitan areas. This will ensure that patients who live in the country are not disadvantaged when it comes to palliative care. We know that they often are disadvantaged as a result of the tyranny of distance. People living in faraway places in my electorate of Eastern Victoria Region face an uphill battle sometimes to receive the palliative care and access the services they require.

Recommendations 10 and 11 relate to standards of care. Recommendation 10 looks at incorporating a national safety and quality health service standard, making sure that there are consistent standards across the board.

What I would like to speak on is a very exciting piece of news. It was announced last weekend that a Liberal-Nationals government will provide, very much in line with the recommendations of the committee, an extra \$140 million of funding for palliative care when it is elected in November 2018. This will be the largest single investment in palliative care in Australia's history. We know that there are a little under 17 000 people who access palliative care across Victoria. With increased funding through this initiative, there will be an extra 8000 people able to access this care at a time when they are at the most vulnerable point in their lives.

Research tells us that roughly 70 per cent of people, when asked, say that they would like to spend their last days at home, surrounded by their family and friends, loved ones and pets, but we also know that in truth less than a third of people actually get to do that. In fact in regional Victoria it is often much less than that. This commitment by the opposition will see a doubling of specialist palliative care services and nursing services for community palliative care clients, especially in rural and regional Victoria. There will be a 50 per cent funding increase in community palliative care provided in the home, including overnight care and in-home respite and carer support, and enhanced linkages to after-hours support, such as GPs and pharmacists.

When I have spoken to people at the Latrobe Community Health Service they have told me that it is at specific times such as weekends and at night when there is an added requirement for specialist care, which

patients often cannot get. It is often hard for patients to have the same GP to care for them consistently. The extra funding provided by the opposition will help to resource specific palliative care doctors and highly trained support nurses. I cannot endorse this package of funding enough. There are some wonderful models for how this could work. In Leongatha the palliative care and home-based palliative care works very well. There is a dedicated team there, and the hospital is very supportive.

Auditor-General: *V/Line Passenger Services*

Mr ELASMAR (Northern Metropolitan) — I rise to speak on the Victorian Auditor-General's Office report entitled *V/Line Passenger Services*. V/Line operates and maintains a fleet of 372 passenger trains and carriages and 3520 kilometres of rail track, which is used by passenger and freight services. More than 1250 V/Line-branded coach services also operate every week, connecting the rail network to regional communities not serviced by trains.

As you would expect with such a massive and complex operation, from time to time there are glitches and setbacks within the transport system. The advent of increased petrol prices and spiralling population growth has seen an added strain on the public transport system. According to the report, in 2015–16 V/Line carried 17.7 million passengers — 16.3 million on trains and 1.4 million on coaches — an increase of 88.3 per cent since 2006–07 and well beyond V/Line's expectations.

Other factors have contributed to the rapid growth of increased V/Line usage, including the implementation of the regional fast rail project in 2006, together with the completion of the regional rail link in 2015. No doubt these external and internal dynamics have put significant pressure on V/Line's service delivery. Since 2013 V/Line has operated under service agreements with Public Transport Victoria to 'deliver safe, punctual and reliable rail and coach services' for regional Victoria. Prior to that time V/Line operated under franchise agreements with the director of public transport.

However, notwithstanding franchise agreements, V/Line is a state-owned enterprise and is at the end of the day answerable to the Department of Treasury and Finance and the Department of Economic Development, Jobs, Transport and Resources. V/Line continues to offer important transport services to regional communities and provides Victorians with access to services, education and employment across the state.

Closer to Melbourne, V/Line also services many rapidly growing outer suburbs, and demand for these services is ever increasing. The report, while not scathing, explains the nature of our continually evolving public transport service and attempts to put in place a series of eight recommendations which, if implemented, would see a far better placed organisation that would be able to provide a growing Victoria with a transport system that would be the envy of all other states and territories in Australia. In the face of rapid change it is not easy to adapt, but I am confident V/Line are able to meet the challenges ahead and provide Victorians with the transport service they deserve.

Fire Services Bill Select Committee: final report

Mr RAMSAY (Western Victoria) — Acting President Purcell, I am pleased to see you are in the chair listening to some of the contributions on reports, particularly my contribution on the *Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017: Final Report*. I have previously made a contribution in relation to the interim report that the committee delivered to this Parliament, and I am now pleased as a member of the select committee to make a contribution on the final report. I thank Ms Lovell for her contribution in splitting the responsibilities between us in relation to serving on that committee. I also, like Ms Hartland, thank the staff very much. It was a significant inquiry in a short space of time with over 1800 submissions. There was a lot of work that had to be done by the staff, and I really appreciate the work they did. I also thank all those who provided submissions and the firefighters, both career and volunteer, who presented themselves to a number of the regional and city hearings that the committee held over that short period of time. I thank them all for their contributions.

I think the most important thing that came out of the inquiry was the fact that the fire service is not broken. We are going into a fire season this year with quite significant heavy fuel loads. In western Victoria, the region I represent, we have had a good season and are likely to continue to have a good season, so there will be high fuel loads and obviously the need to have a prepared fire service.

All the witnesses indicated that, yes, there needs to be some form of reform, but they could not all agree on what sort of reform that would be. I am always suspicious of the government's urgency — and I have been right throughout this inquiry — in putting before this Parliament a structure that really has involved very little consultation with any of the significant

stakeholders. Going back to January, I know there were significant numbers of meetings with the United Firefighters Union (UFU) prior to any sort of consultation with Emergency Management Victoria (EMV), emergency management commissioner Craig Lapsley, the expert panel chaired by Greg Mullins, the Metropolitan Fire Brigade (MFB) or even the Country Fire Authority (CFA) about a reform that would actually meet the needs of the community and provide it with safety and quick fire service response times, which is an issue that has been identified in previous reports.

I have always been somewhat sceptical about the government's push in putting before us a piece of legislation that has had very little consultation based on providing for a sort of urgent need for community safety. This is not what the witnesses told us. What they told us was that there does need to be some reform, there does need to be another look at some boundaries and there does need to be some greater uniformity in relation particularly to the integrated stations, but there does not need to be a whole structural reform. I am very wary, given that the government has said that this is not about overcoming some enterprise bargaining agreement (EBA) impediments but more about community safety.

That is interesting, given that there was always a reference by the government to the commonwealth's amendment to the Fair Work Act 2009 in relation to protecting volunteers. They say that that legislation was basically an instrument they had to overcome in relation to dealing with reform of the fire service, but as Michaelia Cash, the federal Minister for Employment, has indicated this week, it has absolutely nothing to do with the proposed legislation. The legislation the commonwealth introduced under the Fair Work Act was merely to provide protection for volunteers, so I do not believe that that is a fair and reasonable argument. My view is that this is all about negotiating or overcoming a stalemate in the current EBA negotiations pursued by the UFU. It is not about providing a better fire service for communities in Victoria.

There are a number of issues that came out of the committee's recommendations, particularly in relation to the Department of Premier and Cabinet's intervention in the submission process, which I am very disappointed about and which I understand may well be referred to the Privileges Committee. There is the issue around the secondment of Fire Rescue Victoria staff to the CFA and what sort of managerial role and responsibilities they will have that might be in conflict with CFA management on the fireground. There are

issues around funding, which has not been clearly explained in the legislation. There are issues around the operational management of this new structure. There is an issue about where this structure actually stems from, given that none of the key stakeholders were party to the initial proposal. Then again, as I said, there is the lack of consultation right through the process with the chief stakeholders, particularly the EMV, MFB and CFA. There are a number of other issues, obviously, as has been described through the findings —

The ACTING PRESIDENT (Mr Purcell) — The member's time has expired.

Fire Services Bill Select Committee: final report

Mr FINN (Western Metropolitan) — I too wish to speak on the inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. Having had a good read of this legislation I want to commend those members who put so much time into examining this most important matter and also the staff who were put under enormous pressure to produce this report in a relatively short period of time.

There is one section of the report that concerns me enormously, I have to say, and that is chapter 5, which is titled 'Interference in the committee's inquiry'. As somebody who has chaired a number of parliamentary inquiries, I can say that interference is something that obviously we do not take well to, particularly when it is interference from the Department of Premier and Cabinet. I quote from the report:

On 3 July 2017, Mr Chris Eccles, Secretary of the Department of Premier and Cabinet (DPC) wrote to Mr Higgins —

who was then the CEO of the Metropolitan Fire Brigade (MFB), and as we know, there have been a number of CEOs of the MFB in recent times, and in fact there are more bodies scattered around this particular issue than you would find in Melbourne General Cemetery; it is just extraordinary the way the Premier and the government have carried on in this regard —

setting out a DPC directed process for making submissions to the committee. The DPC letter stated in part:

The government considers that the select committee's deliberations, and the outcomes of its inquiry, would be better informed if public sector employees were provided with the opportunity to input into the whole of government submission and provide their views via DPC, directly to the select committee.

In order to provide for that the government invites MFB employees wishing to make written submissions to provide them to DPC, which will then lodge them with the select committee.

That is quite an extraordinary way of going about things. The letter went on to say:

DPC will provide you with the email address for staff to forward their submissions tomorrow morning. I would encourage you to advise staff of this arrangement as soon as possible. Submissions should be emailed to DPC no later than 5.00 p.m. Wednesday, 5 July 2017.

The committee report then goes on to say:

In summary, through its communications to MFB, DPC warned MFB employees of their responsibilities under the code of conduct if they were to make a submission, then invited them to forward their submissions to the government in accordance with a deadline set by DPC, not the committee.

It is a great thing that the Department of Premier and Cabinet is not running football matches, because they would be telling the umpires what to do as well. It is the most extraordinary intervention — interference, in fact — by the Premier's department.

Mr Eccles, when questioned by Ms Hartland as to the motivation for this, said:

The motivation was entirely honourable in that we were trying to give comfort to those who may have felt constrained, including the constraint that was suggested by the CEO.

That would have to be one of the greatest twists we have seen in quite some time. In fact you would have to say that very much fits in with the general attitude of the Premier and the government towards this whole issue. They have acted in what I regard as an entirely reprehensible way in this matter from day one. The committee goes on to say:

The committee believes that rather than providing 'comfort' to submitters, DPC's interposition between public sector employees and the committee caused some employees concern. It was reasonable for employees to conclude that the system devised by DPC was intended to, firstly, bring to the employer's notice the identities of those employees making submissions, and secondly, deter staff from submitting their views in a candid manner.

This is just an extraordinary way for the Premier's department to carry on, particularly when we consider that later in the report, on page 74, there is some suggestion that the Premier's department actually omitted submissions that they had received to go to the committee. The committee has suggested that the Legislative Council refer the department to the Legislative Council Privileges Committee. From what I can see here, that might not be such a bad idea.

LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017

Statement of compatibility

Ms PULFORD (Minister for Agriculture) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the 'charter act'), I make this statement of compatibility with respect to the Local Government (Central Goldfields Shire Council) Bill 2017.

In my opinion, the Local Government (Central Goldfields Shire Council) Bill 2017, as introduced to the Legislative Council, is compatible with human rights as set out in the charter act. I base my opinion on the reasons outlined in this statement.

Overview

The proposed Local Government (Central Goldfields Shire Council) Bill 2017 (bill) proposes to dismiss the council and provide for the appointment of administrators for the council. This follows a report of the Local Government Investigations and Compliance Inspectorate (inspectorate) *Protecting Integrity: Central Goldfields Shire Council Investigation*.

The inspectorate provided the Minister for Local Government with the report on Thursday, 17 August 2017. The report describes a number of instances of administrative mismanagement and governance failures by the council. As such, the minister seeks the dismissal of elected councillors for a significant period of time to enable the restoration of proper governance processes and administrative functions.

The proposed bill dismisses the council until the first council meeting following a general election to be held on the fourth Saturday in October 2020.

Human rights issues

Human rights protected by the charter act that are relevant to the bill

The proposed bill engages human rights provided for in the charter act, as follows:

Taking part in public life

Section 18 establishes a right for an individual to, without discrimination, participate in the conduct of public affairs, to vote and be elected at state and municipal elections, and to have access to the Victorian public service and public office.

Clause 5 of the bill clearly engages and purports to restrict the right under section 18 of the charter.

The limitation appears to be reasonable and demonstrably justified in a free and democratic society under section 7(2) of the charter act.

The right to participate in public affairs is a broad concept, which embraces the exercise of governmental power by all arms of government at all levels. The right to be elected ensures that eligible voters have a free choice of candidates in an election, and as with the right to vote, the right to occupy

public office is not conferred on all Victorians; it is limited to eligible persons where the criteria and processes for appointment, promotion, suspension and dismissal are objective, reasonable and non-discriminatory.

The purpose of the limitation is to enable the restoration of good government to the council.

In September 2016, the inspectorate commenced a formal investigation into the Central Goldfields Shire Council (council), following allegations of conflict of interest, alleged false claiming of expenses and numerous allegations of poor governance and non-compliance.

At the conclusion of the investigation, the inspectorate published a report which highlighted a range of issues, including a lack of council internal controls, inadequate policies and procedures, and an overall lack of respect for compliance.

The report describes instances of the council breaching the legislative requirements relating to the sale of land protecting the community, resulting in a significant loss of public funds; misuse of government grants, which could not be accounted for; not adequately following processes or policies, nor legislative requirements, in the employment of contractors, at the expense of transparency and ethical management; and failing to carry out performance reviews of staff, negatively impacting on the council's work culture.

The inspectorate's investigation also identified numerous issues relating to the council's governance arrangements, which raised serious concerns about the effectiveness of the council to govern the municipality. These included the mismanagement of public information and record-keeping; no structured freedom of information (FOI) system nor capability for an FOI application to be made; failure to review and update council's instrument of delegations, and confusion of the role of certain council committees; failure by councillors and nominated officers to properly complete and submit interest returns in accordance with the Local Government Act 1989 (act); impartiality of the management of the community grant scheme, breaches of procurement process; and mismanagement of the councillor code of conduct.

The serious nature of the inspectorate's findings and the failure of councillors to act in accordance with their statutory obligations, clearly warrant removal of the council as soon as possible. This action ensures and recognises the right of electors to be represented with probity, integrity and accountability, and in the interests of the community.

Removal of an elected council is a last resort, and undertaken only in exceptional circumstances. While this is regrettable, the government has a responsibility to protect communities from governance failings by their local representatives.

The Local Government Act provides a less restrictive and more immediate measure, namely suspension pursuant to section 219(1). However, section 219 is not appropriate in this case because it provides for suspension for a maximum period of 12 months, indicating the provision is intended for circumstances in which a short interruption to elected representation will be sufficient to overcome the failures identified.

However, as the inspectorate's report clearly demonstrates, the council has demonstrated serious and systemic poor governance practices, characterised by the continuation of

entrenched failures. It is considered that the serious deficiencies at the council will require a significantly longer period than 12 months so that good government can be restored.

Privacy and reputation

Section 13 of the charter provides that a person has the right not to have his or her privacy, unlawfully or arbitrarily interfered with, and not to have his or her reputation unlawfully attacked.

Clause 5 of the bill provides for the dismissal of the elected councillors, and therefore purports to restrict the right under section 13 of the charter.

An interference with a person's privacy and reputation is lawful and not arbitrary in this case. A decision to remove the councillors from office follows an extensive investigation into the council by the inspectorate. The inspectorate, in its report, identified significant instances of administrative failures, including failure of councillors to comply with their statutory obligations, and to implement and adhere to effective governance practices. The serious nature of the inspectorate's findings clearly warrant the immediate removal of the councillors.

Conclusion

I consider that the bill is compatible with the charter act because, although it does limit rights under the charter act, the limitations are reasonable and proportionate. The limitations strikes the correct balance by providing persons the right to take part in public life and ensuring the council perform to appropriate standards of probity, integrity and in the public interest.

Philip Dalidakis, MLC
Minister for Small business, Innovation and Trade

Second reading

Ordered that second-reading speech be incorporated into *Hansard* on motion of Ms PULFORD (Minister for Agriculture).

Ms PULFORD (Minister for Agriculture) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

This bill will dismiss the Central Goldfields Shire Council in response to the Local Government Investigations and Compliance Inspectorate's report *Protecting Integrity: Central Goldfields Shire Council Investigation* released in August 2017.

In September 2016 the inspectorate commenced a formal investigation into council matters including allegations of conflict of interest relating to the chief executive officer. On 17 July 2017 prosecution commenced against the CEO with 41 charges currently before the courts. This complex investigation uncovered information that led to a lengthier investigation and the release of a report on the governance and management of key areas of responsibility within the organisation.

The inspectorate's report found clear evidence that that Central Goldfields Shire Council has failed to provide good government to the municipality.

Specifically, it identifies:

- a. the council demonstrated a lack of transparency and a disregard for compliance with legislative requirements in the sale of council land, resulting in a significant loss of public funds;
- b. the council has mismanaged government grant funding to the extent that significant amounts acquitted against projects cannot be accounted for;
- c. the council does not have in place adequate controls, policies or procedures for the management of public finances and public information, and does not have in place a structured freedom of information (FOI) system nor capability for an FOI application to be made;
- d. a range of organisational failures have resulted in a failure to adequately follow processes and policies or comply with a range of legislative requirements in the employment of contractors or the review of staff performance, at the expense of transparency and ethical management;
- e. the council's mismanagement of the councillor code of conduct, delegations and authorisations expose the council to legal, financial and reputational risks;
- f. the council does not have in place an effective policy framework to ensure good governance.

The numerous issues investigated in the report raise serious concerns about the effectiveness of the council to govern the municipality.

The bill will dismiss the council and appoint administrators to perform the powers, functions and duties of the council until a new council is elected.

The bill provides for the next general election for the Central Goldfields Shire Council to be held in 2020 ensures there is sufficient time to address the issues raised in the inspectorate's report while balancing the strong community interest in having democratically elected representatives.

Dismissing a council by Parliament is the most extreme intervention by the state and is only undertaken in the most serious cases of governance failure.

The evidence identified in the inspectorate's report and the failure of councillors to act in accordance with their statutory obligations demonstrate extremely serious governance failures warranting the dismissal of the council.

Without this bill, there is a risk of further deterioration of the governance at the council and the probity, integrity and accountability expected of local government.

The community and Parliament expect the highest standards of governance, probity and representation from their councillors and council staff. This bill will ensure good governance in Central Goldfields is restored.

I commend the bill to the house.

Mr DAVIS (Southern Metropolitan) — This is the Local Government (Central Goldfields Shire Council) Bill 2017. It is a short bill. It is a bill that follows in the pattern of bills that have occurred in this house before, but it is a bill that dismisses Central Goldfields Shire Council. This is not a matter that the opposition or indeed this chamber should take lightly. We are very committed to seeing councils in position to deliver democratic government to our local municipalities across the state. So it is a serious moment when a council is dismissed, and that is what this bill seeks to do.

I want to put on record at the start that the minister and the government have provided briefing material to the opposition, and I want to put on record my thanks to the minister and her staff on those matters. I also want to note the *Protecting Integrity — Central Goldfields Shire Council Investigation* report that was made public in recent days. It is the work of David Wolf, the chief municipal inspector. It is not my intention today to go through the details of the Central Goldfields Shire Council investigation. That is there on the public record for those who wish to read it.

I think what is important to put on the public record is that the opposition is persuaded to support the government on this matter — that is, to not oppose the bill coming through the chamber. This bill has been expedited today, and the opposition is aware of the sensitivities of these matters, that a number of councillors who will no longer be councillors if this bill is supported by the chamber and later signed into law by the Governor will be impacted and the municipality will be impacted.

I note the minister's commitment to consult on the matters around the appointment of administrators and commissioners, and I thank her for that, but I do want to put on the record our concern for those in the community who will not have an elected council through this period. Obviously it is our preference that elected councils be in place around the state so that a local democratic decision-making process is in place on all manner of issues — whether it be the local services, whether it be the rate setting process or whether it be the planning processes that local government have as a very important part of their purview.

Mr Wolf did make findings about asset mismanagement. He did make findings about a number of pieces of land, he did make findings about financial mismanagement, and they are important, as are governance failures. It is also true that parallel with this the former CEO is facing a significant number of charges, so it is important that those matters be clearly on the record.

The opposition is persuaded that on this occasion we should not oppose the passage of this bill and that the government's decision to dismiss the council is one that we should not oppose. I want to make it clear to the chamber and to the community that the opposition does not easily move to this position. We are aware of the issues for local communities. We are aware of the issues for the local councillors involved who by and large are people of decency and people who have the right motivation in terms of their local communities.

Notwithstanding that, I also want to put on the record my caution to the government. What we have seen is a developing penchant for the dismissal of councils and for a wind back of local democracy. I do not want to say that this has not been justified, and in the case of Geelong I put on the record that we obviously had a concern about the length of time that the government allowed and they wanted obviously to leave the council or the municipality without an elected council in 2020. We opposed that, and we amended the bill. In amending the bill there was some push back from the government and a number of those connected with the government. That is fair enough. We understand that there were specific circumstances in Geelong, but it was our decision, and indeed the decision of this chamber, that it was the right thing to amend the date. The government has in more recent weeks sought to re-amend the date back to 2020. We have opposed that and we have said we are not interested in that.

Further in Geelong — and I made comment on this in the chamber a few minutes ago — a development today is that the government is seeking to appoint monitors to the Geelong council after the council is re-elected in the coming months. In what I can only put on the record as a bizarre move, the government is seeking to signal that now. The candidates are not yet known, the election results are not yet known and the performance of the council is not yet known. It seems to me it is overreach to talk about the appointment of monitors at a council when the council is not yet elected. It does seem premature. It does seem frankly just a teeny bit of overreach to be thinking about that.

I put this in context on this bill. I am not wanting to hold up the process here, but I want to put on the record our concern for this developing enthusiasm for the appointment of monitors and for the dismissal of councils. Obviously these have all got to be considered on a case-by-case basis on the merits, the evidence and the reports that are presented to the opposition or the other members of this chamber. I in no way step back from that, but I do want on the record our caution and concern about this developing approach by government.

I do want to say that in this case the opposition will not support amendment of the date. We have had discussions with the Greens, and I do not want to foreshadow Ms Dunn's contribution and steal her thunder, but I will put on the record very quickly why we will not support the amendment. There has also been discussion with the government. We think 2018 in this case is a bit too soon. We looked at an alternate date; could we amend it to be 2019? That would be a more plausible date in terms of the time for the council not to be there and for appointees to be in position. But when you look at the date, 2019 is just a year from the return of the council in the normal cycle in any event. It would then put the council, the municipality, to additional cost — at least \$112 000 is the departmental information that has been provided to the opposition — and that would be a cost borne by ratepayers. In that circumstance we are not persuaded to amend to a different date, especially a date that might be nearer to 2020, because it would not be in the interests of the community.

Let us be clear. My colleagues in the other place and my colleague Mr Morris put on the record the financial challenges faced by Central Goldfields. Those financial challenges are significant, and we should in no way diminish those. That financial issue of the cost of an early election, or an additional election a year out from when on this government proposal they would return in any event with all other councils, is something that weighs on the opposition's mind. In this context we are not going to oppose the bill. I make those other comments, the broader comments, as well.

Debate interrupted.

DISTINGUISHED VISITORS

The ACTING PRESIDENT (Mr Purcell) — Before we move on, I would like to acknowledge a former member of this house, Margaret Lewis.

LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017

Second reading

Debate resumed.

Ms DUNN (Eastern Metropolitan) — Thank you, Acting President Purcell. I think it is the first time you have given me the call, so I congratulate you on your position on the panel of acting presidents.

I rise this evening to speak to the Local Government (Central Goldfields Shire Council) Bill 2017. It is a bill

that seeks to dismiss the Central Goldfields Shire Council, provide for the appointment of an administrator or for a panel of administrators, provide for an expiry of the order in council and also provide for a general election for a new Central Goldfields Shire Council. Here tonight the Greens will not be defending poor governance. However, for us there is always an intersection of natural justice and procedural fairness that is coupled with strong and immediate action to prevent and punish bad behaviours.

When we look at the report that was undertaken by the Local Government Investigations and Compliance Inspectorate, *Protecting Integrity: Central Goldfields Shire Council Investigation*, there are a range of issues in relation to failings in good governance. For us, good governance is about good processes for decision-making. It is not necessarily about the decision itself but definitely about the framework in which those decisions are made. Good governance underpins public confidence that elected representatives' decisions are made in a framework of accountability and transparency and that those decisions are equitable, inclusive, participatory and certainly within the rule of law.

When we turn to the report it is clear that there have been governance failings on the part of the administration and on the part of the council. Even a cursory glance at the report's table of contents indicates a litany of governance failures at this particular municipality that include asset mismanagement in relation to the sale of land; financial mismanagement in relation to the misuse of government grants and the corporate credit card; human resources mismanagement, being the mismanagement of contractors and the staff performance reviews process; particularly those governance failures in relation to the mismanagement of corporate information, public records, freedom of information, special committees, primary and ordinary returns and the community grants scheme; breaches of procurement processes; the mismanagement of councillor code of conduct processes; the mismanagement of delegations; and the mismanagement of authorisations. That is certainly an extraordinary list of failures in relation to governance for this municipality and, in that, failures to that community that has an expectation about the role their local councillors should play.

The Local Government Act 1989 is of course very clear in relation to the role of local councils. In the preamble to that act it talks about councils having functions and powers to ensure the peace, order and good government of each of the municipal districts. Paragraph (3) of the preamble talks about the council being responsible and

accountable to the local community. The preamble says:

It is the role of the council to provide governance and leadership for the local community through advocacy, decision-making and action.

It goes on:

It is essential that there is a legislative framework that provides for Councils to be accountable to their local communities in the performance of functions and the exercise of powers and the use of resources.

In relation to that, of course, councillors are required to sign a code of conduct and sign into the process of the code of conduct. That code of conduct is quite explicit that the purpose of local government is to provide a system under which councils perform the functions and exercise the powers conferred by or under the act and any other act for the peace and order of good government. There are a range of acts that local government needs to comply with, and councillors would be well aware, being part of that code of conduct process, that that is what they are signing on for. Those are their obligations in relation to their community and what they need to do to be good representatives for their communities.

I want to turn briefly to the amendment. The amendment I am suggesting to the bill is consistent with the previous times that state governments have sacked councils. The Greens are calling for an earlier return to democracy than the bill suggests. I ask that my amendment be circulated at this time.

Greens amendment circulated by Ms DUNN (Eastern Metropolitan) pursuant to standing orders.

Ms DUNN — In relation to the amendment, for ease the Greens are suggesting that continuing the convention of the fourth week in October remain as part of the bill and that the date of 2020 be replaced by 2018. The Greens have a long-held view that local democracy is important. Local government is an important tier of the democratic process, and citizens should have access to representative democracy. So the issue of the date when democracy is returned to communities is a significant and critical one for the Greens.

Local representative democracy is fundamentally important to communities, and at no stage should that be delayed for those communities. I certainly take the point of Mr Davis in his contribution that yes, there is a cost associated with that, but there is a cost to having no local representation as well. For the Greens it is pivotal that democracy is restored to the community of Central

Goldfields as soon as it possibly can be. We certainly acknowledge that administrators can clean up administrative messes, but only elected councils can represent the people.

In that, I turn briefly to Geelong. It is worth noting that the Greens in that particular instance also supported an earlier return to democracy than was contemplated by government. It is terrific to hear from the community there, which is rejoicing in the return to democracy in that municipality with the upcoming council elections in October.

In relation to the bill, the Greens support the bill. However, we believe that the date for the general election should be amended to restore democracy to Central Goldfields.

Ms PULFORD (Minister for Agriculture) — I rise to speak in support of the bill and in opposition to Ms Dunn's amendment. The Central Goldfields shire is home to around 13 000 people. Its main population centre is Maryborough. It is the report that members have referred to. It is one of the most disadvantaged local government areas in the state. The communities of Central Goldfields have been let down by their council. We want to make that right, and that is what this legislation seeks to do today.

The Local Government Investigations and Compliance Inspectorate's report entitled *Protecting Integrity: Central Goldfields Shire Council Investigation* has clearly demonstrated that the council has failed to provide good government, but let me state in response to the comments from Mr Davis and Ms Dunn our government's very strong commitment to local democracy and our government's very strong commitment to the communities of the Central Goldfields shire, whether it is in the provision of health services, making sure that the schools in the community are the best they possibly can be, a strong local economy or indeed as part of that a strong local council.

We indicated earlier today, through a media statement from Minister Hutchins, that in addition to this we will be making an investment in the leadership capability within the Central Goldfields shire. I have asked the local regional partnership to hold a mini assembly, which we will be able to do before the end of the year, to involve as many members of the community as possible who wish to be in direct dialogue with the government about priorities.

I do take the opportunity to thank the opposition, the Greens and the crossbench for their assistance in facilitating the quick passage of this legislation. I do

think that providing some certainty for the community in taking what is a very significant step should occur quickly. We certainly do not do this lightly, and we know that all members in this place do not support this bill lightly either.

I think it is important also to note, in response to Ms Dunn's amendment, that the cost of an election to the Central Goldfields shire is in the order of \$112 000. It is a significant cost for a small council like this to have two elections in as many years. I certainly express my view and the view of the government that given the nature of the findings of the inspectorate's report one year is not enough to be able to turn around the deficiencies in culture and governance that are clearly evident at Central Goldfields. I commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr DAVIS (Southern Metropolitan) — Most of the issues surrounding this bill have been well canvassed in the second-reading debate, but the Minister for Agriculture introduced a new point in her contribution there that there would be a mini assembly under the regional partnership banner. I just want to put on record quite clearly that we do not regard regional partnerships as a replacement for councils. They are not elected. I just want to be very clear, and I want this on the record so that people understand. The regional partnerships are shonky as all get out, if I can be direct in the vernacular. I do not expect you to necessarily agree or disagree; I am just putting this on the record quite clearly now. It is no sop to a community that has lost its local government to have a group of government officials tripping around who are not elected and do not have a democratic imprimatur.

Ms PULFORD (Minister for Agriculture) — If I could quickly respond to that, the government does not in any way think regional partnerships are a replacement for local government — far from it. There were 200 people at the local regional assembly for the region that Central Goldfields Shire Council is part of, at a forum in Bendigo last week. I introduced that simply to provide some additional context — some unrelated, additional assistance that the government is choosing on account of this set of circumstances we have in the Central Goldfields shire. There have been a

number of other mini assemblies in other regions, and certainly as a government we do not believe there is ever any harm in listening to the community —

Honourable members interjecting.

Ms PULFORD — Anybody who wants to turn up can turn up, which is how they work; but anyhow, this is not the time or place, I think, to be getting into this. As I indicated, we are also providing some additional support for leadership capability development as well.

Clause agreed to; clauses 2 to 9 agreed to.

Clause 10

Ms DUNN (Eastern Metropolitan) — I move:

Clause 10, line 26, omit "2020" and insert "2018".

This amends the general election date to the fourth Saturday in October 2018. Although I spoke about democracy in my second-reading debate contribution, I think it is a really important point to make that this community is going to be without elected representatives for three years with the date that is contemplated in this bill. I would have hoped that if there was a commitment to community and democracy, perhaps even the government would chip in and help that municipality pay for its general election to restore democracy to that community.

Mr DAVIS — The opposition has made its points on this. We do not support this amendment, although I understand that Ms Dunn has brought it to the chamber in very good faith. We are very focused on the fact that democracy should be restored as early as possible, but the costs do bear down, and we do think 2019 would be a more sensible date in terms of repair at the local level, noting that that would then be a year out. The cost is then, I think, not justified.

Ms PULFORD — The government will be opposing Ms Dunn's amendment. We understand that it is well motivated. We disagree for the reasons that I outlined in the second-reading debate.

Committee divided on amendment:

Ayes, 5

Barber, Mr	Pennicuik, Ms (<i>Teller</i>)
Dunn, Ms	Springle, Ms (<i>Teller</i>)
Hartland, Ms	

Noes, 34

Bath, Ms	Morris, Mr
Bourman, Mr	Mulino, Mr
Carling-Jenkins, Dr	O'Donohue, Mr
Crozier, Ms	Ondarchie, Mr

Dalidakis, Mr	O'Sullivan, Mr (<i>Teller</i>)
Dalla-Riva, Mr	Patten, Ms
Davis, Mr	Peulich, Mrs
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Purcell, Mr
Finn, Mr	Ramsay, Mr
Fitzherbert, Ms	Rich-Phillips, Mr
Gepp, Mr	Shing, Ms
Jennings, Mr	Somyurek, Mr
Leane, Mr	Symes, Ms
Lovell, Ms	Tierney, Ms (<i>Teller</i>)
Melhem, Mr	Wooldridge, Ms
Mikakos, Ms	Young, Mr

Amendment negated.

Clause agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Motion agreed to.

Read third time.

ADJOURNMENT

Ms TIERNEY (Minister for Training and Skills) —
I move:

That the house do now adjourn.

Whittlesea police station

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Police and relates to community concerns that the Whittlesea police station may close and also concerns about the current level of staffing of police members at the station. My request to the minister is that she provides a guarantee in writing that following the opening of the new Mernda police station the Whittlesea police station will remain open and that there will be no reduction in the current gazetted strength of police at Whittlesea police station, that being one senior sergeant, two sergeants and 12 senior constables or constables.

Upon the announcement of a new 24-hour police station to open at Mernda, Whittlesea residents were concerned that the new station would be manned by police members taken from nearby police stations, in particular from Whittlesea police station. The community was assured at the time by the Assembly member for Yan Yean and local police command that no members would be taken from Whittlesea or other nearby police stations. The member for Yan Yean pointed to 45 members of the first 300 recruits funded

by the 2016–17 state budget as being deployed into the City of Whittlesea and eventually staffing the new Mernda station when it opens. The police minister herself confirmed this in the other place when she stated on 9 May 2017:

... with the delivery of the Mernda police station, which has already got an allocation of an additional 45 police to make sure it can operate fully in that local and growing community.

It seems that the Whittlesea community had every right to be concerned back then, because now what they are seeing, despite assurances from this government, is a reduction in staffing numbers at the Whittlesea police station. The current gazetted strength of the Whittlesea police station is one senior sergeant, two sergeants and 12 senior constables or constables; the last four vacancies from members who have left Whittlesea have not been filled, leaving a staff of one senior sergeant, two sergeants and eight members. With two members currently on long-term leave, the actual strength at the moment is only six senior constables or constables — half the strength that it is supposed to be. Police Association Victoria has now been informed by the local superintendent that the four unfilled vacancies at Whittlesea will not be filled but have been quarantined to be attached to the Mernda police station when it opens.

If that is not bad enough, the police association have been informed by police command that once Mernda opens, Whittlesea's staffing levels will be reduced to just one sergeant and four to five senior constables or constables, more than halving its proper strength. We have even seen this week the officer in charge of Whittlesea asked to hand over two portable radios because Mernda do not have enough equipment. The Whittlesea community are outraged by the blatant gutting of police members at Whittlesea, believing they have been deceived by the Andrews Labor government. The police association share their anger because they know — and I know — that the Whittlesea community deserve so much more and better.

Australian marriage law postal survey

Ms SHING (Eastern Victoria) — What a shame for everyone that it has been probably only about 35 seconds since I was last on my feet for some time, and to that end I thank those who were in the chamber for the duration of my contribution.

Mr Finn interjected.

Ms SHING — Mr Finn, it is lovely to hear from you and nice to see you again in the chamber. The matter that I wish to raise tonight is for the attention of

the Minister for Equality in the other place, Martin Foley, and it relates to the voluntary non-binding postal survey that is being conducted by the current federal coalition government and in particular the process which is being undertaken at the moment to gather enrollee details and information between now and the end of tomorrow before the survey papers are sent out to people over the next 12 weeks. In this regard I note that the lack of legislation around this particular voluntary non-binding survey as it is being administered by the Australian Bureau of Statistics is in fact a means by which the rules that might otherwise apply in a plebiscite, referendum or electoral process do not apply to the extent that they might otherwise regulate discriminatory, hateful, degrading —

Mr Finn — On a point of order, Acting President, I do not wish to interrupt Ms Shing, of course, but I have to point out that the matter that she is referring to is a federal matter and Minister Foley would have no impact on that federal matter at all.

Ms SHING — On the point of order, Acting President, in fact there is an impact — and I am just about to get to it, Mr Finn.

The ACTING PRESIDENT (Mr Ramsay) — I was actually having the same concerns Mr Finn had, because a large part of your contribution was in relation to another jurisdiction, but I will allow you to finish.

Ms SHING — In this regard I note that the Andrews Labor government has just committed \$1 million to support the LGBTI community through the federal government's postal survey on marriage equality and that this was an announcement made by Minister Foley along with the Premier earlier this week, with \$500 000 in a funding package to help mental health services and LGBTI organisations keep up with heightened demands as a result of this survey.

The matter which I seek to address this evening is the action that the minister can take to ensure that the information being provided and the resources being provided in the course of this additional funding are spread across regional Victoria as well as our metropolitan areas. The action that I seek is that the minister takes all steps necessary to make sure that LGBTI Victorians, not just from within the metropolitan areas but also right to our borders, have access to additional support as they may need it during what promises to be a very, very difficult and challenging time.

The ACTING PRESIDENT (Mr Ramsay) — Can I just get a clarification? The government's

announcement of the \$1 million — was that specifically just for metro, given your action?

Ms SHING — No. It was for health services to be provided to LGBTI Victorians and organisations, and I am seeking to make sure that that is in fact spread right across the state.

Mobile phone locator fees

Ms PATTEN (Northern Metropolitan) — My adjournment matter is for the Minister for Police. The action I am seeking is in relation to a matter that was raised by Wayne Gatt of the Police Association Victoria with respect to the costs of telephone triangulation, also known as pinging. Triangulation is a valuable police investigative tool that can be used to determine the location of a mobile handset in real time. We know that often when cars are stolen or when houses are broken into mobile phones are taken. By sending a 'ping' to the phone, the network provider can calculate the approximate location of the handset and return a result with an area map and current coordinates.

Unfortunately the telecommunications companies are charging police sometimes exorbitant sums of money to provide this service. There are significant constraints on our police and their ability to investigate crime and to find missing persons by these budgetary constraints. Often in the metropolitan areas they are able to use Optus and Vodafone, which offer a far cheaper service; in the regional areas they are limited to using Telstra, which will charge \$500 for one triangulation, successful or not. The other telcos charge a lot less — for example, Optus charges \$4.90. In the regional areas this is a particularly difficult thing.

I am suggesting that no-one should profit from crime or misfortune in this way, particularly not Telstra. I am calling on the minister to examine and address this issue and look at the disproportionate costs that are certainly putting Victorians at risk and really inhibiting police from doing their job, due to budgetary constraints.

Local government

Mr MORRIS (Western Victoria) — My adjournment matter is directed to the Minister for Local Government. I have been made aware of a shocking letter, dated 17 August 2017, written by the member for Wendouree in the Assembly, Ms Sharon Knight, addressed to the Mayor of the City of Ballarat. In this letter the member for Wendouree attempts to use what feels like intimidatory techniques to stand over the local council in an attempt to stop them from voicing views

that are contrary to the views of this dictatorial Labor government.

I can tell the member for Wendouree that the message I hear from the Ballarat community could not be clearer. They are sick and tired of the way this government is riding roughshod over the community. The government has failed to consult with the community on a multitude of projects, so what does the member for Wendouree do? The member follows the well-known Labor tactic of blaming everybody else instead of looking in the mirror at where the real problem lies.

Well, Ms Knight, can I tell you where the problem lies? It lies in the fact that her government is making a mess of the railway precinct in Ballarat and of the Mair Street redevelopment, amongst many other projects within the great City of Ballarat. I remind the member for Wendouree that councillors take an oath to act in the best interests of their community — something the Ballarat council is certainly doing at present. Perhaps it is time that Ms Knight did the same. Rather than running a protection racket for the government, the member should actually advocate for her constituents, not throw a wobbly because the local council has the backbone to stand up to this disgraceful government she is a member of.

One must ask: what protection do local councils have from government MPs who seek to bully democratically elected local representatives? It appears this government is systemically removing democratically elected local councils from around the state, and I am deeply concerned —

Ms Shing — On a point of order, Acting President, in accordance with earlier rulings from the President in relation to adjournment matters. He has expressed views around a reticence to accept adjournment matters where they constitute a set speech. Noting that Mr Morris has in fact had his eyes down for most of his contribution and that this in fact would appear to be —

The ACTING PRESIDENT (Mr Ramsay) — Order! That is not a point of order; thank you, Ms Shing.

Ms Shing — It would appear to have all of the hallmarks —

The ACTING PRESIDENT (Mr Ramsay) — I will caution the member, though. It is overtly political, and I am assuming a question or an action for the minister will come very shortly. Continue, Mr Morris.

Mr MORRIS — Thank you for that guidance, Acting President.

Mr Leane — On a point of order, Acting President, under the standing orders, for a member to make accusations against a member of the other chamber it has to be by substantive motion, not by an adjournment matter.

Mrs Peulich — On the point of order, Acting President, I am sitting right here listening to a piece of communication that the member has received and from which he is quoting. He himself is not making any accusations, and he is certainly not reading a set speech.

Ms Shing — On the point of order, Acting President, I note that the member's reference to a protection racket should, within the scope of the nature of an allegation being made, be the subject of a substantive motion, in the event that he puts that before the house.

The ACTING PRESIDENT (Mr Ramsay) — Thank you. I am also sitting here, and I also have been listening to Mr Morris's contribution. I am going to seek advice from the Clerk, and then I will make a ruling.

I have just received advice from the Clerk, Mr Morris. There is a lot of debate in your contribution, so I ask you, if you would not mind and to help the Chair, to get to the question in relation to the action you are seeking from the minister.

Mr MORRIS — Certainly. The action that I seek is: will the minister see to it that local councillors are provided with the appropriate protection from government MPs who attempt to bully and use intimidatory techniques in a bid to silence local representatives from speaking out against this dictatorial government?

The ACTING PRESIDENT (Mr Ramsay) — Ms Shing, on a point of order. I understand Mr Morris has finished his contribution.

Ms Shing — Yes. I note that in the action that he has sought he has in fact referred to government members who attempt to bully et cetera local government members. If he has a substantive allegation to make, it should be the subject of a motion rather than an adjournment matter. He has in fact referred to government members in the course of his contribution. Unless he is referring to another government member, which seems to be —

The ACTING PRESIDENT (Mr Ramsay) — Order! Save your debate, Ms Shing. I do not uphold the point of order.

Eastern Transport Coalition

Mr LEANE (Eastern Metropolitan) — I do not tend to use these opportunities to cowardly slander members of other parties. My adjournment matter is directed to the Minister for Public Transport, and it concerns the Eastern Transport Coalition, which is a coalition of seven eastern metropolitan councils that get together and talk about aspirations as far as how they would like to see public transport improved in their part — large part — of Melbourne. The Eastern Transport Coalition has produced a document around 10 priorities in the east, and they want to be able to communicate with the minister on an ongoing basis around how these aspirations may be progressed.

The action I seek from the minister is whether she could facilitate through her department that there be a regular attendance at Eastern Transport Coalition meetings by relevant people in her department and in other areas that can assist the Eastern Transport Coalition in moving forward on their aspirations.

Taylor's Hill school zoning

Mr FINN (Western Metropolitan) — I wish to raise a matter this evening for the attention of the Minister for Education. It concerns correspondence that I have received from a constituent in Taylor's Hill. The correspondence informs me that their children had been:

... attending Springside College since kinder and are now in prep, grade 2 and grade 3. We along with other parents have been campaigning for a number of years about the lack of secondary schooling options in our area.

They were very pleased indeed when the Taylor's Hill Secondary College was given the go-ahead. That school has recently changed its name to Fraser Rise Secondary College, but unfortunately the zoning of Fraser Rise Secondary College does not provide ongoing education facilities for many Taylor's Hill residents, and that clearly is a cause of some distress to those residents and some considerable disappointment. To begin with, Taylor's Hill residents petitioned for a high school, and now that there is a school being built most of Taylor's Hill is excluded from the zone where the school is being built and indeed that it services. Taylor's Hill residents were promised a high school, but the majority are now not zoned for the new school. According to my constituent:

Most of Plumpton and Rockbank are included in the zone but the needs and pleas of Taylor's Hill residents for a secondary school have been ignored, despite the campaigning over many years leading to the investment that is delivering Fraser Rise Secondary College.

According to my constituent:

This speaks to the lack of planning for a new school being built that cannot cater to the widely known growth pocket that we live in and this bandaid solution already has the signs of failing, making apparent the lack of poor planning and the lack of community consultation and inclusion.

We have a real problem for the people of Taylor's Hill. I ask the minister, as a matter of urgency, to take up the concerns of my constituent and other constituents — I have to say, this constituent is certainly not on his own — with regard to this matter, because this is causing considerable distress to a good number of people in Taylor's Hill. I ask the minister to take these concerns into consideration, to review the zoning of this school and to provide the sort of secondary education that the people of Taylor's Hill have long craved and thought that they had but now do not. I ask the minister to do that as a matter of urgency so that these people can plan for the next school year.

Toll infringement fees

Dr CARLING-JENKINS (Western Metropolitan) — My adjournment matter tonight is addressed to the Attorney-General. The action I seek is for him to review the toll infringement system that is currently in place in Victoria. It has become quite an issue, particularly in my electorate of Western Metropolitan Region. In particular I am asking the Attorney-General to look at new models and models that are more fair and equitable that can be found in other jurisdictions across Australia.

Under the current model that we have in Victoria, Victorian motorists are being hit with escalating toll infringement fees, and they are being basically criminalised under this system. This has caused great economic hardship by it simply being an unfair system. It is making criminals out of people who are trying to do the right thing but are simply, because of personal circumstances like health crises, family crises or financial hardship, unable to pay their toll fines on time. Even missing a letter in the mail can lead to this kind of crisis because of the way the toll fine system in Victoria escalates fines.

The criminalisation we have in Victoria around toll road debt is causing great harm to individuals, to families and, I believe, to the community. It is found nowhere else in Australia — this private debt being criminalised. To deal with toll fines, at the moment, as the Attorney-General would be aware, the Magistrates Court gets involved and payment plans are made, but if people default on these, they can face imprisonment.

As I said, this has become a particular issue in my area, with four of the 11 local government areas with the highest infringement warrant debt in 2014–15 being located in Western Metropolitan Region. Outer suburbs and communities rely more heavily on roads because we do not have the public transport that inner-city suburbs have, and so we are experiencing higher rates of disadvantage. This was brought up in recommendation 47 of the recent Royal Commission into Family Violence. It specifically talked about the tolling infringement offence. Unfortunately that is a recommendation that has not been taken up, so I call upon the Attorney-General to look into that.

Westjustice has been doing a lot of advocacy work on this. They have even put in a submission to a Senate inquiry into toll roads in Australia. I strongly encourage all members to get a copy of this and read it. All I am asking for is an open dialogue and for a review to be held, as I said at the beginning of my contribution. I call on the minister to do this at his earliest convenience.

South Yarra Primary School

Mr DAVIS (Southern Metropolitan) — I raise a matter for the attention of the Minister for Education in the other place. It concerns South Yarra Primary School, a very small but important school in an area under enormous pressure. There is massive population growth in and around that area. In fact South Yarra Primary School has the smallest footprint, I am informed, of any state primary school.

The coalition believes that there needs to be a proper master plan in place to deal with these issues. The school community, through the school council, has raised these matters with the region and with the Minister for Education and has received a sharp and nasty rebuff. They have been told, ‘You will get no new capacity’. The school has already increased by 80 students this year, and for next year, I am informed, the figures are quite extraordinary. To date 94 additional students have applied on top of the previous numbers.

Despite a new system requiring more details from the school, 86 students to date — as per my conversations with school council members in recent days — have applied for next year. That is 86 additional students. That is a very big increase for a small school. They have been told there will be no zone change, so there is no assistance there. They have been told, ‘You will have to use your library and your multipurpose room as classrooms’. So they are going to bump the kids out of the library and out of the multipurpose room. This is the Minister for Education’s approach. I understand that the

school has been told, ‘You must use these other facilities if you run short; we won’t provide any more’. They may even lose the French and art room, which is an important facility and an important part of the school’s curriculum.

I am very concerned with what is occurring here. The Minister for Education appears deaf to the entreaties of the school community, many of whom have sought to make contact with him. What I seek for him to do is to recognise that the planning issues around that area have created significant population growth and that the numbers of students applying to go to the school are significant. It is their closest school. I accept that there is a significant challenge there. He needs to accept there is a significant challenge and provide the additional financial support to make sure the school has the additional capacity it needs to meet these significant financial challenges.

I seek specifically for the minister to review his earlier flawed decision, to review the decision of the region to reject outright assistance for South Yarra Primary School and, in that review, to change the position and to provide the additional resources the school sorely needs.

Australian Paper Maryvale mill

Ms BATH (Eastern Victoria) — My adjournment debate this evening is for the Minister for Planning, the Honourable Richard Wynne, in the other place. The action I seek from the minister is that he commit to the original odour buffer zone for the Australian Paper Maryvale plant. Initially established in consultation with stakeholders, including Latrobe City Council and residents, the agreement was designed to exclude specific properties within the buffer zone. It is understood that the minister has now signed off on a revised buffer zone which includes the previously excluded properties. This is a move which has caused much angst within the community of the Latrobe Valley, particularly among the landowners and residents of the dwellings in that buffer zone. Many years of respectful conversation and communication between the property owners and Latrobe City Council have been disregarded.

Historically the Maryvale mill has been in the vicinity for 70 years. It has seen vital growth in that area and has been a huge employer there. It is a big employer at a time when the Latrobe Valley is doing it tough in terms of employment, with the loss of Hazelwood and the soon-to-occur loss of Carter Holt Harvey.

Changes to the buffer zone are now to include parcels of residential areas, which will affect homes to the north, east and west of the mill. It is to be noted that all of these areas were excluded under the previous agreement. The revised buffer zone has now been signed off by the minister, providing little or no warning to perplexed stakeholders. Residential areas that will be affected include Traralgon West, Tyers and the north of Morwell. Home owners within this buffer zone who were included in the original buffer zone discussions are now in disarray and have grave fears that their properties will have significantly less value into the future. Ironically many of the residents within the zone have noticed and commented that no odours have been emitting from the pulp mill and extending to their properties. In unison with Latrobe City Council they expect that the minister will commit to the original format and exclude their homes from the buffer zone.

Thompsons Road duplication

Mrs PEULICH (South Eastern Metropolitan) — The matter that I wish to raise is for the attention of the Minister for Roads and Road Safety in the other place, the Honourable Luke Donnellan. It is in relation to an email that I received from Jason, a resident of Seaford, who commutes through Carrum Downs and Cranbourne North on a regular basis. One of the big problems facing the south-east is traffic congestion — congested roads — and this is another one of those.

Jason has written to me to point out that traffic on Thompsons Road between Carrum Downs and Cranbourne North has been getting much worse as new housing estates keep opening, with infrastructure not being upgraded before the houses are built. What he is asking me to find out from the minister is whether there are plans for this road to be made two lanes each way given its level of gridlock. In the meantime he would like to see at least two lanes being used at each roundabout. I certainly endorse that. From my experience this would greatly help with the traffic flow.

I am asking the minister to consider those two matters and to come back to me so that I can respond not only to Jason but to many others who find Thompsons Road a nightmare.

Responses

Ms TIERNEY (Minister for Training and Skills) — There were 10 adjournment matters this evening. The first one was from Ms Lovell, and it was directed to the Minister for Police, seeking a guarantee that the Whittlesea police station will remain open and that the original staff profile will remain.

The second was from Ms Shing to the Minister for Equality in relation to ensuring that health support services will be spread across the state in relation to those that will encounter bad behaviour directed at them as a result of the marriage equality survey.

The third was from Ms Patten to the Minister for Police. It was in relation to triangulation, a process whereby telcos can actually locate mobile phones. Unfortunately it seems that telecommunications companies are also charging police. The action Ms Patten is seeking is for the minister to investigate this matter and in particular the rate that telecommunications companies are charging, particularly in regional areas.

The fourth matter was a matter raised by Mr Morris for the Minister for Local Government in relation to the rights of local councillors.

The fifth matter was from Mr Leane for the Minister for Public Transport. The action he is seeking is that the minister, through her department, facilitate discussions with the Eastern Transport Coalition so that they can work on the aspirations that they have developed.

The sixth matter was from Mr Finn for the Minister for Education, the Honourable James Merlino. That was in respect of zoning issues around Fraser Rise Secondary College, seeking that the minister rectify zoning issues that Mr Finn says relate to residents at Taylors Hill.

The seventh matter was from Dr Carling-Jenkins to the Attorney-General seeking that the Attorney-General take action by way of looking at new toll infringement models.

The eighth matter was from Mr Davis to the Minister for Education, Minister Merlino, in respect of South Yarra Primary School, where significant student growth capacity issues have emerged. He is seeking action from the minister in respect of extra resources.

The ninth matter was from Ms Bath to the Minister for Planning, Minister Wynne, asking him to take action and to review the buffer zone — the revised buffer zone, as I understand it — that is to apply to Australian Paper at Maryvale.

The tenth matter was from Mrs Peulich to the Minister for Roads and Road Safety. It was in relation to a constituent inquiry in respect of traffic congestion, seeking action from the minister in relation to plans around Thompsons Road and in particular whether there will be two lanes each way and indeed whether there will be two lanes around two roundabouts.

I also have written responses to adjournment debate matters raised by Mr Eideh on 24 May 2017, Ms Fitzherbert on 24 May 2017, Ms Shing on 8 August 2017 and Mr Ondarchie on 10 August 2017.

The ACTING PRESIDENT (Mr Ramsay) — The house now stands adjourned.

House adjourned 6.45 p.m.

