

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 24 May 2017

(Extract from book 10)

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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)

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

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 Elasmr, Mr Finn, 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 Eideh, #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 Mulino, Mr O’Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

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

Joint committees

Accountability and Oversight Committee — (*Council*): 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*): 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 Eideh 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 Pearson, Mr T. Smith, Ms Staley and Ms Ward.

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

President:

The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

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

Leader of the Government:

The Hon. G. JENNINGS

Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of The Nationals:

Mr L. B. O'SULLIVAN

Leader of the Greens:

Mr G. BARBER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ¹	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Luke Bartholomew ⁴	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona	Northern Metropolitan	ASP
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ³	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	V1LJ
Elasmarr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph ⁵	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

² Appointed 15 April 2015

³ Resigned 27 May 2016

⁵ Resigned 6 April 2017

¹ Resigned 25 February 2015

⁴ Appointed 12 October 2016

PARTY ABBREVIATIONS

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

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Wednesday, 24 May 2017

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

ACKNOWLEDGEMENT OF COUNTRY

The PRESIDENT — Order! On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the first people of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria, past and present, and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament this week.

Indeed I note that last night a significant event was held in Queen's Hall to commemorate the anniversary of the 1967 referendum, in which Victoria again showed its leadership in terms of supporting the inclusion of Aboriginal people who rightfully should have been counted all along as voters and full participants in this country's affairs. It was a significant and moving event last night, and as we do the acknowledgement today we are certainly aware that there were many members of communities throughout Victoria who came and attended that event last night. It was a very good event.

CONDOLENCES

William Thomas Ebery

The PRESIDENT — Order! On a sad note I have to advise the house of the death on 10 May 2017 of William Thomas Ebery, a member of the Legislative Assembly for the electoral district of Midlands from 1973 to 1985. I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

ROYAL ASSENT

Messages read advising royal assent to:

16 May

Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Act 2017
Family Violence Protection Amendment Act 2017
Freedom of Information Amendment (Office of the Victorian Information Commissioner) Act 2017

23 May

Building Amendment (Enforcement and Other Measures) Act 2017.

LEGISLATIVE COUNCIL VACANCY

The PRESIDENT — Order! I have received a letter that would be of interest to the house from the state secretary of the Victorian branch of the Australian Labor Party, Mr Samuel Rae. He wrote to me:

I am writing in my capacity as state secretary of the Victorian branch of the Australian Labor Party.

I write to formally indicate that the Victorian branch of the ALP has determined that Mr Mark Gepp ... is the party's nominee for the parliamentary vacancy in the Legislative Council for Northern Victoria that was formerly held by Steven Herbert.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Membership

The PRESIDENT — Order! I have also received a letter — it has been a busy time for Australia Post — and this one is from Danny O'Brien, the member for Gippsland South in the other place. He wrote:

I wish to notify you of my resignation, effective immediately, as a member of the Public Accounts and Estimates Committee.

This was received on 23 May 2017. Members would be aware that Mr O'Brien suffered a heart attack, indeed after a Public Accounts and Estimates Committee hearing which the Speaker and I gave evidence at. I hope I was not responsible! All members would join me in wishing Mr O'Brien well in his recovery from that heart attack.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 7

Ms BATH (Eastern Victoria) presented *Alert Digest No. 7 of 2017*, including appendices.

Laid on table.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Financial and performance outcomes 2015–16

Ms PENNICUIK (Southern Metropolitan) presented report, including appendices, together with transcripts of evidence.

Laid on table.

Ordered that report be published.

Ms PENNICUIK (Southern Metropolitan) — I move:

That the Council take note of the report.

It is a pleasure today to present the second report of the Public Accounts and Estimates Committee into the financial and performance outcomes. This is the second time that the committee has held hearings into these matters. The secretaries, deputy secretaries and other staff of the seven departments attended the hearings and also provided quite a lot of information on surveys, and I say that not by way of criticism but in the spirit of there always being room for improvement as to the timing of the receipt of that information and what is contained in it.

I say that with a view to continuous improvement rather than as a criticism of the departments, because I think the committee would agree that the departments have been very cooperative and very helpful in the committee's inquiries. This report contains some 98 findings and some 28 recommendations, and I do commend it to members of this house and the other house and indeed to members of the public who are interested in finding out how their taxpayer funds have been expended by the departments and the public service over that financial year.

I would like to take the opportunity to thank the staff of the committee: Dr Caroline Williams, the executive officer; Dr Kathleen Hurley, senior research officer; Mr Alejandro Navarrete, research officer; Mr Bill Stent, research officer; Dr Jeff Fang; senior research officer; Ms Leah Brohm, senior research officer, Ms Melanie Hondros, business support officer; and Ms Amber Candy, desktop publisher and administration officer. The public accounts committee is a very busy committee with a very large workload and, really, the heavy lifting is done by the staff of the committee. They are all extremely dedicated, have a lot of expertise and give us a lot of assistance in everything we do, so I thank them very much for their work.

I would also like to thank the members of the committee for the largely collegiate way in which the committee deliberations and hearings et cetera are carried out, particularly with this inquiry into the financial and performance outcomes. During that time Dr Rachel Carling-Jenkins left the committee, and Ms Patten came in at the tail end of this particular inquiry.

I note that the President just before read out the letter of resignation of Mr Danny O'Brien from the committee. I would like to thank Mr O'Brien for his work on the committee. His questions and his knowledge of economics and financial matters have been of great assistance to the committee. He will be missed, and I wish him all the best in his recovery from his recent heart attack. Hopefully we will get someone of equal calibre to replace him on the committee.

This report, like last year's, is full of a lot of very useful information for members of Parliament and members of the public, and I commend the report to the Parliament.

Ms SHING (Eastern Victoria) — I rise to speak in relation to the Public Accounts and Estimates Committee second report in relation to financial and performance outcomes and outputs, and in doing so I would like to firstly recognise the ongoing and assiduous assistance that the secretariat, research and business support staff have provided to this committee. It is a committee which is required to undertake an enormous volume of work in assessing the questionnaires and responses from departments as well as coordinating hearings for public sector officials, and in this regard we have been greatly assisted by their ongoing efforts.

The 98 findings and 28 recommendations in this second report are of further significant use to the committee, to the Parliament and also to the broader community in relation to the way in which outputs are achieved and the work that various government departments and agencies undertake. The way that this has been set out has been greatly assisted through the work of the secretariat, and we have in fact benefited from the ongoing and increasingly helpful cooperation of departments in aspiring to respond within key time frames. Again, as Ms Pennicuiik indicated in her contribution, this is about continuous improvement. To that end, I look forward to seeing that continue as a theme into the future.

Thank you to Dr Carling-Jenkins, who was involved in this inquiry and has since left the Public Accounts and Estimates Committee. Welcome to Ms Patten, who is the newest member of the committee. I also extend

thanks and gratitude to Mr Danny O'Brien from the Legislative Assembly, who has been an ongoing and steadfast member of the Public Accounts and Estimates Committee. He will be sorely missed. His contribution to the work of this committee has been outstanding, has been constructive and has been collegiate and collaborative, and in this regard we wish him well for a very speedy recovery and look forward to seeing his return and his continuing contribution to the Parliament.

All in all, this report is one which builds on the work of integrity, transparency and accountability and the way in which public sector funds are allocated and spent, and we look forward to continuing to develop further processes that enhance that into the future.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Auditor-General's Report on ICT Strategic Planning in the Health Sector, May 2017 (*Ordered to be published*).

Crimes Act 1958 — Chief Commissioner of Police's forensic sampling authorisations pursuant to section 464Z(2) of the Act.

Crown Land (Reserves) Act 1978 — Ministerial order for approval of a licence in relation to Alexandra Park, dated 13 April 2017.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32 in relation to Statutory Rule Nos. 22 and 23.

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

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

Boroondara Planning Scheme — Amendments C258 and C260.

East Gippsland Planning Scheme — Amendment C130.

Maroondah Planning Scheme — Amendment C109.

Mornington Peninsula Scheme — Amendment C205.

Queenscliffe Planning Scheme — Amendment C27.

South Gippsland Planning Scheme — Amendment C88.

Whitehorse Planning Scheme — Amendment C195.

Whittlesea Planning Scheme — Amendment C197.

Statutory Rules under the following Acts of Parliament —

Drugs, Poisons and Controlled Substances Act 1981 — No. 29.

Environment Protection Act 1970 — No. 28.

Transfer of Land Act 1958 — No. 27.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rules Nos. 27 and 28.

Legislative instruments and related documents under section 16B in respect of —

Housing Act 1983 — Victorian Housing Register — Determination of eligibility criteria, priority categories and propriety criteria for applicants for social housing, dated 16 May 2017.

Meat Industry Act 1993 —

Determining licence categories and fixing fees for meat processing facilities, dated 3 May 2017.

Fixing of fees for meat transport vehicle licence, dated 3 May 2017.

Seafood Safety Act 2003 — Determining classes of licences and fixing fees for seafood safety licences, dated 3 May 2017.

Proclamation of the Governor in Council fixing an operative date in respect of the following Act:

Victorian Planning Authority Act 2017 — 1 July 2017 (*Gazette No. S150, 16 May 2017*).

PRODUCTION OF DOCUMENTS

The Clerk — I have received the following letter from the Attorney-General dated 23 May 2017:

I refer to the Legislative Council's resolution of 10 May 2017 requiring the Minister for Families and Children to table in the Council by 9.30 a.m. on 24 May 2017, copies of the Public Accounts and Estimates Committee (PAEC) briefing folders provided to and used by the Secretary of the Department of Health and Human Services when appearing before the PAEC inquiries into financial and performance outcomes of 2013–14 and 2014–15 on 18 February 2016, and of 2015–16 on 15 February 2017.

The Legislative Council's date for production of the documents of 24 May 2017 does not allow sufficient time for the government to respond to the Council's resolution. The government is considering a large number of relevant documents and will endeavour to provide a final response to the order as soon as possible.

BUSINESS OF THE HOUSE

General business

Ms WOOLDRIDGE (Eastern Metropolitan) — By leave, I move:

That precedence be given to the following general business today, Wednesday, 24 May 2017:

- (1) notice of motion 393 standing in the name of Mr Rich-Phillips in relation to the production of certain documents;
- (2) notice of motion 351 standing in the name of Mr Davis in relation to the proposed Markham estate development in Ashburton;
- (3) notice of motion 394 standing in the name of Dr Carling-Jenkins in relation to children's education;
- (4) notice of motion given this day by Mrs Peulich in relation to TAFE; and
- (5) notice of motion given this day by Ms Bath in relation to job losses in Gippsland.

Motion agreed to.

STANDING COMMITTEE ON THE ENVIRONMENT AND PLANNING

Reporting date

Mr DAVIS (Southern Metropolitan) — By leave, I move:

That the resolution of the Council of 31 August 2016 and 8 December 2016 requiring the environment and planning committee to inquire into and report by 25 May 2017 on the Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016 be amended so as to now require the committee to present its report by 8 June 2017.

Motion agreed to.

MINISTERS STATEMENTS

J. V. Orchards

Ms PULFORD (Minister for Agriculture) — I rise today to inform the house of a significant new investment the government is making in partnership with J. V. Orchards in Cobram. J. V. Orchards is a family-owned fruit-growing, packing and cold storage business in Cobram. They supply domestic markets and supermarkets as well as being an exporter to Singapore, Malaysia, Thailand and Indonesia.

Since 2010 J. V. Orchards have made a significant investment in new varieties of plantings. In doing so the

company approached the Andrews government requesting assistance through the Regional Jobs and Infrastructure Fund to expand their packing facility, construct new loading bays, improve their cold storage and improve their administration amenities. I am pleased to announce today that their grant request has been approved for a total project value of \$900 000. This project will create 15 new full-time jobs and 18 jobs during construction, which is a great result for the local community and this family business.

The driving force for this project is the strong market demand for increased export volumes. The company is expecting they will at least double their exports and also be in a stronger position to obtain their own export accreditation. This is a terrific example of a family-owned Victorian agribusiness that is seeking to capitalise on the insatiable demand from Asia in particular for our quality food and produce. This project will create jobs, increase exports and drive economic growth in regional Victoria. I am pleased to congratulate J. V. Orchards and wish them well in delivery of the project.

Family violence

Ms MIKAKOS (Minister for Families and Children) — I rise to update the house on how the Andrews Labor government is working to support women and children who are victim survivors of family violence. Last week I was immensely proud to visit Berry Street Ballarat to announce \$22.8 million for the statewide rollout of 26 trial projects across Victoria to provide counselling and therapeutic support to victim survivors of family violence, and four will be targeted specifically at the Aboriginal community. I was pleased to join Geoff Howard, the member for Buninyong in the Legislative Assembly, to announce three of these programs, which are specifically for the Ballarat area.

Berry Street's Restoring Childhood is a child-focused, trauma-informed service designed to intervene early to reduce the effect of family violence on children and young people aged between 0 and 17 years. The program will be delivered in Central Highlands, Hume Moreland and the north-east.

The WRISC Van Go project is a mobile service that will take services directly to geographically isolated children traumatised by family violence and engage them in creative therapeutic arts, and the Ballarat and District Aboriginal Co-operative has received family violence funding for the first time. They will provide a wraparound model of support for families, focusing on culture as a strength.

The 2017–18 budget has provided a further \$100.1 million over four years for therapeutic interventions such as counselling that will support 11 000 women and 3500 children. The Andrew Labor government established Australia's first Royal Commission into Family Violence and committed to implement all 227 of its recommendations, and this investment delivers on a number of those recommendations. We know that children who are victims of family violence may experience lifelong trauma. This is why some projects funded will focus specifically on responses to children whilst others will deliver services to families. Unlike previous programs, which have provided short-term intervention, these programs will focus on early intervention, and support will be provided to victim survivors for as long as they need it.

On the issue of traumatised children, I take this opportunity to express my condolences to and solidarity with the people of Manchester. Terrorism is evil, but targeting children is a new low of despicable barbarism. My thoughts are especially with Manchester's children, who are now having to have conversations that no child should need to have.

MEMBERS STATEMENTS

Country Fire Authority volunteers

Ms LOVELL (Northern Victoria) — Daniel Andrews is ripping apart 160 years of proud history of volunteer firefighting in Victoria by his decision to tear apart the Country Fire Authority (CFA), one of the oldest protective volunteer institutions in our state. Volunteer Fire Brigades Victoria has warned his decision will be detrimental to volunteers and will result in a big decline in volunteer numbers, which will reduce the capacity of the CFA to fight campaign fires during the fire season.

Currently during campaign fires the surge capacity for volunteers is largely boosted by volunteers coming from outer urban CFA stations, and these stations will no longer be part of the CFA. In recent years there have been eight reviews conducted into fire services, not one of which recommended breaking up the CFA. It is distressing that Daniel Andrews failed to consult widely, most notably failing to consult with CFA brigades, before making this decision. Indeed the only consultation he did was with the secretary of the United Firefighters Union, his buddy Peter Marshall.

ShepPROUD Youth Video Competition

Ms LOVELL — Last Wednesday I was proud to attend the Community Fund Goulburn Valley's ShepPROUD Youth Video Competition winner announcement. The project was developed to try to counter the negative image surrounding Shepparton's social and education issues by encouraging and promoting positive stories. This year's winning video, by 23-year-old Matt Macgill, his brother Brendan and his sister Claire, is a humorous and catchy rap ditty that has become a viral hit, already appearing on pop and social culture platforms with hundreds of thousands of hits. Congratulations to the Macgill siblings and runner-up Jess O'Donoghue, and thank you to all the young people who took part in the competition and found reasons to be proud of Shep. Shepparton is a great part of the world, and it is about time it is recognised for its positives.

Manchester terrorist attack

Ms SHING (Eastern Victoria) — I rise today to send my intense condolences to the people of the United Kingdom in relation to the terror attack which occurred in Manchester. Our thoughts and prayers are with everybody who is facing such a time of fear and distress and sadness, and in this regard I note that the responses around the world have been ones of support and love and hope that things will improve over time.

Morwell timber mill

Ms SHING — I wish to make a number of comments in relation to Carter Holt Harvey's decision to close its Morwell softwood plantation mill. In this regard the 160 employees who are employed at this mill face a time of great uncertainty following the decision by HVP Plantations not to provide further wood of a diameter required to keep this operation going. I commend Carter Holt Harvey on the work it is doing to deploy and find employment for as many employees as possible who are affected by this change and this decision, and in this regard I note that the Latrobe Valley Authority and the Andrews Labor government stand willing and able to provide as much active support to workers as possible.

Finally, I also wish to confirm that discussions and negotiations are ongoing with Australian Sustainable Hardwoods. We look forward to reaching a resolution as soon as possible with the Hermal Group and providing certainty to the 260 workers at Heyfield whose jobs are so valued and whose experience and expertise is well worth keeping into the future as part of a sustainable timber industry.

Jumps racing

Ms PENNICUIK (Southern Metropolitan) — On 2 May Mr Purcell made a members statement in support of the Warrnambool May Racing Carnival, a three-day racing carnival in which he said the Grand Annual Steeplechase, which is over 5500 metres and has a world record 33 jumps, is a highlight. I have to disagree with Mr Purcell; I find that type of race to be nothing short of animal abuse.

Only the very next day, on 3 May, six-year-old Bring Back suffered a broken shoulder in a jumps event at Warrnambool and was killed. Two horses died at Warrnambool last year. Last weekend, on 21 May, during the second hurdle at Casterton, Wee Frankie fell and, I understand, broke his neck. The racing carnival at Casterton last weekend was nothing less than a debacle. Over three races there were only 14 starters, and only seven of those starters finished — four horses fell, two pulled up and one, Wee Frankie, died. On 15 April Wheeler Fortune was euthanased on the track after snapping its right foreleg at Oakbank in South Australia. Footage of that incident is just sickening.

Forty-one horses in Victoria have died in jumps events over the last five years. It is a continuing indictment of the government of Victoria and the government of South Australia that they continue to allow this abuse and carnage on Victoria's racetracks every year.

Country Fire Authority volunteers

Mr MORRIS (Western Victoria) — What an absolute disgrace this government is. The way they are treating our Country Fire Authority (CFA) volunteers with such disrespect is absolutely abominable, and why is it that the government is selling out our CFA volunteers? All just to appease Peter Marshall and the militant United Firefighters Union (UFU).

The Premier disingenuously says what he is doing is about improving community safety — patently untrue. He quotes eight reviews of our fire services, none of which recommend tearing apart the CFA. This is all about looking after his political masters in the UFU. The Premier says he could not finalise the CFA enterprise bargaining agreement because of the federal government — again untrue. The federal government just gave CFA volunteers the protection they deserve so that Labor could not sell them out in favour of their UFU mates.

Now Labor is trying a political fix. They are going to try and tear apart the CFA, but they will not do so without a fight. We on this side of the house will stand

with our CFA volunteers, unlike Labor, who have tried to sell them out at every turn. And it has been revealed this morning that the Labor Party is going to attempt to bind presumptive legislation with the legislation to split the CFA. It is a cynical attempt to pass this legislation. Playing politics with cancer sufferers is nothing short of disgraceful, and all ALP members should hang their heads in shame.

Angliss Hospital

Mr LEANE (Eastern Metropolitan) — I want to thank some of the personnel at Eastern Health for affording me a chance to go and visit the construction site at the Angliss Hospital where a new intensive care unit is being built. This is a \$20 million project which involves 14 new critical care patient beds and six beds in a short-term stay unit, and it will also afford a chance for the paediatric ward to be refurbished as well, as a second stage of this project.

I have to commend all of the work that has been done. It is probably a few months away from being completed as far as the intensive care unit is concerned, and it will make a huge difference to this part of the east. Currently a number of patients are transferred to the Maroondah and Box Hill intensive care units because of the capacity that does not exist currently at the Angliss, but once this project is open in a few months that will not necessarily have to be the case.

I want to commend all the tradespeople that are working on the project. Hospital projects are quite specialised projects, with medical gas and other sorts of facilities that are needed, and they are doing a great job. They are on time and they are on budget, and they are coming along with our government in getting it done.

Manchester terrorist attack

Mr BOURMAN (Eastern Victoria) — Firstly, I want to pass on my condolences to the people of Manchester and the victims of the bombing. I want to thank our police and information ASIO-type people who are doing their best to keep that sort of thing from our shores. So far, so good.

SHOT Expo

Mr BOURMAN — On the weekend I went to the SHOT show — the shooting, hunting and outdoor trade show — at the Melbourne Showgrounds, held by the Sporting Shooters Association of Australia. Again it was a show of just how popular this sport is and is getting. I was only there for the Sunday, and I could barely move. I think they put on a pretty good show,

and I encourage anyone who is not ideologically opposed to go along and have a look.

Wangaratta gun club

Mr BOURMAN — I would also like to say congratulations to the Wangaratta gun club on reopening after a little bit of a problem, which we helped them through. I hope they are there for another 102 years.

Bona Vista Primary School

Ms BATH (Eastern Victoria) — Recently my colleague Gary Blackwood, the member for Narracan in the Legislative Assembly, and I had the absolute pleasure of spending time with students from Bona Vista Primary School, a lovely primary school in the hills around Warragul. We spoke about how bills travel through Parliament, and the students then in turn proposed, debated, amended and passed their own bill in relation to planting native trees in their school grounds on an ongoing basis. Class members provided costings and contributed valuable options for city students to establish a sister school to facilitate the requirements of the bill. I congratulate teachers Michelle West and Cara Brasier on their fantastic students and tremendous school.

Country Fire Authority volunteers

Ms BATH — Over the last few days I have been speaking with many Country Fire Authority (CFA) volunteers throughout Eastern Victoria Region, receiving many emails and speaking to others around the state. They are frustrated, dismayed and grossly disappointed that there was no consultation process prior to the state government's announcement of the split of the CFA. The act states that the authority, in performing its functions, must have regard to the commitment and principles set out in the volunteer charter. The charter enshrines that volunteers must be consulted widely on all things that concern the CFA. The fact that this did not occur is an indictment of the Andrews Labor government.

Education funding

Mr MELHEM (Western Metropolitan) — I rise to speak on the commonwealth government cuts to Victorian schools. The Prime Minister's decision to abandon the original Gonski school funding agreement will short-change Victorian government schools some \$630 million in 2018 and 2019. These cuts will hit my electorate — 134 schools, to be exact — especially hard. Warringa Park School in Werribee, for example,

will lose \$1.2 million in school funding. Keilor Downs College in St Albans will be short-changed \$1 million, and Sunbury College will be \$800 000 worse off. The \$630 million lost in school funding could have been used to hire 5000 teachers or 6000 allied health staff. It could also have paid for numeracy experts, psychologists, speech pathologists, social workers, library assistants and career counsellors. It could have been used to ensure that critical support is provided to students at risk of falling behind.

The cuts to Victorian schools do not make sense. The Andrews Labor government has honoured its obligations under the Gonski agreement in the 2015, 2016, 2017 and 2018 school years and fixed the black hole that was left by the previous Liberal government. Furthermore, in this year's budget we provided an additional \$456 million in funding to schools. Prime Minister Malcolm Turnbull and the Liberal Party short-changed Victoria in terms of infrastructure funding, and now this mob is cheating Victorians by taking away school funding. Instead of ensuring that the educational needs of our students are adequately met, Malcolm Turnbull has turned his back on Victorian students and their families. He is known as the Prime Minister of Sydney.

Melbourne Vixens

Ms PATTEN (Northern Metropolitan) — I would like to congratulate the Melbourne Vixens on their fantastic win on the weekend. The arena was near capacity, and it was wonderful to see the families, particularly young girls, watching their heroes. It was really wonderful just to see such a broad and large audience watching the netball.

I was very lucky to be sitting with some amazing women who are basically the pioneers of netball, including Joyce Brown, who captained the Australian netball team to the inaugural Netball World Cup title in 1963. It was amazing sitting with them. I felt sorry for the coach because there were about eight coaches in the row that I was sitting in all yelling at the time and all providing some great advice to the team, possibly unwanted. I would also like to congratulate Jenny Sanchez for her amazing work in pioneering this next generation of netballers.

Run Walk 'n Chalk

Ms PATTEN — I would also like to congratulate Northern Health for their Run Walk 'n Chalk on the weekend. Over 1000 of us attended, including my colleague Mr Ondarchie. There was \$20 000 raised for the much-needed children's services and the great work

that Northern Health does up there. We all came out completely covered in brightly coloured chalk. Everyone had a brilliant time, and I think this will be an annual event that we will all thoroughly enjoy.

Community safety

Mr FINN (Western Metropolitan) — It has to be said that the Werribee Australian Labor Party branch is largely comprised of some pretty ordinary individuals. Indeed looking at the Werribee Labor Party I can almost understand why most of their MPs come from elsewhere. Nonetheless I wish today to express my sincere appreciation to a member of the Werribee ALP for giving me illumination on an issue that has long left me in a state of flux. I was holding forth last week on social media on the crime tsunami currently hitting Victoria and in particular Melbourne's west. Then the magic words appeared. Susan, a member of the ALP, wrote:

Are you a policeman or a politician? Get on and do your job.

At that moment all was made clear. Labor does not regard the safety of the community as its job. Here I was thinking Labor was soft on crime and soft on criminals for some reason unknown to us all, but now we know: Labor does not see protection of the community as its job.

While my constituents are being bashed, robbed and terrorised on the streets and in their own homes the Andrews government does not care, because it does not see Victorians' personal safety as something it should concern itself with. Frankly I am sick to death of my constituents being forced to live in fear. The government does have a responsibility for their safety. If Premier Andrews and his pathetic excuse for a government cannot get the job done, he should get out and let Matthew Guy do it. He will make Victoria safe again.

Rewriting Motherhood

Mr ELASMAR (Northern Metropolitan) — I, along with several of my parliamentary colleagues, attended a book launch in Queen's Hall on 10 May. The book was *Rewriting Motherhood*, and it is a series of fascinating stories from 10 women who had been involved in The Babes Project. I highly recommend this book to new or prospective mothers everywhere. It gives powerful insights into their journey of pregnancy through to motherhood.

Macular degeneration

Mr ELASMAR — I was very interested to read the latest statistics on macular degeneration in Northern Metropolitan Region. Macular degeneration is one of the most heartbreaking and soul-destroying diseases of the aged. It often causes blindness if left untreated. As at May 2017 an estimated 271 000 Victorians have already been diagnosed with the disease. Macular Disease Foundation Australia runs a strong and effective community campaign to mitigate the chances of this happening to vulnerable people over the age of 50.

Archbishop Issam Darwish

Mr ELASMAR — On 11 May I attended a function to honour the Melkite Catholic Archbishop of Zahle and Furzol, Lebanon, His Grace the Most Reverend Issam Darwish, AM. The event was organised by the Lebanese Kataeb Association of Victoria. The association is a not-for-profit organisation which provides practical assistance to new migrants to Victoria and organises social events that bring the Australian-Lebanese community together.

Cyclist safety

Ms DUNN (Eastern Metropolitan) — On 10 May the Andrews government voted down legislation that could have penalised motorists who drive too close to cyclists, threatening their safety. It would have reduced risk to some of our most vulnerable road users and led to fewer injuries and deaths of cyclists. Despite this Labor refused to support the bill.

Labor's failure to support cycling safety rightly angered many. Within two days over 300 people had written to the Minister for Roads and Road Safety and Premier Andrews to express their disappointment. Then the roads minister took to social media to shine a light on road safety. Now, we can all agree that supporting the Shine a Light on Road Safety community campaign is important and extremely worthwhile. We can all agree that we need to make sure all Victorians feel safe on our roads and get home unscathed to their family. But the problem is that Labor had deliberately left one group of road users in the dark earlier that week — that is, cyclists.

Many social media users commented on the minister's post, expressing their outrage at the hypocrisy of Labor in not supporting the Metre Matters bill while saying they care about road safety. Then the minister made things worse for himself. Instead of recognising the justifiable complaints of this group of road users,

including cyclists, in his post, I heard from many social media users that the minister had resorted to hiding and deleting posts, so I thought I would bring it to his attention via his social media channel. But then my post was deleted, and then the entire thread was deleted.

The minister's refusal to include cyclists when talking about road safety actually gets to the heart of why we need Metre Matters laws in the first place. The legislation would have sent a strong message to drivers that sharing the road safely with cyclists is a necessity, not an inconvenience.

The ACTING PRESIDENT (Mr Melhem) — Order! Thank you, Ms Dunn.

Ararat Rural City Council

Mr RAMSAY (Western Victoria) — I joined about 300 angry farmers at the Lake Bolac football ground on Monday night. We were there in response to Ararat Rural City Council's proposal to remove the rate differential for farmers, which currently stands at around 55 per cent. Farmers fought long and hard to have a differential in their general rate to provide fairness and equity and as recognition of that particular demographic contributing to the rate revenue of the shire. The council has voted four to three to remove the 55 per cent rate differential and return it to the 100 per cent general rate, so the Victorian Farmers Federation (VFF) held this meeting last Monday night.

There is a public consultation process at the moment. It is very clear that if the proposal goes through, some of these farmers will be facing a 46 per cent to 51 per cent increase in rates next year, which is worth about \$2 432 000. The trouble is that farmers represent just 24 per cent of the rateable properties in the shire, but they pay over 38 per cent of the rates. Under this proposal they will pay over 55 per cent of the rate income.

Local VFF representative Charlie de Fegely — and I congratulate him for the work he has done — is suggesting that farmers already pay around \$90 000 in rates and many of these farmers will be facing increases of \$20 000 to \$30 000 in their rates next year if this proposal goes through. That will put them under considerable strain.

The trouble is Ararat council faces challenges because administratively it is top heavy and some of its low socio-economic —

The ACTING PRESIDENT (Mr Melhem) — Order! Thank you, Mr Ramsay.

Maternal and child health services

Mr EIDEH (Western Metropolitan) — Many of us have been fortunate enough to have had the experience of becoming a new parent, and therefore we know firsthand that although it is no doubt an exciting and special time, the first few months and years can be full of worry and uncertainty as new parents adjust to a new lifestyle. Many of us have been able to turn to maternal and child health nurses, who provide vital support and advice to new parents to ensure that they are well informed when they do not know what to do. This service also includes playgroups and developmental check-ups for each child.

New parents in Victoria already receive a great amount of support through the maternal and child health service, so I was indeed delighted at the announcement by the Premier of Victoria and the Minister for Families and Children that there will be an expansion of this service as part of the 2017–18 Victorian budget, with an investment of \$81.1 million. This is wonderful news for the thousands of young families in my electorate, which has seen a huge population boom, particularly with new and young families. My constituents will receive intensive care and support until their child is three years of age. Thirty-seven thousand families will have access to this valuable service, which will also include support for parents struggling with trauma and extra support for parents facing particular disadvantage.

The first few years of a child's development are the most important, and I am proud to be part of a government that invests so much to ensure that more families have access to these vital services.

Country Fire Authority volunteers

Mr O'SULLIVAN (Northern Victoria) — Why is the Premier, Daniel Andrews, picking a fight with the 70 000 Country Fire Authority (CFA) volunteers who work every day to keep our communities safe? Why is Daniel Andrews wanting to break up the CFA and split it into two parts, promoting the paid United Firefighters Union (UFU) while sidelining the 70 000 volunteers who keep us safe? This is nothing more than a political fix by the Premier to pay back Peter Marshall and the UFU for their support of him during the last election, and we have all seen the emails from the UFU secretary asking Labor MPs about the paybacks that were required for that support.

Public safety should never, ever be put at risk by political outcomes such as this. The surge capacity of the CFA volunteers on days of high fire danger, such as Black Saturday, will be destroyed if this is allowed to

proceed. The government provided no consultation with the volunteers, no consultation with Volunteer Fire Brigades Victoria and no consultation with the community. There have been no less than eight reviews into the fire services, including a royal commission, no less, and not one of them recommended that there should be a complete break-up of the CFA into paid firefighters, who will get the royal treatment from this government, and CFA volunteers, who will be sidelined. This is a disgrace, and we will fight this all the way to the next election.

Domain railway station

Mr DAVIS (Southern Metropolitan) — Today I want to raise the ongoing matter of St Kilda Road, our magnificent boulevard and one of the great boulevards of the world. My colleague Margaret Fitzherbert and others have been fighting a strong campaign with community members to protect that boulevard, and now we find the government is proceeding to damage it. The heritage clearance has been given for the preliminary works. We now know that the government is going to proceed with a very shallow operation and a process that defies their own planning statements.

The planning panel that looked at the Metro Tunnel said that there should be significant work and alternative locations for Domain station should be looked at. In fact that work was given to the Melbourne Metro Rail Authority and it has, naturally enough, given a ticket to its own homework. It has said, ‘We’re doing well, and we don’t like the alternatives that have been put in front of us’. Well, the fact is that some of these alternatives are very real ones. Mr Brunner and others have put forward significant alternatives that have engineering expertise and ideas behind them. I am not an engineer, but these should have been properly assessed by the minister. They should have been properly put out for independent assessment.

My concern is that the damage will be done and this great boulevard will be lost. Labor is not listening, Minister Allan is not listening and Premier Andrews is not listening to the community that is saying, ‘Let’s have the metro; we all support that. We want the additional capacity, but we want it built in a way that does not destroy our grand boulevard’.

PRODUCTION OF DOCUMENTS

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I move:

That, in accordance with standing order 11.01, the Leader of the Government table in the Council by 12 noon on Wednesday, 21 June 2017, the following documents relating

to the listing of Anakie Youang (VAHR 7722-1105) on the Victorian Aboriginal Heritage Register —

- (1) all expert reports or other evidence relied upon in consideration of the listing and review of the listing;
- (2) all correspondence between the office of the Minister for Aboriginal Affairs and Aboriginal Victoria;
- (3) all briefs within the Department of Premier and Cabinet or Aboriginal Victoria;

and any response should conform with standing orders 11.02(3) and 11.03(1)(a).

I advise the house at the outset that there is a variation to the notice of motion as opposed to what is printed on the notice paper in relation to changing the response date to 21 June. This was advised to members by the Clerk by way of email yesterday afternoon.

The documents that this motion seeks are quite a discrete set of documents. They are a very narrow set of documents in relation to a decision by Aboriginal Victoria (AV) to undertake a listing on the Victorian Aboriginal Heritage Register of an area of land in the You Yangs which is used by the Aerolite Quarries. The decision by AV to undertake this listing, indeed to define this listing as essentially fitting the boundaries of the Aerolite Quarries in the You Yangs, has caused concern to the families who are employed by those quarries. There are a number of families in the Geelong region who rely on those quarries for employment, and the potential for listing by AV to impact the operation of the quarries and therefore impact the employment of people from those families has become a significant concern for them.

The purpose of bringing this documents motion to the house today is to seek a return to this house of the relevant documents which set out the basis and rationale for Aboriginal Victoria’s decision to list those quarrying areas on the Aboriginal heritage register. It is important that the families who are affected are able to understand the rationale of Aboriginal Victoria for making this decision, to understand the evidentiary basis and to understand the process that was followed by Aboriginal Victoria and the role of the Minister for Aboriginal Affairs in determining this listing. It is important that there be transparency, and it is important that there be certainty as to the rationale for this decision.

This is quite a narrow motion. They are quite a narrow set of documents that I am seeking through this motion, but the provision of these documents to the house will go a long way to providing clarity and certainty to those families in the Geelong region who potentially will be affected by this listing. Therefore I seek the house’s

support this morning to have those documents provided to the house and therefore made available to the affected parties in this matter.

Mr LEANE (Eastern Metropolitan) — The government's position is the same as the Labor Party's position since I have been in this house, whether it be in government or opposition. We do not oppose motions that call for paperwork and documents, but we respect the fact that the government has the right to not release documents that are commercial in confidence or cabinet advice documents. Some of those documents do get released, but there is acknowledgement of the right not to hand them over so that the state can operate. Therefore we will not oppose this particular motion, but we question the agenda around the opposition moving and prioritising the motion as the first item on a general business day, considering there are a lot of motions on the notice paper competing for time in Parliament on a Wednesday when general business is discussed.

We do actually call out the opposition on their motives, considering that the government is in the midst of complying with a settlement in the Supreme Court. We see this as an abuse of the Parliament. As part of recent legislation produced in this session of Parliament — and all parties welcomed that particular legislation; all parties sang its praises and acknowledged the importance of that legislation, including the opposition — Ms Bath wanted to point out that the purpose of that bill was:

... to amend the Aboriginal Heritage Act 2006 ... to improve the reporting requirements in relation to Aboriginal cultural heritage, to include provisions regarding Aboriginal intangible heritage and to establish the Aboriginal Cultural Heritage Fund. The additional purposes also include to empower traditional owners to be the protectors of Aboriginal cultural heritage for all people; to strengthen the ongoing right to maintain the distinctive spiritual, material and economic relationship of traditional owners with the land and water and other resources with which they have a connection under traditional laws and customs; and to promote respect for Aboriginal cultural heritage.

So the opposition only recently sang the praises of the process that Mr Rich-Phillips has just questioned.

Mr Rich-Phillips interjected.

Mr LEANE — No, I think that it is being questioned, the process. Actually Mr Rich-Phillips did question the process. He said he wanted to make sure that the process was carried out — a process that his party sang the praises of only in this session of Parliament — so I think this side of the chamber has every right to question the motives of the opposition and why they are prioritising this particular call for documents.

Mr Rich-Phillips interjected.

Mr LEANE — Well, I think I am going to get there, Mr Rich-Phillips. I am going to get there — where the motives actually come from. This is an important piece of Victoria, and it was deemed that there had been sufficient knowledge and understanding among the local registered Aboriginal party and traditional owners that the site has an intangible cultural heritage. That includes cultural practices, contemporary social and historical practices and spiritual significance to the Wathaurung people. That spiritual significance and connection to this location can include Dreamtime storytelling and/or mother tongue, and the Aboriginal community recognise the knowledge and skills involved, understand that it is a key part of the cultural heritage and identify themselves with this particular part of the land.

Mr Rich-Phillips talks about the people who work at the quarry. No-one, including the state government and including Aboriginal Victoria, is pushing to close the quarry. This quarry will continue. So, Mr Rich-Phillips, you can go back and tell that to those workers who are concerned about that particular aspect, but I think you need to go back to the person that you are championing in this place. It is not those workers; it is the proponent who wants to extend his quarry, and the proponent is Ken Jarvis, who is not happy with the quarry he has got. He wants to extend into cultural land that is important to the first people of Victoria, and they have deemed it is important under the act that your party championed. Your party championed this act, and then you come in here and, because it does not suit one of your mates, all of a sudden you do not champion it anymore.

The duplicity of the opposition is amazing in this term. We have never seen anything like it. The duplicity of the opposition is just amazing, where they can come up and champion something because they think it is going to make them look good, but then they do something completely opposite like they are doing today.

The owner of this particular quarry, Kenneth Jarvis of Geelong, supplied a receipt of his \$2000 donation to the Liberal Party. That is on the record — his \$2000 donation to the Liberal Party, which buys him the first item in general business in this house. Two thousand dollars is probably cheap, but obviously there is a history with this particular person and the Liberal Party. It is obvious to everyone that it might not just be the \$2000; it might be including the history and including the long-term relationship that he has got with the Liberal Party.

The Liberal Party has managed to be duplicitous again. So please spare us if there are any more amendments to similar legislation in the future that imply you are the champions, that you think it is all fantastic and that you are patting the traditional owners of the land on the head and saying, ‘Good for you. That’s fantastic. Well done. Good work’. That means nothing when it comes to your Liberal mates and what you are prepared to do, what you are prepared to say and what you are prepared to ask for to do those traditional owners in.

Mr BARBER (Northern Metropolitan) — The Greens will support this motion. It is an important part of the Legislative Council’s job to scrutinise the operations of the executive, and one of the tools available to do that is by seeking documents created or held by the government. In this instance the proposition from Mr Rich-Phillips is that a decision made under a particular piece of statute, the Aboriginal heritage legislation, needs to be scrutinised, and no-one would ever suggest that that particular decision is beyond scrutiny.

The power of the Parliament, constitutional scholars will tell you, is unlimited or in some cases they would argue virtually unlimited to seek documents and the testimony of persons or any other thing or matter that the Parliament needs in order to do its job. However, every time we move a motion of this nature we also need to consider not just the ability of the Parliament to make the demand but also the wisdom of how we exercise that power. As I say, it would be totally appropriate to scrutinise ministerial decision-making and bureaucratic decision-making under this process or any other similar process.

However, in this instance we also have another element that needs to be considered, and that is the nature of the decision that is being made and its relationship to, as Mr Leane said, the intangible cultural heritage of Victoria’s Aboriginal people and in this case the Wathaurung people, who are responsible for this particular landscape that we are all so familiar with. When you travel from Melbourne down to Geelong on V/Line, like I usually do, and you look out across the landscape, you see, to our modern eyes, a striking landscape. You can also, if you like, read accounts from the European explorers who first arrived in Victoria, including some who actually lived in that landscape and described its bounty, its impact on those who lived in it and of course the way that Aboriginal people at that time related to that quite sublime landscape of the bays, the plains and what we refer to as the You Yangs mountains.

We just want to add a note of caution to the opposition in moving this motion. We are perfectly happy to support motions that request documents that go to the process of governmental decision-making and the decision-making of bodies that were set up under statute. That is not to say that we are going to support something that becomes, in the end, a process of interrogating in an insensitive way the deeply held beliefs of Aboriginal people who are still the custodians of the cultural heritage of this place — and that is what we say every time we acknowledge the traditional owners both in this Parliament and in many, many public events and ceremonies that MPs and members of the community participate in. We say that we acknowledge the traditional owners as the guardians of the cultural heritage of this land, and that is exactly what this legislation is meant to put into place.

Mr Rich-Phillips, in his introduction, talked about a family who want to operate a quarry, and that is certainly one set of values. That is the economic value associated with the operation of the quarry. He was not able to as clearly articulate what might be the value both to Aboriginal people and to the rest of us in the protection of this cultural heritage. I am not here to speak on behalf of Aboriginal people. I am not able to do that. I can only provide a support whereby Aboriginal people can articulate their own values in relation to cultural heritage. I have an aspiration as a non-Aboriginal person to live in a community in harmony with Aboriginal people, and in order to do that I need to take the time to understand their values and understand what this cultural heritage means to them.

Perhaps in voting for this the opposition thought that cultural heritage just meant artefacts — things that were left behind from an Aboriginal civilisation. When tens of thousands of people have lived in a place like Victoria for tens of thousands of years, then yes, they will have left a lot of cultural heritage behind in the form of artefacts. But the Aboriginal Heritage Act 2006 means a lot more than just that. You are talking about a group of people — a living culture — with a connection back to this land longer than any of us can imagine.

When I trace my ancestral heritage, it basically just goes back to Sheffield in Yorkshire, and it lasts as long as there are records, which are of a few births, deaths and marriages, census forms run by Queen Victoria’s administration and a few parish records before that. The trail runs cold around about the 1780s, and so I am in awe of people who are working every day to maintain their own cultural heritage that goes back tens of thousands of years. I think that is an incredibly important aspect of our society, and I want to offer

every support to people who are trying to hold on to that kind of cultural heritage which creates for them an identity, literally a description of who they are as human beings, which all of us consider for our own lives.

It is a great privilege to visit with traditional owners their country and for them to be willing to share with me something about what the landscape means to them, and this is something that I have done all over Australia, and it has been great. I have taken my children to share in that as well, by the way, now that they are old enough to start to understand these things, and that is a great privilege and a great part of living in Australia. In fact when you go overseas people often ask you to explain. They know about Aboriginal people in Australia, and they ask you to explain to them what is going on, what the story is and what it all means. It is not for me to take from Aboriginal people their cultural heritage and be the interpreter of it; however, it is something that is uniquely Australian, and it is something that we should value greatly.

The particular matter in relation to the quarry has also been through a judicial process. That does not have any particular bearing to our decisions on this motion. The judiciary and the opportunity for citizens to avail themselves of that is one process. The legislature is another process, and it is entirely appropriate that the coalition might want to represent that quarry owner's interests in this place. However, I understand that through the judicial process there may have been some discovery of documents, and there may have been an opportunity there to question this decision. As I say, that is a parallel track. Whether that happened or not would have no bearing on how the Greens treat this motion in the legislature, because the legislature is a different part of the separation of powers.

At the moment we are engaged in a number of processes and a number of commemorations. We have just commemorated the anniversary of the 1967 referendum that gave Aboriginal people for the first time the most basic human right, and that is civil rights — the opportunity to participate in the political system that determines all your other rights and opportunities. Some people say that rights are inherent and that this is self-evident, but it is certainly true that in Australia until you had the right to vote, the odds were stacked against you in terms of enforcing what might have been some of your other human rights. That is an incredibly significant anniversary.

At the same time, though, we are engaged deeply in a process about constitutional recognition, which is going on in relation to the federal Parliament. I understand

there is, perhaps as we speak, a very important meeting happening at Uluru-Kata Tjuta with the traditional owners of the Anangu Pitjantjatjara. They are hosting that meeting, which is talking about a very important and very overdue step, which is constitutional recognition of Aboriginal people's prior ownership of this land. That is a small but important step, which we the Greens think is worthwhile pursuing. However, it is no substitute for the other great reconciliation that is going on right now, and that is the process of moving towards developing a treaty between the state of Victoria and Aboriginal nations in Victoria.

In light of all those current events, you might understand why it is that the Greens are approaching this motion with a degree of caution. We are not in any way suggesting that the Parliament does not have the power to get each and every piece of paper and document in the hands of the government. We are just simply saying we should use that power wisely, we should use that power moderately and we should use it in the context of this enormous and very overdue process that is occurring at the moment, and that is the thing we got wrong in 1788.

Mr Finn — I wasn't there.

Mr BARBER — We never made an agreement as per the instructions that were given to Captain Cook, Mr Finn. You can actually go and read the instructions that were given to Captain Cook, and they were to enter into discussions, enter into treaties, with any people who might have been there as occupiers of the land. He ignored that instruction, which is kind of strange for a military man — they are generally sticklers for following orders — but we here now, this current generation, have the opportunity to correct that mistake.

That is why I am using the opportunity in this motion to actually urge the coalition to articulate how it wants to approach that process, how it wants to form its own view on how it wants to protect and give back to Aboriginal people what was taken away from them, and that is some measure of control over the thing that is important to their own identity. That cultural heritage exists right across the land of Victoria in the form of an intangible but nevertheless very rich and spiritual landscape which tells a story that is so central to the identity of Aboriginal people. That is something that this Parliament ought to be bearing in mind and giving great weight to.

Motion agreed to.

MARKHAM ESTATE REDEVELOPMENT

Mr DAVIS (Southern Metropolitan) — I move:

That this house —

- (1) expresses its grave concern at the lack of influence afforded to the neighbouring community over the proposed height and density of the Andrews Labor government's planned intensification and overdevelopment of public land that was previously dedicated to public housing at the Markham estate in Ashburton;
- (2) recognises the legitimate desire of the local community to be consulted;
- (3) recognises that the City of Boroondara is best placed to be the responsible authority for any planning decisions affecting the redevelopment of the Markham estate;
- (4) notes the government intends to privatise the majority of the Markham estate redevelopment, realising what have been described in government emails obtained under freedom of information requests as 'super profits';

and calls on the Minister for Planning to absent himself from any decisions relating to the proposed redevelopment of the Markham estate.

I make the point that notice of this motion was given on 6 December last year — it has now been on the notice paper for 19 sitting days — and that in that period there have been a number of developments. I should say that the motion itself still stands and is current and relevant, but there are a number of contemporaneous developments that have occurred that I should put on the public record.

First, contrary to the call of the motion, the Minister for Planning has called in this matter to take all power and decision-making on the planning around this matter to himself. He has stripped the City of Boroondara of its role as the responsible authority with respect to the Markham estate. In the same period Places Victoria, which was the proponent of this redevelopment, has been merged with Major Projects Victoria through the Development Victoria bill. That is a bill that has passed this Parliament and is now law, so that body, Development Victoria, as I understand it, will come into operation very shortly.

The role of Development Victoria and the future use of public land is a matter which the community should have great concern about. I should say that the opposition sought to amend that Development Victoria bill. We sought to do so in two ways. One was a transparency and reporting amendment, which was mirrored with some minor changes by the Greens. We ended up supporting the Greens version of that transparency measure, and I compliment the Greens on

bringing that parallel transparency measure for Development Victoria to the chamber.

The second amendment which we sought to bring and moved in this chamber but which was defeated was an amendment that required that public projects under the purview of Development Victoria must have the support of the local council, which is the responsible authority in the area in which they are situated. We see that as an important principle — that a government body like Development Victoria, which is particularly developing public land, ought not to be able to ride roughshod over local communities. The decision to ride roughshod over local communities in this case, I think, has become emblematic of what this government is doing across the state. It is not listening to communities, whether that be in the case of the sky rail between Caulfield and Dandenong, imposing that sky rail or consulting with the community after the sky rail decision had been made and asking people what they thought about a sky rail being built near them after they had in fact voted directly with the intent of seeing a rail-under-road solution.

Likewise I was at a rally in Buckley Street in Essendon on the weekend with Mr Finn and the shadow minister, Mr Hodgett, and there were hundreds of people furious with the government's decision on Buckley Street. So this is another level crossing removal process that has been botched by this government. Everyone in that community supports the removal of level crossings. Everyone in that community believes the Buckley Street level crossing should be removed, but almost no one in the community believes the government solution is the best one. I mean the truth of the matter is Mr Pearson cracked it when he discovered he was going to get a sky rail in his area, and he demanded the government do something different.

Mr Barber — That does not sound like Mr Pearson.

Mr DAVIS — It does sound like Mr Pearson in this case — the member for Essendon, for the assistance of Hansard. After his monumental dummy spit the government then went back to the drawing board but were not prepared to commit sufficient resources to comply with what the longstanding council policy was in the City of Moonee Valley. The longstanding council policy was a rail-under-road solution for that level crossing removal. The associated support of the traders and the schools nearby, which now will be cut off from Buckley Street — those who know that area, Lowther Hall and St Columba's College and other —

Mr Barber — Is this the Markham estate motion?

Mr DAVIS — I am making a point about the lack of consultation that is occurring. This is a pattern that is occurring, and as I have said, that Markham estate is emblematic of this process around the state. In the case of the Essendon level crossing at Buckley Street, hundreds of people were present on the weekend with a level of fury. The council has now taken a formal position, and I think it is a good thing that the council has taken a formal position. Councils ought to have their views on these matters, and councils ought to provide sensible, balanced leadership for the community.

Mr Finn — I did not see any Labor councillors there on Sunday.

Mr DAVIS — No, there were no Labor councillors to my knowledge. I did not talk to everyone in the crowd but I did talk to many in the crowd, and it is very clear that the community do not want the solution that is proposed. They want a rail-under-road solution. They are told it will cost too much, but the government of course has been prepared to spend the money on other crossings to do a rail-under-road solution.

Mr Finn — In marginal seats.

Mr DAVIS — Some say it is in marginal seats, and that would certainly be the appearance of it, Mr Finn. Depending on the location you will get treated very, very differently, and that is quite unfair. What I would say about the public meeting that was held some weeks ago in the clock tower at Moonee Ponds is that there were about 800 people at that meeting, furious, and Mr Pearson at that meeting disgraced himself. He arrogantly slapped down people, indicating that the government will proceed no matter what the community had to say, no matter what the community wanted, no matter what the feedback, no matter what the alternative engineering solutions provided were.

Mr Barber — Does that require a planning scheme amendment?

Mr DAVIS — It probably does, and we will certainly be prepared to look at that as time comes forward, Mr Barber. I have had the same thought process as you clearly had there, but let us take this one step at a time. The government of course, whilst the consultation is still going on, has let the tender for the project. In a bundle of others it has let the tender, and it has said, 'Nick off. We don't care. We are not interested in what the community has to say'. Down on the Frankston line, as Mrs Peulich will understand, the same pattern of fake consultation and forced decision-making is occurring.

Mr Barber — Like east-west link.

Mr DAVIS — In east-west link — I take up Mr Barber's interjection there — there was a proper process. It was the Major Transport Projects Facilitation Act 2009. There was an environment effects statement (EES) process, there was a set of proper consultancies and proper examinations and there was an opportunity for public input. That is unlike GC35, it is unlike the decision at Buckley Street and it is unlike the decision on most of the Frankston line, with the exception of the Bonbeach and Edithvale section, where there will be an EES process but no broader process.

In the other areas on the Frankston line the government is going to roll over the community. Up in the north they are going to go down in Mentone and Cheltenham, but down south at Frankston, Kananook, Seaford and Carrum the community have just been told, 'You'll suck it up. We're going to destroy the livelihoods of businesses in Carrum. We're going to destroy the opportunities for many people in the industrial estates that are on the west side of the railway line in the section between Frankston and Kananook'. An example is Jayco Caravans, which has been there for five decades or longer — a very successful Victorian firm that makes caravans and sells them. That is their main sales site, and that land is to be resumed to support the government's sky rail in that particular area.

In Seaford, which is an important suburb, the community is going to be forced to suck up a sky rail there too. Again, everyone in that area voted for a rail-under-road solution at the state election, and that is not what they are going to get. In the case of Carrum there are further difficulties, as Mrs Peulich understands only too well. The community will see the stabling yards changed, and there will be a loss of proper arrangements in that suburb. There has not been proper consultation with the community for the model that is proposed there. It will in effect be another sky rail through that area, and this will have a dramatically damaging effect not only on the local businesses and the ambience of the suburb but also on the view from the coast and the impact on the coastline more generally.

A key question for the section through the wetland area in Bonbeach and Edithvale is: when will we see the EES, and is the government intending to massage the EES process with an attempt to come forward with a sky rail option in the end? We do not know that yet, and it is time the government came clear and said precisely when they will be releasing that EES for Bonbeach and Edithvale.

If you look at this important theme for local community to be consulted, point (2) of this motion says:

recognises the legitimate desire of the local community to be consulted ...

Another case around the city at the moment is the Melbourne Metro project, where the government has not been prepared to engage properly with local communities. I have personally been to many of the public meetings that have been held by the Melbourne Metro Rail Authority, and it is very clear that they are not listening to the community. One in particular, at the senior citizens centre in Fawkner Park, saw hundreds of angry people monster the officials, but the officials of course were not listening. There was no thoughtful response to the sensible points that were made by people.

In the case of the proposed alignment of the metro and the location of the Domain station, the community has put forward alternatives — several have been put forward. Robert Brunner, the engineer, and his cohort of engineers have worked hard to provide one plausible alternative. Now that needs to be assessed. Other alternatives further to the west, which would not interrupt St Kilda Road and would not see the same devastation that is going to occur in that location with the cut-and-fill operation that the government is proposing to do there with the shallow digging of the Domain station, should have been properly assessed.

The minister's own panel said that the location of Domain station was something that should be a matter which was open to assessment and alternatives should be properly examined. The Minister for Planning accepted the panel's statement on that, but then what happened? The government, in the form of the Minister for Public Transport, gave one of the alternatives — the Robert Brunner alternative — to the metro authority itself and said to the metro authority, 'We want you to assess this alternative versus your proposed alternative'. This is one of the surprising things in the world: if you give someone their own homework to mark, they often give it a lot of ticks, and that is what happened here. The metro authority said, 'No, we don't like the alternative. We're going to stay with our own proposal', and they actually released an assessment. Unfortunately there were some problems with the assessment: they had assessed the wrong location and the wrong details.

There is a very useful document that is circulating which has the metro authority's proposed location. It has the location they assessed at the request of the public transport minister, and it has the actual location that the Brunner proposal put forward. It is clear that

the metro authority did not understand the detail of this and did at best a cursory assessment. What was needed was to follow through from the panel's own view and indeed the planning minister's statement, and there should have been a proper independent assessment. They actually should have taken some community input, and we would have actually had a better outcome from that — we might not actually be losing the hundreds of trees along the St Kilda Road boulevard.

Now we all accept that we need these major projects, we all accept that we need the transport capacity and we need the extra train capacity in the case of metro — that is generally supported — but people also say, 'Aren't we clever enough as a city and clever enough as a state to design these things in a way that we don't trash our heritage, destroy major boulevards and destroy major heritage assets?'.

The cross-city tunnel in London has gone forward, one of the biggest projects in Europe at the moment, and it is proceeding without damaging the surface in London. Other projects around the world are of a similar type. And yet what is arguably the greatest boulevard in Australia, St Kilda Road, is now at risk. The government is proceeding with that project. There has been a clearance to knock down the first 18 trees. These are trees that were planted early in the century, trees that cannot be replaced in any realistic way. Some of them were planted in response to the Anzac history that Australia has, around the time the Shrine of Remembrance was being built, so these are major aspects of Victorian heritage, Australian heritage and arguably internationally significant heritage.

What does the government do with this? They do not listen to the community. They do not listen to the fact that the federal government has put an interim arrangement on this but does not have the power to stop it. They do not listen to the fact that the community is now saying, 'This is relevant for international heritage listing and world heritage listing'. I say they should keep fighting for that, and I will certainly be supporting them. Ms Fitzherbert, I know, has been working very hard with them as well.

But this lack of consultation that is occurring in the community at the moment, this terrible lack of consultation, goes further than just the trees, our magnificent heritage boulevard and the proximity to the shrine. It is also about what is going to happen on Toorak Road West. It is what is going to happen with the truck movements. They need to listen and engage with the community. They need to make sure that the massive destruction that is going to occur is minimised, and that is not what the government is doing at the

moment. That is one reason this motion has been brought, because there is a theme statewide.

As I say, Markham estate in the City of Boroondara, close to Gardiners Creek, is a very significant site, an old public housing site, and everybody agrees that Markham estate should be rebuilt. Everyone agrees with that and everyone agrees that there should be a very significant public housing component in that, or social housing component, and very much that there should be no diminution, but the government's current model — and this is again emblematic of where this government is going — will see less public housing on the site. It will see a massive increase in the density of the site. That particular area of Boroondara, close to the creek, is an area where two storeys is the norm in the neighbourhood residential zones and general residential zones in the region around there, but instead of that we are going to get tall towers, massive density, massive encroachment on sensitive land that ought not to have this massive density.

Why is the government doing this? One word: yield. And we know that because of the attitude of Places Victoria, which is now Development Victoria, and we also know it through the work of Graham Watt in the Legislative Assembly. Some of his FOIs have dragged out emails about the achievement of 'super profits'. That is the word the government uses. Let us not beat around the bush. That is what they are doing. It is all about super profits.

I am not against using public land and involving the private sector and actually developing up a proposal that is sensitive to the local area, protects heritage values, protects vegetation and protects the ambience and the amenity of the neighbourhood, but none of that has occurred here. The government has stripped away the planning powers. The council has been told, 'Nick off and go home, and I, Richard Wynne, the planning minister, am going to take full control of this', and what he is going to do is build this dense, tall set of towers close to the creek, out of sync with the local community, unwanted in this form by the local community. Why is he doing it? Because there is private involvement, and by cramming more and more and more into that site he can scoop back money.

This is the model that Development Victoria is going to operate on. They are very clear about this. They are quite clear that this is about developing public land. It is about cramming people on. It is about scooping back. It is about rolling the money into other projects. I say there are a few people who have not been consulted on this. The local communities need to be heard, the local communities need to have their say, the local

communities need to see and the local councils need to be able to make sure that what is occurring on a particular site is in sync with their general planning approach.

We do not want tall stalks popping up in areas that should be treated sensitively, and if you pack that many people in, tell me where the cars go. Where on earth do the cars go where you have got a single egress and the opportunity to cram the local roads with even more cars? They were not designed for this capacity. This has been retrofitted into an old public housing site that had low density and medium density, not this massive density that is being proposed.

City of Boroondara councillors have been very active on this. The mayor, Phillip Healey, and indeed Garry Thompson, a local councillor, have been very active on it, and Graham Watt is very active on supporting local public housing groups to get a better outcome, because they do not want to see a diminution in the amount of public housing. They are supporting local activist groups that want to see the area protected. This is in a sense a case study of where this government is going.

Melbourne 2030 was the Labor plan for increased density. It had some terrible outcomes around the city. In government, *Plan Melbourne* was our proposal for the city, and in parallel with that we put in protections not through all of the municipalities but through many municipalities in 2013 and 2014, Boroondara being one of them, where neighbourhood zones and general residential zones had proper protections. The neighbourhood residential zones, I think, are a critical aspect of this.

This new government has come to power. They have done *Plan Melbourne: Refresh*, and it is all about density. The 30-year infrastructure plan released by Infrastructure Victoria makes it tremendously clear where they are going. The draft version belled the cat on what is going on here, and the south and east of Melbourne, including Boroondara, where Markham is, will bear the brunt.

Densification, in Infrastructure Victoria's plan, is listed as the first objective for the next 30 years — densification. Not a better quality of life, not a better city, not a more livable city — none of that. It is densification, and the south and the east are singled out. Well, here we go. In the east we are going to force densification on this piece of public land, and we know that in parallel with this is VC110, the government's planning amendment released as part of the package of the *Plan Melbourne* so-called refresh. That VC110 has a number of serious consequences, including loss of the

neighbourhood residential zones. They remain in name only, the protections having been stripped out.

Let the community think about what this means. Matthew Guy's neighbourhood residential zones said, 'No. In these zones there will be areas where you can do more dense development and more intense development' — as there should be — 'but in these areas that need to be protected we will put an 8-metre height limit in and there will be a two-residence, two-dwelling limit on those properties'. The new government has said, 'No, no. They're all gone. We're going to make it a 9-metre height limit and unlimited dwellings on those properties'.

Think of some of those large blocks — and I know the planners are looking at this closely — where you can pack in four, six, eight, 10 or 12 intensely packed units. That is not what the community wants. That is not what the community has voted for. Mr Wynne has done this. Daniel Andrews has done it, and Andrews is on the record. The Minister for Public Transport has also made it clear that they are proceeding with a lot of these things. Near parts of my electorate enormous pressure is going to develop in some of these areas.

In the general residential zones the 9-metre height limit has been scrapped and 11 metres will be the height. That will guarantee the capacity to build three storeys. Huge areas of many of the suburbs in the east and the south and elsewhere are also at risk with this three-storey approach. This is again without consulting with the communities and without consulting with the local municipalities, who are largely strongly opposed to this. Very few people in those suburban areas want to see a street with a series of nice old established houses torn down one by one and three-storey behemoths built there.

The minister says, 'We're going to put some protections for site coverage in'. Let me say that in many cases these are now less than what is in place in the schedules to the zones that are in place now. They are going to be pulled out over a three-year period. The minister has flagged that. The loss of them will directly affect the areas around Markham estate, which are neighbourhood zones, many of them. They will see the loss of those protections, and that will see the densification of these areas.

In a further push the government is targeting air rights over many areas at the moment. There is nothing wrong with the sensible use of public land over rail corridors to build some significant structures, but it needs to be done in conjunction with councils, it needs to be done in a way that enables the community to have their input

and it needs to be done in a way that is consistent with local planning schemes.

There are at least two applications, and I believe there may be a third, in the wings along the corridor through the City of Stonnington. At 24 Chapel Street, Windsor, is a property which touches the railway line behind it, and clearly the developer seeks to use it for ingress and egress. They seek to build over the railway line there a 20-storey tower. The community, in my view, do not want that 20-storey tower there.

This is being driven by a value-capture approach. Again, there is nothing wrong with sensible value capture, and it should be used as a funding device to fund some projects where there is a spillover benefit on the use of public land or a major project. There should be some sensible attempt to capture that. But let me ask a question here for the community's consideration: how much of the value-captured money on that site — on 20 storeys — on public land in the City of Stonnington, abutting 24 Chapel Street, Windsor, will be supporting the local community? How much will be supporting open space in that community? How much will be supporting the new schools that will be needed? How much will be supporting the new health services that will be needed?

Those who were at the Public Accounts and Estimates Committee hearing the other day will have been amused at the minister — —

Mr Dalidakis — On a point of order, Acting President, the motion that Mr Davis is talking to — his own motion — mentions the province or the council area of Boroondara. It mentions the issue of Markham estate. Nowhere before us does it mention anything about Stonnington or any other municipality. I would ask you to draw Mr Davis back to his own wording. If he wanted to speak about other issues, he should have been more careful about the way that he worded them.

Mr DAVIS — On the point of order, President, you may well note clause 2:

recognises the legitimate desire of the local community to be consulted ...

I have gone to some length to draw parallels and examples that look at similar processes elsewhere. I note that this motion is about Markham estate but that it is also about the decisions of the Minister for Planning, it is about local consultation and it is about the super profits and the matters around these.

Mr Dalidakis — You are not Dennis Denuto; you have not put the vibe in there.

The ACTING PRESIDENT (Ms Dunn) — Order! There is no point of order. Mr Davis is the lead speaker. I am satisfied that it is reasonable as part of his contribution.

Mr DAVIS — In another neighbouring area — an area that the minister and I and Ms Pennicuik are all very familiar with — Ormond, which is in the City of Glen Eira, the government has proceeded with another value-capture approach.

Mr Dalidakis — Do you even know how to get there?

Mr DAVIS — I sure do.

Mr Dalidakis — By train?

Mr DAVIS — Yes, I do.

Mr Dalidakis — By bus?

Mr DAVIS — I do not know how by bus, but I have been by train many times, actually. I am not going to claim bus, but I will claim that I have been there many times by train. I know that line quite well.

Let me make the point here that in the case of Ormond, this I think is another emblematic example of the government's failure to consult with local communities. The community support the level crossing — in fact it was funded by the last government's level crossing removal — —

Mr Dalidakis — Just one.

Mr DAVIS — Ormond is the one that was funded there. I am talking about Ormond. Ormond was funded by the last government. It has been finished by this government. It is a rail-under-road solution, which is supported by the community.

Mr Dalidakis — Finished? You did not start it. You did not build it. You built nothing. That is why you are in opposition — because you built nothing, you did nothing, you stand for nothing.

Mr DAVIS — Let me say that I was health minister with \$4.5 billion worth of projects under management — —

Mr Dalidakis — That worked out well for the nurses and the ambos, didn't it?

Ms Shing — How did you go getting your paramedic agreement over four years while you were very busy doing nothing?

Mr DAVIS — We got 17 agreements but not the 18th. Let me be quite clear: on Ormond — —

Ms Shing — You were great in opposition, Mr Davis.

Mr DAVIS — I thought I was good in government too, and many others did too. Let me just say that in the case of Ormond — a level crossing supported by everyone, funded by the last government and completed by this government — the community looked out one day and discovered a huge concrete pad was being poured, a massive concrete pad. The individual who spotted it, and I will not name him — —

Mr Dalidakis — It was for Bronwyn Bishop's helicopter.

Mr DAVIS — No. He actually rang the council. The council knew nothing about it. This concrete pad is large enough to carry a 20-storey building.

Mr Dalidakis — Now you are scaremongering.

Mr DAVIS — Well, it is a fact.

Mr Dalidakis — You are scaremongering.

Mr DAVIS — You go and look at the documents and you will discover that yourself — a 20-storey building. Mr Dalidakis and I know Ormond well, and there is nothing even remotely near 20 storeys there.

Mr Dalidakis — I live there.

Mr DAVIS — Indeed, and you know there is nothing over five. What is the highest — —

Mr Dalidakis — The community is very happy.

Mr DAVIS — No, they are not happy with the tower.

Mr Dalidakis — The community is very happy.

Mr DAVIS — They are not. They are happy with the level crossing but not with the tower. This is a case study in how — —

Mr O'Sullivan interjected.

Mr DAVIS — Indeed. We had a planning forum the other day and there was the best part of 100 people there, and they were not happy with the tower, I can tell you — —

Mr Dalidakis — Out of a community of, what, 20 000, and you got 100 people to turn up.

Mr DAVIS — Well, there were 100 people there and lots of other communications too.

Mr Dalidakis — And how many of them were Liberal Party branch members?

Mr DAVIS — Well, many of the communications and many of the people there were not from Liberal Party branches — —

Mr Dalidakis — Just say how many of them.

Mr DAVIS — Very few. But let me be quite clear here: the community did not know about this, the council did not know about it and there was no consultation. They have built the concrete pad, and now they are saying, 'We want to build a 13-storey building there'. Well, the community does not want a 13-storey building in Ormond. The community were not consulted about that. The community are angry about that. If Mr Dalidakis thinks a 13 to 20-storey building is what people want, I think he is very, very out of touch. I think people want to see — —

Mr Dalidakis — Hang on. You got 100 people there.

Mr DAVIS — No. People want to see it properly mesh with the community. There are heritage-listed places on the west side of the station, and those communities were not consulted at all about the building of this pad. This is a government getting the planning process back to front. Instead of seeking proper approvals and seeking engagement and seeking consultation, it comes around the other way. It builds the pad first, and then it says, 'Oh, we can build a 20-storey tower here. How do you feel about a 20-storey tower?' They negotiate down a little bit perhaps; maybe they come down to 13. That seems to be what they are talking about at the moment, and I think the community is unhappy with that, and I think the community knows that this is not the right consultation.

Why are they doing this? Because of the value capture on the site. They have already off-laid the construction for that site, and they are getting a fee from developers. There is nothing wrong with a proper value-capture approach, but let us know how much. Let us know what share of that is going to the community. Let us know how that is going to be properly acquitted. I for one do not think Development Victoria, which has control of Markham and now control of the Ormond tower as well, will have a role in many of these processes on public land and on rail corridors. I for one do not trust Development Victoria to do this in a way that will — —

Mr Dalidakis — I will do a deal with you: if you sit down, I will not use my full 45 minutes.

Mr DAVIS — I have nearly finished, Mr Dalidakis. I wanted to make some points. I have been reasonably direct on all of this. What I want to say in conclusion is that this consultation with the community has been terrible. It needs to be improved, whether it is at Essendon, whether it is on the Frankston line or whether it is at Markham estate. The rally that was attended there was one attended by many, many people, and there was an enormous concern expressed by the community, by the council and by local MPs, and I again pay tribute to Graham Watt's advocacy on behalf of his community in the Burwood electorate — —

Mr Dalidakis — Who?

Mr DAVIS — Graham Watt. You may not know him, Mr Dalidakis, because you almost never visit Burwood. That may be a no-go zone for you in the Southern Metropolitan Region — —

Mr Dalidakis — Who is that? Do you have a picture of him so I can recognise him?

Mr DAVIS — You would, I think, if you looked on the parliamentary arrangements. You would discover that Burwood is an important part of your electorate that you should visit occasionally rather than bypassing it as you generally do. My point here is that this emblematic example of poor planning, poor process and poor consultation at Markham is something that the community is very unhappy about. We should not be compromising Gardiners Creek. We should not be packing in the density that is being proposed at Markham. We should not be overriding the local council in this particular case or in any case where the community ought to be fully involved. In this particular case I believe the government has made a serious mistake. I think the outcomes will not be as the community wants. It is, as I said, driven by one word: yield. This is the government trying to scoop back the profits — 'super profits' is the word that was used — and Mr Watt's successful FOI request on this matter shows exactly what is driving the government on this matter. Public land should be used in a sensible way. I am not opposed to sensible development on public land. On the contrary, I think you need proper processes and you need to share the outcome — —

Mr Dalidakis — How do you say that without laughing at yourself?

Mr DAVIS — Mr Dalidakis, I have been a long-term advocate for public land, as you would well know — —

Mr Dalidakis — Do not accept interjections, Mr Davis; they are unruly.

Mr DAVIS — No, but I am always happy to engage with people in this chamber, as Ms Pennicuik and others well know. In the context of the Greens I should put on record again my disappointment that they did not support the amendment in the Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016 that would have enabled local councils to have stronger control on public land development in their area. The words were ‘must have the approval of the local council’, and that would have been a much stronger position. It would have meant that an example like Markham estate could not have proceeded without the local council’s input and support. That, I think, was a fairer way forward, but we have the government riding roughshod. Minister Allan, Minister Wynne and others across this government are determined to damage our city and to misunderstand what is required in terms of consultation.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I thank Mr Davis for his worthy contribution — worthy of fiction, worthy of being called fanciful and worthy of tying up the time of this Parliament in a hypocritical motion in which he wants to talk about all things and all municipalities, except those which relate to what those opposite did. Given you, Acting President, afforded Mr Davis a great degree of latitude in his contribution, and given you allowed Mr Davis to talk about areas and municipalities that have absolutely nothing to do with his own motion, let me start from the top by talking about Fishermans Bend. Let me talk about planning as it occurred under the previous government, of which Mr Davis was a cabinet minister. He stands up today and tries to lecture those on this side of the house about good planning provisions, and yet Mr Davis was part of a cabinet that signed off on planning provisions that saw the following occur, and I quote:

In October 2014, CBRE commercial property director Mark Wizel estimated land values had increased up to 500 per cent since the rezoning.

In case you missed that, Acting President, let me just repeat it, because it is a very small number: 500 per cent. Let me say that again: 500 per cent. Because of the previous government’s rezoning in Fishermans Bend, land values went up 500 per cent. So when you, Mr Davis, stand before us on this side and try and lecture us about appropriate planning procedures, forgive me for thinking you are crying crocodile tears. Forgive me for suggesting that the members opposite are engaged in politics. God forbid that that is what this chamber is about — politics. But somewhere along the

line good, appropriate public policy should win out, and unfortunately those opposite would not know good public policy if it hit them in the head, if it fell from the sky or if it landed in their lap. If Mr Davis woke up one morning and it was standing next to his bed, he still would not know what good public policy was.

What we have before us is a Minister for Planning, the Honourable Richard Wynne in the other place, who has undertaken appropriate public policy decisions in planning each and every time. In fact can I just say that there are many colleagues of mine that I share a cabinet room with. Ms Tierney, who is sitting next to me, is of course but one. I share a cabinet room with every minister, and I can tell you: I have every confidence in every decision that Mr Wynne makes. The Honourable Richard Wynne, Minister for Planning in this government, has undertaken a range of decisions that actually benefit our communities. That is the test: does the decision that the minister has made improve our local communities — yes or no? Categorically I can say that in relation to Markham estate the answer to that is yes.

Now, before the minister right now is additional work that is being done, so the decision has not been finalised. In fact it might be fair to say that this motion is premature. I acknowledge that in Mr Davis’s contribution — his worthy contribution that was a fine work of fiction, but a contribution nonetheless — he has, I believe, put the cart before the horse. We are talking about the Markham estate public housing renewal and private housing development, as it is titled, and Mr Davis has moved a four-part motion. Given that I started with Fishermans Bend in highlighting the hypocrisy of Mr Davis I do find it amusing that he was able to deliver his somewhat interesting remarks without actually laughing. The Melbourne International Comedy Festival was back in March, and yet somehow Mr Davis hopes to revive it in mid-May.

Irrespective, let us move on to the motion, which states:

That this house —

- (1) expresses its grave concern at the lack of influence afforded to the neighbouring community over the proposed height and density of the Andrews Labor government’s planned intensification and overdevelopment of public land that was previously dedicated to public housing at the Markham estate in Ashburton ...

Grammatically that is a very long sentence — try and break it up next time. Either way, the point is that the statement is actually false — it is not true. Can I say that I myself, as a member for Southern Metropolitan Region, who shares the region with Mr Davis and also

Ms Pennicuik, who is currently present in this chamber, have met with the CEO and the mayor of the City of Boroondara on this very issue. They came to my electorate office in Bentleigh, which is just around the corner from Ormond, and met with me, and I discussed this issue with them at length. You know what they said to me? They said to me that they themselves had had a meeting with Minister Wynne, and they said it was a very good meeting. I am not putting words in their mouths. That is what they said to me — that their meeting with the minister was a very good meeting. I believe that the minister has taken into consideration both the commentary and the work that I have done as one of the local members, and of course he has listened to the feedback of the local community and indeed of the City of Boroondara. The minister is weighing up all of these contributions in the work that he is doing as the minister concerned with this issue.

If we look at point (1) of the motion, we agree almost unanimously that that is fanciful. If we look at point (2), Mr Davis has moved that he wants to recognise ‘the legitimate desire of the local community to be consulted’. There has indeed been representation from the local community, Mr Davis. I do not know whether or not you believe that consultation means ‘must listen to always’. If you believe that people who need to be consulted must be listened to always, I am kind of surprised at that, given that you failed to listen to the Australian Nursing and Midwifery Federation and Ambulance Employees Australia in relation to enterprise bargaining agreements when you were Minister for Health. Again it is ‘Do as I say but not as I do’, because you, of all ministers in the previous government, showed scant regard for consultation, you showed scant regard for dealing with stakeholders and you showed scant regard for trying to resolve issues.

In fact all you did was exacerbate issues. You exacerbated problems within your health portfolio. That might be one of the reasons why you are in opposition now, because you were not able to solve any issues by dealing with stakeholders in a very collaborative, very inclusive manner. All you wanted to do was attack the members opposite, who had a different point of view, and now what you are wanting to do is try and divide the community, who have been consulted. You are trying to divide the community, who have had representations. You are trying to divide the community for fear of being shown up once again as a member of a government in the 57th Parliament that did nothing. You stood for nothing, you did nothing, you delivered nothing and now you are complaining when we are getting on with the job of doing exactly that: delivering for local communities, whether it is in health, whether it is in education, whether it is in emergency services,

whether it is in public transport. It does not matter which area of public policy we want to have this debate and discussion about. In each and every policy, in each and every way, each and every day the government continues to deliver for the people of Victoria.

Does that mean to say that everybody is always happy with what we do? Of course not. We cannot make 100 per cent of the people happy 100 per cent of the time. Certainly I would faint if Mr Davis got up on his feet, made a point of order and objected because he thought we were delivering on what he wanted. I can tell you that if we were delivering on Mr Davis wanted, then he would be complaining about us all of the time because he would have nothing else to do, which is kind of what he does already.

He claims that the Ormond level crossing was their level crossing. I acknowledge that there was some money put aside in a budget under the previous government to do the level crossing removal at North Road — one level crossing. But they did no planning work for it, they did no tendering for it and they did no construction for it, so when we came to government what we said was, ‘Why would we just do one when in 1.6 kilometres you have the Centre Road, Bentleigh, station, you have the McKinnon Road, McKinnon, station and you have the North Road, Ormond, station?’. That is three stations within 1.6 kilometres.

What we said as a government was that it did not make sense to disrupt the train line and the community for only one level crossing. Do you know what we did? We did three; we did three level crossing removals — Bentleigh, McKinnon and Ormond stations. That is what we did, and that is not even including the very first level crossing that we did. Do you know where that was? That was also in our electorate of Southern Metropolitan Region; that was at Burke Road, Gardiner station.

Mr Davis interjected.

Mr DALIDAKIS — That is right. I am sorry. Mr Davis is claiming credit for something else that he did not do.

Mr Davis interjected.

Mr DALIDAKIS — I think somebody is talking. I cannot hear them.

Mr Davis interjected.

Mr DALIDAKIS — Again, a Liberal is taking credit for somebody else’s work. Oh my gosh, I am shocked. Again, four years of nothing being built,

nothing being constructed, no decisions being taken. Then of course we see Mr Davis talk about sky rail in his contribution. If Mr Davis wants to talk about sky rail, I am happy to talk about sky rail.

Let us talk about Rowville station. It was meant to be 17 metres in the air. Rowville sky rail, as proposed by the previous government. Do you know why it was not done? Not because they did not think it was a good idea and not because they thought sky rail was not a good idea. They decided not to do it because from a priority perspective there were other infrastructure projects that they wanted to deliver. The funny thing about that though was that there were no infrastructure projects they delivered. The previous government delivered nothing. They started nothing, they built nothing and they planned for nothing.

We have Mr Davis coming into this chamber trying to make a cheap political shot which is so poor that it is like he is shooting a gun with blanks — or, even better, he is shooting a gun that does not have bullets loaded into it. He gets up here and pretends that he is interested in good planning outcomes, and all he is interested in is spin. The words ‘public policy’ do not enter Mr Davis’s lexicon one bit. Not for one moment does Mr Davis care, have concern or have regard for good public policy. At the end of the day, politics might make the world go around, but for me and for everybody on my side politics is a means to an end, and that end is good public policy. There is no use playing politics with the hopes, the dreams and the aspirations of our community if we do not actually try and achieve something that makes our society, our community, stronger and better for each and everybody and for each and every generation that comes after us.

If the best that we can do is say that we played politics, that is a fail, Mr Davis. You need to be prepared to stand up and be counted. You need to be prepared to stand up and be something. You need to have a policy that you believe in, and you need to have some beliefs that you can share, that you can talk to and that you can try and engender some kind of support for in the community, not just simply say, ‘Oh my God, Markham estate is so scary’. That is not what politics is about. That does not engender support, nor does it try to engender the very best. In this place I still believe that this should be a race to the top, not, as Mr Davis suggested in his contribution, a race to the bottom. This should be a race to the top. We should each and every day want to make sure that the society we leave at the end of our time, whenever it comes, is one that is better than the one that we found.

If we return to Mr Davis’s motion, point 3 reads:

recognises that the City of Boroondara is best placed to be the responsible authority for any planning decisions affecting the redevelopment of the Markham estate ...

That is a very nice suggestion, but the fact remains that the City of Boroondara has had the opportunity to speak to me as the only local Labor member for Southern Metropolitan Region that covers Boroondara, and they have had the chance to make representations directly to the minister himself. What more do they want than to be able to speak to another local member who happens to be a cabinet minister, in myself, and also the minister that has direct policy oversight for Markham estate?

I think Mr Davis is being cute by suggesting that Boroondara is the only possible and the best placed authority to make a decision. After all, why have a department of planning if they do not have expertise that can look at these issues? Why have a Minister for Planning if he cannot make planning decisions at times when it is in people’s best interests?

I have not even got to the opportunity to direct attention to the issue of public housing. Do you know what? It will be a cold day in hell when I take advice from the Liberal Party about what is in the best interests of public housing, because again, as evidenced by the four long years when they were in government, I can tell you that very little was done in public housing — so little that in my next comment I will make a contribution about what the Liberal Party did in government about public housing. You need to be ready for this because it is going to be very quick. This is going to be the whole Liberal Party contribution for public housing in the 57th Parliament. Ready for it? It is now.

Okay. That was their contribution to public housing in the 57th Parliament. For the sake of the *Hansard* record, there was dead silence. I could not talk about public housing from the 57th Parliament because — guess what? — there was nothing to say. There was nothing to say about what those opposite did on public housing when they were on this side of the chamber in the last Parliament, because they did nothing. When they stand up and try to pretend that they are now the defenders of public housing in the state of Victoria, forgive me for thinking again that they are shedding some crocodile tears.

If we move along to paragraph (4) in Mr Davis’s motion, he also notes:

... the government intends to privatise the majority of the Markham estate redevelopment, realising what have been

described in government emails obtained under freedom of information requests as 'super profits' ...

That is just pure speculation by Mr Davis. He has gone on a fishing expedition and come up with nothing, so he does what Donald Trump does in the United States — he just makes things up. This is the new way.

This is the new way of the opposition, and we are seeing it more and more, day by day, week by week. We saw it last week when the Leader of the Opposition in the other place made remarks about the policy moves by the government to resolve the impasse in relation to the Country Fire Authority and the paid firemen and women in the service; Mr Guy lied about service numbers in comparisons between New South Wales and Victoria. We have seen it with the shadow Minister for Emergency Services, the man who has attempted to present himself as the next emergency services minister.

Mr Ramsay — On a point of order, Acting President, I appreciate I have only been in the chamber a short time, but I do have some understanding of Mr Davis's motion. I am at a loss to understand what the new proposed restructure for Victorian fire services has to do with Mr Davis's motion. I seek your guidance in relation to perhaps encouraging Mr Dalidakis to get back to the motion at hand.

Ms Shing — On the point of order, Acting President, it is very easy for people in glass houses to not learn from the fact that you should not throw stones. This has been a very wideranging debate. In fact we heard the contributions from earlier speakers from the opposition going to a huge number of issues. If indeed you are tempted to provide or inclined to provide some guidance in that regard, I would suggest that it would be appropriate that it applies to everybody and not simply one speaker or one particular side in this regard.

Mr Davis — On the point of order, Acting President, this is a broad motion and it has enabled people to speak on a wide range of related topics. However, emergency services is probably a bridge too far.

Mr DALIDAKIS — Just in response to the point of order by Mr Ramsay, Acting President, what I was effectively doing was drawing a parallel, which is the same reason that Mr Davis used in one of his responses to one of my points of order. He said he had deviated to reflect on a parallel in relation to the policy. That is what I was doing. I was reflecting on a parallel regarding the fanciful paragraph (4) of the motion. I was aligning it with conduct by the opposition that was indeed fanciful, and I was showing the chamber that in

fact they have a history of talking in public about things that are less than truthful.

The ACTING PRESIDENT (Ms Dunn) — Order! The debate has been very far reaching and wideranging. There is no point of order, but I will ask the minister to draw himself back to the essence of the motion before us.

Mr DALIDAKIS — Thank you, Acting President. Indeed I absolutely will do that. If I may, in keeping with your ruling, I will just finish on the point that I was making. I intend to move on very quickly thereafter.

The point that I was drawing to the house's attention is that in the last two weeks we have seen a situation where the Leader of the Opposition in the other place and the shadow Minister for Emergency Services have in fact made statements that were proven to be incorrect. I will give them the benefit of the doubt and not call them liars. I simply say that the statements were proven to be incorrect. What I am saying is, coming directly back to the motion before us, paragraph (4) is actually incorrect.

I am not suggesting for a moment that there has been bad faith by Mr Davis. Maybe one of his staffers who put the motion together did it incorrectly and got the wording wrong. The fact remains that the member opposite, when he had the opportunity to speak to the motion, was not able to speak to his own motion with any degree of substantiation. In fact I recall towards the end of his contribution it was more like Dennis Denuto from *The Castle*; it was more the vibe. He thought that maybe the vibe of consultation was poor. Maybe the vibe of the planning decision was not great. Maybe it was just the vibe, as was often so quoted by Mr Denuto in *The Castle* in his defence of his client before the High Court of Australia.

I am no lawyer, and that is a good thing. The world has enough lawyers as it is. I look to Ms Shing, who was a fine lawyer in her day. However, I look forward to the day that Mr Davis stands up and goes to the High Court to try to argue that the Markham estate decision is incorrect because of, well, the vibe. I will even pay my own way to go to the High Court to watch Mr Davis make that contribution and representation to our High Court. That is of course if the High Court chooses to hear Mr Davis, and it would be wise to do so because it is always fun to listen to Mr Davis's contributions.

On this particular occasion, sadly for those present, Mr Davis has missed the mark. He has missed the mark because in fact, as I have said, the government has gone to great lengths to consider the views of stakeholders.

The government has gone to great lengths to discuss the matter with both the mayor and the CEO of the City of Boroondara. Of course on the issue of social housing I note that my colleague Mr Leane is a big supporter of increased social housing. Part of his electorate of Eastern Metropolitan Region crosses over into Boroondara. Mr Leane was not present when I talked about being the only Labor member of Southern Metropolitan Region, of which Boroondara is a part, but, now that Mr Leane is here, let me acknowledge my colleague as being a Labor representative of Boroondara as well.

In doing that, let me say that indeed Markham estate was a shocking example of neglect in public housing. I acknowledge that Mr Ramsay is doing the best he can with the little that he has got to work with on that side in defence of the Liberal Party's record on public housing when they were in government. I think Mr Ramsay is doing a great job in trying to defend his side. Mr Ramsay is stoically defending his lot, and I admire him for that, but he has completely missed the mark.

The opposition are noisy now about public housing, but let me tell you, under the Liberal-National Party government — the 57th Parliament — when they happened to be sitting on this side of the chamber, again they did nothing. It is a bit much for them to have their Aretha Franklin moment and get up and go 'R-E-S-P-E-C-T', because they cannot spell the word and they do not know what the definition of the word is. They cannot possibly talk about public housing. They would not know what public housing is. As I said earlier, if my whole contribution today was about their record, it would have been me saying 'Hello, Acting President' and then sitting down. That would have been my contribution. But alas my contribution goes on, because it is not enough for me to be able to talk about the lack of the record on those opposite. It is also my duty to point out what we are doing in relation to the Markham estate.

I know that the President, who has just taken the chair, cares a great deal about public housing. Let me state that by 2015 many of the Markham estate's 56 dwellings had fallen into disrepair and were boarded up. Now, why is this time line so critical? Because when we came to government in November 2014 — on the cusp of 2015 — we did an audit of the Markham estate and found that 56 units were either boarded up or in a state of disrepair after four years of neglect by those opposite. A very inconvenient truth, but nonetheless a truth!

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Garvoc level crossings

Mr PURCELL (Western Victoria) — My question is to the Minister for Agriculture in her capacity as the representative in this house of the Minister for Public Transport. Wayne Johnstone runs a 1200-acre dairy farm in Garvoc and milks 700 cows. The family's farm straddles the Warrnambool–Melbourne rail line and has three train crossings, which are frequently used by his family, staff and also visitors. Despite Mr Johnstone contacting VicTrack in February, the crossings remain obscured by quite high blackwood trees and seasonal grasses, which grow up to 2 metres high at the places where you need to actually drive onto the track to see if a train is coming. I therefore ask the minister: will she assist Mr Johnstone to have the vegetation removed to avoid a potential fatal accident at these dangerous crossings?

Ms PULFORD (Minister for Agriculture) — I thank Mr Purcell for his question directed to the Minister for Public Transport. I note that the matter is very much seeking a response from Minister Allan on a specific parcel of land, so I will seek a written response from the minister for Mr Purcell.

Supplementary question

Mr PURCELL (Western Victoria) — I would just like to say to the minister, while she is doing that, that three months is quite a while to wait with this dangerous situation. I ask whether VicTrack do have a documented policy that stipulates these time frames.

Ms PULFORD (Minister for Agriculture) — I thank Mr Purcell for his supplementary question. I will seek a response to that matter from Minister Allan.

Seymour and Benalla schools

Mr YOUNG (Northern Victoria) — My question is for the Minister for Training and Skills, representing the Minister for Education. Nearly a decade ago the Victorian government launched a regeneration project that sought to merge primary and secondary schools in various towns to create one super campus, or P-12 college. These included places like Seymour and Benalla. Both were promised funding for each stage of the development, and stage 1 constructions on these projects commenced and then stopped. Successive governments have promised that funding would be forthcoming, but not one red cent has been allocated to continue and complete construction of either of these campuses. This year the 2017–18 budget has allocated

Seymour and Benalla a share, with 35 others, in \$12 million for planning. I have seen the plans of 2009 for Seymour's regenerated college campus and understand similarly dated plans exist for Benalla, so I ask the minister: why are we redrawing and potentially redesigning plans that already exist instead of just getting on with things and finishing the schools?

Ms TIERNEY (Minister for Training and Skills) — I thank the member for his question, which is directed to the Minister for Education. I note that he is talking about plans that were drawn up in 2009, and of course there was a change of government in 2010. I will convey your question to the Minister for Education, but obviously with there being a change of government and there being a change of demographics and population, they would be considerations that would be included in further deliberation on what needs to occur in your electorate in terms of school redevelopment.

Supplementary question

Mr YOUNG (Northern Victoria) — I thank the minister. I would also like to note that there was a change in government in 2014 but we still are facing the same issues. So my supplementary question is: what is the time line for completion of regeneration projects that were started nearly a decade ago but remain on hold?

Ms TIERNEY (Minister for Training and Skills) — I thank the member for his supplementary. Again that is a question for the minister. As I understand it, there is money that has been allocated for planning, and I am sure that he will provide an explanation as to what is envisaged in relation to the school communities.

Lobbyist code of conduct

Mr BARBER (Northern Metropolitan) — My question is for the Special Minister of State. Minister, I would just like to read you something from the federal code of conduct for lobbyists. At 10.1 it says:

The secretary shall not include on the register the name of an individual unless the individual provides a statutory declaration to the effect that he or she:

...

- c. is not a member of a state or federal political party executive, state executive or administrative committee (or the equivalent body).

This provision does not exist in your state lobbyist code. If it did, it may very well preclude people such as Mr Stephen Conroy and many others from being registered as lobbyists in Victoria. Can you tell me why this provision does not exist in the Victorian code?

Mr Finn — You're very close to Stephen Conroy, aren't you?

Mr JENNINGS (Special Minister of State) — Thank you, Mr Barber. Thank you for your entertainment, Mr Finn. The specific provision that the member has referred to I have not read recently as it relates to the commonwealth jurisdiction and how it articulates into the provisions of our code. I will go back and have a look, and I can probably provide Mr Barber with some response about whether it would make a significant difference to the codes that apply in Victoria in relation to lobbyists.

There have been a number of occasions where I have actively considered the appropriate structure of integrity matters, which has sometimes been met with a raft of legislative reforms in the Parliament. It will in the coming months in relation to the circumstances of parliamentary salaries and allowances. Certainly we are open to continual improvement and revision of the way in which we can provide accountability and integrity. I will have a look at that matter and respond to him accordingly.

President, in terms of policy, I may not be able to respond within 24 hours, but if I do not respond within 24 hours I will certainly give an undertaking to the chamber that this is a matter that I will actively reflect on and deal with appropriately.

Timber industry

Ms DUNN (Eastern Metropolitan) — My question is for the Minister for Agriculture. Given reports today in the *Weekly Times* that pine sawlog supplier Hancock Victorian Plantations (HVP) has negotiated to extend supply to Gippsland's Australian Paper should processor Carter Holt Harvey shut its Morwell mill, will the minister be amending the timber release plan downwards based on this new supply source to Australian Paper from plantation timber?

Ms Pulford — On a point of order, President, this goes directly to a matter that is listed for debate in general business this afternoon, so I seek your guidance on whether it breaches the anticipation rule.

The PRESIDENT — Order! The matter, as I understand it, that is listed for this afternoon is the one that Ms Bath gave notice of this morning. Can I have a copy of the question? In the meantime I will move on to Mr O'Donohue's question and come back to this matter once I have looked at it.

Ararat correctional facility

Mr O'DONOHUE (Eastern Victoria) — My question is to the Minister for Corrections. Minister, it was revealed at a Public Accounts and Estimates Committee hearing that the average cost per bed per annum for the new Ararat post-sentence facility for sex and violent offenders will be a staggering \$400 000-plus a year, each and every year. Can you confirm that these are the most expensive corrections beds in Australia?

Ms TIERNEY (Minister for Corrections) — I thank the member for his question. They are the figures that I have been advised will apply, and that is because this is for serious violent offenders and serious sex offenders. It is a whole approach to dealing with a very, very difficult cohort. The extra costs are largely in relation to the programs and the therapeutic services that need to be available to provide the best possible management and rehabilitation of those people that have offended.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) — Thank you for that answer. Minister, it is likely that most of these offenders will receive Centrelink benefits while residing at the facility. Given the staggering cost to the Victorian taxpayer per bed per annum, will you be requiring these offenders to partially offset this cost?

Ms TIERNEY (Minister for Corrections) — That has not been a consideration that has been dealt with, Mr O'Donohue. But can I say that I would have thought, given your deep interest in the Harper recommendations and indeed the need to get change in people's behaviour, particularly in this particular area, that you would have endorsed a whole approach, a proper and sophisticated approach, to case management to turn this very, very difficult cohort around. If you are telling me that you are not supporting the Harper recommendations or indeed the government's approach to dealing with such a complex and difficult cohort, then please advise the house now.

Timber industry

The PRESIDENT — Order! We will return to Ms Dunn's question. I am of the view that Ms Dunn's question is allowable and that it does not offend our anticipation rules. The minister is correct that there are a number of matters in regard to the timber industry that are canvassed by Ms Bath's motion, which is expected to be considered later this day. However, I think Ms Dunn's question does not in itself touch on any of the elements of that motion, notwithstanding that one of

the companies that is involved is certainly reflected in that motion. I do not believe that it breaches the anticipation rule on this occasion. Ms Dunn, could you repeat the question, please, for the minister.

Ms DUNN (Eastern Metropolitan) — Thank you, President. Given reports today in the *Weekly Times* that pine sawlog supplier Hancock Victorian Plantations has negotiated to extend supply to Gippsland's Australian Paper should processor Carter Holt Harvey shut its Morwell mill, will the minister amend the timber release plan downwards based on this new supply source to Australian Paper from plantation timber?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her question and her interest in these matters. As I assume Ms Dunn knows, the Hancock plantation is softwood. The timber release plan relates to the management of hardwood and the state's own resource as distinct from a resource held by a private company, for which, as it happens, I do not have the same level of oversight as I do the management of the state's own resources. I see no connection in the way that Ms Dunn does in these matters. It takes hardwood and softwood to make paper, and so the answer to Ms Dunn's question is no.

Supplementary question

Ms DUNN (Eastern Metropolitan) — Thank you, Minister. Can the minister advise what impact this new wood supply from HVP — plantation timber — will have on compensation payments made to Australian Paper due to the failure to supply native forests under current arrangements?

Ms PULFORD (Minister for Agriculture) — I thank Ms Dunn for her further question. Ms Dunn does I think understand these matters better than sometimes she likes to let on when she raises these questions in the Parliament. They are entirely different types of timber from different sources with different management arrangements in place and different ownership arrangements in place. I know Ms Dunn is seeking to take two and two and get five or eight or whatever. The arrangements between HVP and their customers are a matter for HVP and are not particularly a matter for government administration other than our ordinary level of interest in the strength and viability of significant employers like Australian Paper in the course of our obviously strong interest in the welfare of the people who are still employed by Carter Holt Harvey, a company that has had to make a very unfortunate decision, a very regrettable decision, as a result of 7 million trees being burnt down by fire.

Youth justice system

Ms CROZIER (Southern Metropolitan) — My question is to the Minister for Families and Children. Minister, I refer to the Malmsbury riot and subsequent escapes on 25 January 2017. At approximately 1.15 p.m. that day youth justice workers became aware that one of the clients was talking about a potential riot. The Department of Health and Human Services safety emergency response team (SERT) attended yet left after only 15 minutes. Why did the SERT team, who have specific responsibility to address incidents of violent or disruptive behaviour, leave the location minutes before a riot actually occurred?

Ms MIKAKOS (Minister for Families and Children) — I thank the member for her question. I can assure her that our government has put in place a range of additional resources in our youth justice facilities to respond to these issues, and what Ms Crozier may not be aware of is that in fact from late last year our government has been putting in place experienced Corrections Victoria managers to run these facilities and also experienced tactical operations staff from Corrections Victoria, the security and emergency services group (SESG). So in fact the SERT staff at our youth justice facilities are not the only tactical operations staff at these facilities. In fact there are also experienced corrections staff from the SESG who have been given the legal authority to deploy capsicum spray and to use other measures to be able to quickly resolve these particular issues.

I have advised the house previously that our government has asked the former Chief Commissioner for Police, Neil Comrie, to review this specific incident, and I will very soon be receiving his final report into this particular incident. But what I can say to the house is that the conduct that was engaged in on that day was absolutely deplorable. It was appalling, and in response we have put in place a range of measures to address these issues. Apart from additional staff at our youth justice facilities — bringing in, as I said, more tactical operations staff at our youth justice facilities — we have also put in place a record youth justice budget in our state budget this year that includes upgrades to the Malmsbury youth justice facility, including the secure part of that site commissioned by Mary Wooldridge that has been subpar, and we are needing to go in and make sure it is secure and that we can properly contain these young offenders.

The other point I would make to the member is that since this particular incident occurred Victoria Police have in fact laid more than 150 charges and 27 young offenders will be facing the courts in response to this

particular issue. And most importantly Ms Crozier seems to have ignored the fact that just today the Attorney-General and I have made a number of announcements in relation to how we are responding to these particular issues, including — —

Ms Crozier — On a point of order, President, my question was very specific, and I would ask you to bring the minister back to answering the question.

The PRESIDENT — Order! The minister has actually indicated that she is about to receive a report which would explain the answer to that question. Minister, to finalise your answer.

Ms MIKAKOS — The member needs to be aware that just today the Attorney-General and I have been out discussing the legislation that we have brought into the Parliament today that will see the toughest ever consequences for young offenders who assault our dedicated youth justice staff, and this includes very serious consequences for both those who are under 18 and those who are in the dual-track system. In addition to this we are legislating to double the penalties for those who escape or attempt to escape and to increase penalties as well for those who induce someone to escape, as well as a range of other offences. So despite the crocodile tears from the member opposite and despite escapes that occurred under Mary Wooldridge's watch and assaults on staff, they did nothing to address these issues. We are going to legislate to make this right.

Supplementary question

Ms CROZIER (Southern Metropolitan) — Minister, shortly after the SERT team's departure at 2.15 p.m. a youth justice worker was assaulted and had his lanyard and keys stolen. This led to young offenders accessing a secure office, damaging property, freeing others from their units and then escaping. Why was your SERT team not managing the escalating violence and rioting — the exact job they are trained to do — or do you not know?

Ms MIKAKOS (Minister for Families and Children) — We have got the shadow minister coming in here, but I should point out she is not the shadow minister for youth justice, because Matthew Guy has given that responsibility to Mr O'Donohue, so she just comes in here and asks questions about something that she will never have responsibility for. What we are seeing is her coming in here and actually attacking our staff now, denigrating our dedicated youth justice staff — —

The PRESIDENT — Order! Minister, before I take the point of order I remind you that I do not like people pointing at me. I know you were not, but you should have been in the sense that I have requested you to frame your answers through the Chair. I am happy to hear the answer coming through the Chair, but I ask you to desist from pointing, because it is provocative. It just raises the temperature.

Ms Lovell — On a point of order, President, I believe you have addressed my point of order. It was to be about the minister debating rather than answering through the Chair and her aggressively pointing at the shadow minister across the chamber.

The PRESIDENT — Order! I think we have dealt with that.

Ms MIKAKOS — I think it a serious matter when the member comes in here and seeks to score political points by actually attacking the professionalism of our dedicated youth justice staff. We are putting in place a range of measures. I have commissioned an independent review of this specific incident, and we will act on those recommendations. We are fortifying and strengthening Malmsbury. We have put in experienced managers and tactical operations staff and given them the weapons that they need to deal with these issues, rolling out better training — —

Honourable members interjecting.

Ms MIKAKOS — Yes, we have, and we have put in place a range of measures, including fortifying and strengthening those facilities.

Youth justice system

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Minister for Families and Children. Minister, you have had three court cases — in the Supreme Court, the Court of Appeal and the Supreme Court again — regarding young offenders in the Grevillea unit. Now that the cases have concluded, what are the total legal costs to the department of the proceedings for all three cases?

Ms MIKAKOS (Minister for Families and Children) — I thank the member for her question. We have defended legal proceedings brought by others. This was not legal action initiated by the government; it was in fact initiated by other parties. The government defended it because we did face 60 beds lost in November by deplorable conduct that was undertaken and we had to take the measures that we took to put in place temporary beds — —

Ms Crozier interjected.

The PRESIDENT — Order! Ms Crozier, if you wish to have any further questions today, please desist from interjections now.

Ms MIKAKOS — We did make decisions that we were left with no choice but to make. We did not take these decisions lightly, but we needed to put in place measures to accommodate these young offenders safely and securely. What I can say to the member is, as I have indicated publicly to date, that the time period by which the government could commence an appeal in relation to this judgement has not yet elapsed, so the matter has not concluded at this point in time. There is no final figure at this point in time for legal costs, but obviously this matter will be publicly accounted for in the usual manner, which is through the department's annual report.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) — I think it is wholly unacceptable for the minister to say that she will not respond to a question in this house and refer us to an annual report to be published at a future date which may not answer the question. Minister, the Andrews government has disclosed the cost of a number of cases in this chamber in relation to the cost of those legal proceedings, whether it is Labor's rorts on the legal fees to challenge the Ombudsman, whether it was the investigation into former minister Mr Somyurek and so on. So I ask you again: for the three cases that have occurred and been concluded, what are the total legal costs to the department of these? You need to answer in this house, and if not, why will you not provide that information to the house, consistent with what has been provided in similar circumstances?

Ms MIKAKOS (Minister for Families and Children) — The member has essentially asked me the same question as her substantive question, and it is pretty galling that Mary Wooldridge, of all people, would have the temerity to ask this question, because if she actually had acted on the master plan she commissioned we would not have been put in the position that we were, in that we would not have had the situation that occurred in November. If Mary Wooldridge had not sat on her hands for four whole years, we would not have had Parkville damaged — —

Ms Wooldridge — On a point of order, President, as you know, under standing orders it is inappropriate to attack anyone in this chamber in relation to a question. I understand the minister may want to hide

the extensive costs of these, but I ask you to bring her back to the very specific question in relation to the costs and why she will not disclose them to this house.

Ms Shing — On the point of order, President, in raising her substantive question the representative from the opposition has referred in fact to a number of matters that have opened the door for debate, and in this regard the minister is perfectly within her rights to respond to the provocation in the preamble.

The PRESIDENT — Order! Good point. I was actually inclined to perhaps take a slightly different tack to what Ms Wooldridge had raised as her point of order, and that was that the minister was debating. But, Ms Shing, you do remind me of the preamble, and I think you are probably right.

Ms Shing — Yes! I am going to write it down; let *Hansard* reflect that!

The PRESIDENT — Order! It might not happen often.

Ms Shing — It will never happen again.

The PRESIDENT — Order! On this occasion I will not rebuke the minister, but I would indicate to the minister that the question was fairly specific. I also agree with you, or some interjections from the other side, that there was an aspect of the supplementary question that sought to re-engage on the substantive question, but it did then go on to say, ‘Why would those figures — the progressive costs — not be released at this point in time?’, and I think that is the matter that I would be keen for the minister to address.

Ms MIKAKOS — President, I have gone and checked the Liberal Party’s tweet about the question that was asked, and it was not actually a running total to date.

An honourable member interjected.

Ms MIKAKOS — I am doing it in real time; yes. It was not in relation to the progressive total; it was the total cost of proceedings for all three cases. As I have indicated, the matter may not be concluded. I have indicated to the house how the matter will be reported in due course, but I make the point to the member that her own leader has indicated — finally, after six whole months — that he supported these young offenders being put into Grevillea. So is Ms Wooldridge saying that she would not defend these legal proceedings — that the coalition would not defend these legal proceedings?

The PRESIDENT — Order! Thank you, Minister.

Melbourne Youth Justice Centre

Ms CROZIER (Southern Metropolitan) — My question is again to the Minister for Families and Children. Minister, just last month the Department of Justice and Regulation testified that the earliest young offenders could be housed back in the damaged Parkville units could be August or September, due to extensive commissioning processes of custodial facilities. Can you assure the house that all the requirements to ensure the facilities are secure, fit for purpose and appropriate for use have been undertaken?

Ms MIKAKOS (Minister for Families and Children) — I can assure the member that of course my department planned for various contingencies in relation to the legal proceedings. They ensured that there were contingencies just prior to the decision being handed down, and one of the units was able to be commissioned and made available just prior to the decision being handed down.

Obviously the timing was not our preferred timing. Ideally we needed a few more weeks for stage 1 of the Parkville strengthening works to be completed, and this work in terms of stage 1 is only a few weeks away. I anticipate that that work will be completed in a matter of two to three weeks, and of course my department has taken the steps to ensure that this particular unit is secure.

I went and had a look at the unit after it was commissioned and in fact had a look at all of the works that have been going on at Parkville. Parkville is a very different place to what it was when Mary Wooldridge was the minister. We have put considerable fortification works into the accommodation units. We have acted on the advice of former Chief Commissioner of Police Neil Comrie in terms of the fortification works that have been put in place, as well as additional fencing that has been put into this facility.

Supplementary question

Ms CROZIER (Southern Metropolitan) — Minister, specifically have all units at the Parkville youth justice centre, where young offenders are housed, had the required fire safety testing undertaken, such as smoke alarms, sprinkler systems and fire extinguishers?

Ms MIKAKOS (Minister for Families and Children) — I will obviously seek an assurance from my department that all of that work was undertaken, but of course as part of the commissioning process the department has ensured that all the requirements have

been undertaken, whether it goes to fire safety regulations or other matters. There are of course procedures that exist in relation to these issues, but I will provide the member with a written response in relation to the specifics.

Youth justice system

Ms CROZIER (Southern Metropolitan) — My question is again to the Minister for Families and Children. Minister, Brendan Murray said this week on Melbourne radio that, and I quote, an ‘internal selection process’ was undertaken to select those young offenders who were chosen to go to the Grevillea unit at Barwon Prison following the worst riots in Victoria’s youth justice system at Parkville over the 12 to 14 November 2016 period. Could you detail what the internal selection process was?

Ms MIKAKOS (Minister for Families and Children) — I thank the member for her question. Yes, there was a panel established that had representatives on it from the management of the youth justice facilities, it had the Department of Health and Human Services professional practice representative on it and it had the involvement of staff from our mental health services in these facilities as well. So this was designed to ensure that there were a range of considerations given in terms of the selection of the offenders so that the legislation was complied with as well as the requirements of the charter of human rights. There was a very diligent process followed in relation to these transfers, and there was very extensive evidence given in the various legal proceedings about how this process worked.

Supplementary question

Ms CROZIER (Southern Metropolitan) — Minister, in the same interview Brendan Murray said that some young offenders who were involved in the riots did not go to the Grevillea unit. So I ask: how many of the young offenders involved in the 12 to 14 November riots at Parkville were actually removed to the Grevillea unit as a result of their involvement?

Ms MIKAKOS (Minister for Families and Children) — The member fails to understand that a very significant number of young people in our youth justice facilities are actually on remand, and as Grevillea was used for remandees obviously that meant the population cohort of offenders fluctuated and changed over time in terms of both numbers and the individuals who have been accommodated at that unit. But what I can say to the member is that there were young offenders involved in that incident who were

sent to Grevillea. In fact at the time that the court handed down its most recent judgement and we had to comply with the court’s order in terms of transferring offenders out of Grevillea, about half of the offenders present at Grevillea were directly involved in the November incident.

QUESTIONS ON NOTICE

Answers

Mr JENNINGS (Special Minister of State) — I have answers to the following questions on notice: 7638, 7670–3, 10 182, 10 977–8, 10 981, 10 997, 11 043.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! On the basis of today’s questions, in relation to Mr Purcell’s question to Ms Pulford, Ms Pulford indicated she was happy to provide a written response, because it involves a minister in another place, to both the substantive and supplementary question; that is two days. Mr Young’s question to Ms Tierney, both the substantive and supplementary question, again Ms Tierney was representing a minister in another place, so that is also two days. Mr Barber’s question to Mr Jennings, the substantive question, is one day. I do note the Leader of the Government has indicated that it is a matter he will follow up, but whether or not the response will be comprehensive in the one-day period will depend on what he finds. In regard to Ms Crozier’s first question to Ms Mikakos, the supplementary question, that is one day.

In regard to Ms Wooldridge’s question to Ms Mikakos, I will allow the minister to consider whether or not she can provide a progressive figure in respect of those legal costs by a way of a written response. But in reading the question I agree with the minister that the question was premised on the fact that all these matters were concluded, and that was specifically the question, and as the minister did answer in her substantive question and did refer to in her supplementary question, there is the prospect of an appeal, which means that all of the matters are not actually concluded. So from that point of view it would really depend on the interests of the house being served and the goodwill of the minister as to whether or not a progressive figure can be provided in a written response; that is one day for the substantive.

Ms Crozier's second question to Ms Mikakos, the supplementary question, one day; and Ms Crozier's third question to Ms Mikakos — again, the supplementary question — one day.

Ms Mikakos — On a point of order, President, I am seeking your guidance in this matter, because effectively your ruling is suggesting that ministers now need to provide answers to questions that were not actually asked in question time. I am concerned about the precedent of this because I have frequently had situations where Ms Crozier has not perhaps articulated the question in the way that she may have intended or wanted to pose it, and somehow I am required to gaze into a crystal ball and work out what it was that she really meant to ask me.

As I indicated in an earlier point of order, I did actually go and check the question that was posed by the coalition's tweet simultaneously, and the question that was asked of me did not actually concern the matter that you are now directing me to provide an answer on.

The PRESIDENT — Order! On this occasion I am actually not directing you. What I tried to say was: will you consider providing a written answer on the progressive costs? But I absolutely agree with you that the way the question was framed it referred to the conclusion of the matters, and I agree that you informed the house that the matters were not concluded because the prospect of an appeal had not yet been determined. So in the technical sense I think you are absolutely right; the question was fairly dealt with by you. What I have done is invite you to reflect on whether or not it would be possible to provide some progressive costs, but I do emphasise that I am not directing you on this one.

Mr O'Donohue — On a point of order, President, I seek your guidance in relation to my substantive question to Minister Tierney in relation to the \$400 000 per annum beds being the most expensive in Australia. This is information, I would submit, that the minister would have at hand or that the corrections commissioner would have at hand, and she did not respond to the actual question.

The PRESIDENT — Order! On consideration I will allow the substantive question to be subject to a written response, and that is one day.

Ms Pennicuik — On a point of order, President, I have an outstanding question on notice from December last year for the Minister for Police via the Minister for Training and Skills, question 10182. I have made calls to the office et cetera, and it still has not arrived.

The PRESIDENT — Order! Ms Tierney, you do not specifically have an awareness of that question?

Ms Tierney — No, I do not.

The PRESIDENT — Order! But you will follow up?

Ms Tierney — Of course.

CONSTITUENCY QUESTIONS

Western Metropolitan Region

Mr EIDEH (Western Metropolitan) — My constituency question is for the Minister for Roads and Road Safety, the Honourable Luke Donnellan. I congratulate the minister on his commitment to improving the roads in Western Metropolitan Region and also the government more broadly on its commitment to rid our suburbs of the debilitating scourge of level crossings and their negative impacts upon local traffic flow.

My electorate office has recently been approached by many concerned constituents about a significant road safety problem in Western Metropolitan Region, and that is the Calder Park Drive and Calder Freeway intersection. All city-bound traffic merging from Calder Park Drive onto the Calder Freeway has to engage in dangerous road manoeuvres to cross lanes and make a U-turn and then merge with traffic on the other side of the freeway, which involves its own inherent risks. I have experienced this dangerous intersection, and I can understand why many of my constituents are concerned about their safety and the safety of their families and other road users. My question is: can the minister or his department investigate this dangerous intersection and report back what can be done to prevent any future tragedies occurring there?

Eastern Metropolitan Region

Ms WOOLDRIDGE (Eastern Metropolitan) — My constituency question is for the Minister for Planning, and it relates to the government's recently announced changes to the refreshed *Plan Melbourne*. The new plan will mean there will no longer be a cap on how many dwellings can be built on a block of land, and it will mean increased height limits. There are fears that these changes will result in inappropriate developments and increased density in the cities of Banyule and Nillumbik, which are in my electorate. I ask: how will the minister ensure that the green lungs of Melbourne, including important areas in Banyule and Nillumbik, are protected from unwanted and unwelcome overdevelopment in these suburbs?

News of these changes has particularly concerned Eltham residents, who often enjoy larger blocks which have limited dwelling development. The revised measures are nothing more than a push to force increased density onto local communities. Many Nillumbik and Banyule residents are very concerned about this, and I ask the minister how he will protect against unwanted overdevelopment.

Western Metropolitan Region

Ms HARTLAND (Western Metropolitan) — My question is to the Minister for Roads and Road Safety, Luke Donnellan. There is no safe access to the bus stop at the intersection of Perth Avenue and Ballarat Road in Albion. This bus stop is serviced by the 215, 216 and 456 routes. The bus stop on the north side of Ballarat Road at Perth Avenue is the only bus stop serving the main part of Albion, with access from the south side of Ballarat Road. Accessing this bus stop requires pedestrians to cross many lanes of traffic, travelling at legal speeds of 80 kilometres per hour, without the help of traffic lights or a pedestrian crossing. My question is: when will the minister authorise the installation of a pedestrian crossing at Perth Avenue?

Northern Victoria Region

Ms LOVELL (Northern Victoria) — My question is to the Minister for Police, and it is regarding her upcoming visit to the Shepparton electorate. As the minister is aware, the Tatura community has for some time expressed its collective concern surrounding a lack of local police and growing levels of crime in the community. Tatura residents simply do not feel safe in their town.

There has been an increase in local crime rates over the past two years — Tatura has experienced a 49.8 per cent increase in crime — and the community has had to endure a spate of antisocial behaviour, hoon driving, home break-ins and business burglaries, including an armed robbery at Hill Top Golf and Country Club in December last year and a violent offender at the Tatura sports stadium, which resulted in community members having to lock the stadium down to protect children inside.

The minister has confirmed she will be visiting in June. During this visit the minister should meet not just with local police but also with the Tatura community to hear their concerns firsthand. My question is: will the minister convene a public forum to allow Tatura residents to express their concerns directly to her?

Eastern Victoria Region

Ms SHING (Eastern Victoria) — The question that I have today is for the Minister for Industry and Employment, Minister Wade Noonan, and it relates to a number of job losses in and around the Latrobe Valley, in particular those at Carter Holt Harvey as a consequence of its intention to close the Morwell softwood plantation operation. Whilst discussions are ongoing in relation to deployment of as many of those staff as possible to other operations throughout Victoria and minimising the impact upon workers and their families, the question I have for the minister is: to what extent can and will the Latrobe Valley Authority's support services and transition work be available to workers and their families from Carter Holt Harvey's workforce and communities, and how can the workers displaced by any closure that may come to pass be recognised in other projects as far as job creation is concerned throughout the greater Latrobe Valley region?

South Eastern Metropolitan Region

Mrs PEULICH (South Eastern Metropolitan) — My constituency question is for the Minister for Finance, the Honourable Robin Scott, in his capacity as the minister responsible for WorkSafe. The state government has failed to take responsibility and help fund the asbestos clean-up of the Victorian government's \$2 million kindergarten project at Glenola Road in Chelsea on Department of Education and Training land at Chelsea Primary School after it was found that the site was contaminated with asbestos-ridden soil.

As part of the works, asbestos-contaminated soil was excavated from the site and was subsequently dumped at a playground in Chelsea. It was reported in the local paper that children were found playing in it. Apparently there was an investigation undertaken by the City of Kingston. That report has not been released. I call on the Minister for Finance, the minister responsible for WorkSafe, to instigate an independent inquiry into the excavation of asbestos-contaminated soil from Department of Education and Training land and its dumping at a Chelsea site to find out exactly what went wrong and who is responsible for helping ameliorate the costs ratepayers are incurring.

Eastern Metropolitan Region

Mr LEANE (Eastern Metropolitan) — Yesterday I had a conversation with the people who lead the Heatherdale Community Action Group. They are very pleased that one of the signs from Heatherdale station

went to one of the local kindergartens, something that they had been advocating for. The question they want me to ask the Minister for Public Transport is whether there is some other memorabilia around that particular project that the Level Crossing Removal Authority may have their hands on. My constituency question is: would the Level Crossing Removal Authority be prepared to discuss what they have with the Heatherdale Community Action Group, as the action group is interested in it?

Southern Metropolitan Region

Mr DAVIS (Southern Metropolitan) — My constituency question is for the attention of the Minister for Public Transport, and it relates to airspace over rail corridors in Southern Metropolitan Region. I have been confidentially provided with figures by a source and am seeking clarification from the minister and confirmation of those figures or else the release of the exact figures. The figures I have been provided with are for the Ormond sky tower, a \$9 million consideration which was paid for the air rights over the tower and the concession associated with that location. That is in Ormond over the railway station that has been built. For the Osborne Street site in Stonnington, the figure was \$2 million, and for 24 Chapel Street, Windsor, I have heard a figure of \$4 million. Will the minister confirm those figures or release the exact figures?

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is for the Minister for Public Transport. Last Sunday I was among hundreds of angry locals who rallied on the corner of Buckley and Rose streets in Essendon to protest the Andrews government's plan to divide the suburb with a dirty great trench. Danny Pearson, the member for Essendon in the other place, has entirely deserted his constituents on this issue and was nowhere to be seen last Sunday morning. The government's plan will rip the heart out of Essendon, and locals are furious that they are being ignored. Given that Mr Danny Pearson and Mr Ben Carroll, the member for Niddrie in the other place, refuse to properly represent their constituents, will the minister take heed of the Essendon community's concerns and put the Buckley Street level crossing removal on hold until such time as those concerns can be properly addressed?

Western Victoria Region

Mr RAMSAY (Western Victoria) — My constituency question is for the Minister for Public Transport. Is the minister aware of the delays in the

construction of the Princes Highway west duplication, a joint-funded road upgrade to this road corridor? Farmers near the midsection of the works underway between Winchelsea and Colac had an arrangement with VicRoads to provide soil for the road and overpass construction. They advise me that they are now not able to do so due to a VCAT challenge by an adjoining farmer, suggesting that an extraction licence be required for the soil to be provided by adjoining landholders. Traditionally landholders who have provided soil for VicRoads' road construction receive water storage as payment. Notwithstanding the fact that this adjoining farmer is seeking a planning permit for an extraction licence himself, the impact of this tit-for-tat power play is in danger of stalling a \$363 million road project, which could cause a significant blowout in costs and delay completion of the road, which is due by mid-2019.

MARKHAM ESTATE REDEVELOPMENT

Debate resumed.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I will seek to finish and finalise my contribution by lunchtime in order to continue to progress debate and discussion. What I would like to do for the remaining 5 or 6 minutes is again talk through a number of the areas in direct relation to Mr Davis's motion, a motion that I was at pains to point out the hypocrisy of prior to the interruption of question time. Again, may I just very quickly point out that in 2015, when we came to government — and this is not political pointscore; this is just simply the fact of the matter — —

Mr Finn — That is all you ever do. You do not know how to do anything other than political pointscore.

Mr DALIDAKIS — Do you want me to continue on for 33 minutes after lunch or do you want me to finish now? You choose.

Many of the 56 dwellings of the Markham estate had fallen into disrepair and in fact had been boarded up. When we came to government we wanted to do something about that. In fact the Department of Health and Human Services (DHHS), given the parlous state of the dwellings, had to relocate 14 tenants from the site to suitable alternative housing prior to the demolition of the public housing units, which was completed by February 2016, such was the state of neglect they were in.

Mr Davis made an allegation that there was a lack of consultation with the community. I wish to point out, as I indicated earlier, that that is simply not the case. As I indicated to the chamber earlier, I met with both the CEO and the mayor of Boroondara. The Minister for Planning met with the CEO and the mayor of Boroondara. Development Victoria prepared concept designs for the proposed redevelopment on behalf of DHHS. The engagement program was developed to allow for the views of local residents and stakeholders to be sought and understood. In October and November 2016 there was an engagement program that included community information sessions. There was a letterbox drop to residents in the immediate vicinity of Markham estate, and there was also advertising in local media as well as online engagement. There was consultation between the Office of the Victorian Government Architect and again Boroondara City Council in order that stakeholder consultation be undertaken at each and every opportunity.

I just want to point out — because this is sometimes lost not just on the opposition but also at times on our side — that we need to be careful to not conflate the idea — —

Ms Pennicuik interjected.

Mr DALIDAKIS — There was consultation, Ms Pennicuik. We must be careful not to conflate consultation with tacit approval and agreement to what is asked for and requested. They are not one and the same. What we have done of course is look to increase the number of public housing units from 56 to 62. That is absolutely an increase of nearly 15 per cent of occupancy from what was there when we came to government.

More has to be done. This government understands that public housing is in short supply and in huge demand. We need to do more, and we need to build more one and two-bedroom units because that is where the demand is. In fact, President, let me tell you that over 70 per cent of our waitlist for public housing is in that one and two-bedroom category, so you can see that we need to try and address the desperate need in that area.

The development agreement with Development Victoria ensures that if there are any profits from the sale of private units that profit will be reinvested to fund further public housing. So in fact this is not some big scandal, as Mr Davis was suggesting — not some kind of ‘super profit’, which were the words he used. This is about trying to create private sector capacity from public housing — to reap some profit value or maximise the return from taxpayer investment and then

reinvest that money so that we can create new public housing in other parts of the community — not just in metropolitan Melbourne of course but across rural and regional Victoria, where there is also a significant need.

I want to make sure that I sum up appropriately. It is important to point out why I said earlier that I believe that Mr Davis’s motion is premature. As I pointed out, no decision has yet been made by the Minister for Planning, the Honourable Richard Wynne. Having a motion before this chamber that pre-empt a decision by the minister means that we are trying to subvert the course of decision-making and maybe somehow inappropriately try and influence the minister in that decision-making. Again, for the benefit of the chamber and for the benefit of those listening, wherever they may be — and this is recorded forevermore in *Hansard* — at this point in time, as we debate Mr Davis’s motion 351, the Minister for Planning has not yet made a decision. The Minister for Planning has said that he will continue to consider state and local planning policies as well as the views of the council and the community on the proposal.

Let me also state very clearly that as the Labor representative in Southern Metropolitan Region — as the only Labor representative in Southern Metropolitan Region — I continue to engage with stakeholders, whether they be the council or local community activists. I also continue to make representations on their behalf to the Minister for Planning so that we can see a just and appropriate planning decision in relation to the Markham estate that increases public housing availability from what we inherited and does so in a way that is respectful to public housing residents but that also provides for value capture to ensure that any profits derived get reinvested into other public housing, given the huge demand that exists.

Sitting suspended 1.01 p.m. until 2.04 p.m.

Debate adjourned on motion of Ms PENNICUIK (Southern Metropolitan).

Debate adjourned until later this day.

EDUCATION POLICY

Dr CARLING-JENKINS (Western Metropolitan) — I look forward to presenting my motion to the house this afternoon. I move:

That this house —

(1) notes —

- (a) the United Nations Declaration of Human Rights (1948) Article 26(3) states that ‘Parents have a

prior right to choose the kind of education that shall be given to their children’;

- (b) the government has limited this right by failing to sufficiently consult parents in the implementation of the Safe Schools and respectful relationships programs in Victorian schools and early childhood education;
- (c) imminent changes to home education regulations are being pursued without sufficient parental consultation;
- (d) ongoing parental concerns with these programs and regulations as they roll out have largely been ignored;

(2) affirms —

- (a) the rights of parents to freely choose their children’s education; and
- (b) these rights should be supported and not inhibited by the state.

This is a very simple motion which simply seeks to affirm the right of parents to freely choose their child’s education and affirm their right to be supported, not inhibited, by the state. This is a basic principle for a just and civil society. This is about each individual family taking personal responsibility for their own. This is about each individual family being empowered to do so, rather than restricted.

It is a difficult age in which to bring up children, with access to unfiltered internet, which is bringing pornography into our children’s minds from a young age, and with an increase in cyberbullying with disastrous consequences. Our societies are more fragmented than they used to be, and families often feel the task of child rearing is an isolated one. We should in this environment be seeking to connect with families rather than further segregating and indeed judging them. Those of us in Parliament should not be making it harder for parents by imposing onerous regulations, and we should not be making it harder for parents by excluding them from basic decision-making related to what is being taught to their child or children at school.

Let me turn to the specifics of this motion. The first point talks about the UN Universal Declaration of Human Rights. It has always been, except in totalitarian states, the duty of parents to educate their children. The UN Universal Declaration of Human Rights of 1948 supports this duty. Article 26(3), states:

Parents have a prior right to choose the kind of education that shall be given to their children.

The 1959 Declaration of the Rights of the Child further reinforces this parental duty, proclaiming in principle 7 that:

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

This is quite clear. It is very supportive, and yet the current government appears to ignore these guiding principles. Indeed I would like to point out that our own legislation here in Victoria supports this principle. Part 1.2 of our Education and Training Reform Act 2006 sets out principles. Section 1.2.1(b) states:

- (b) all Victorians, irrespective of the education and training institution they attend, where they live or their social or economic status, should have access to a high quality education that—

...

- (iii) allows parents to take an active part in their child’s education and training ...

Further on, paragraph (d) states:

- (d) parents have the right to choose an appropriate education for their child ...

Despite this clear intent, this government seems intent on ignoring parental rights. They attempted this through legislation last year when they tried and failed to bring in the equal opportunity bill which would have gutted Christian and independent schools. Despite opposition, parental outcry and community outrage, they continue to insist on excluding their voices.

Parents are quite simply the advocates for their children. As such, parents do not have a mere interest in their child’s education but are in fact responsible for informing schools, including state schools, about their expectations. To allow parents the freedom to exercise their natural and instinctive advocacy role and to respect their prior right as declared by the United Nations, it is absolutely paramount that individual parents and collective parent groups are afforded the right and opportunity to be heard.

What does this mean? It means that parents have the right to be consulted and heard when policies and regulations are being developed, when evaluation is being conducted and even when budgets are being prepared. Parents must have the opportunity — an effective and not tokenistic opportunity — to influence decision-making within the schools their children attend.

Some parents have exercised this right by placing their trust in the private school sector, where children are taught according to the values of the school, values which the parents align with. Others choose to home educate their children. They make a commitment to educate their children in their own unique setting, responsible to their children's unique needs. Not every family has the means to make these kinds of financial and time commitments, and so they choose the state schools for their child. These state or public schools should also be responsive to the rights and expectations of parents. Unfortunately this government has shown little regard for parents when it comes to the education of their children.

This brings me to the second point of the motion: the fact that the government is failing to sufficiently consult parents in the implementation of certain programs. Repeatedly this government has given ideologically driven and politically motivated social agendas a higher priority than parents. In effect this government has been saying to parents, 'We will advance our own agendas regardless of what you may think'. We have seen this way of governing played out over Safe Schools, we have seen it played out over respectful relationships and we have seen it played out over the process of seeking to change home education regulations.

The Victorian ALP has recklessly abandoned families in the pursuit of a cultural Marxist agenda which tries to force social change by disempowering parents and indoctrinating their children. From the beginning the Safe Schools program was formulated and developed with an agenda to exclude parents and impede on their rights. Last year, and I have mentioned this in the chamber before but I think it is worth mentioning again, leaked video footage revealed the Safe Schools program's coordinator, Roz Ward, telling a national symposium that schools should ignore concerns raised about the agenda. In the footage you can hear Ms Ward tell over 300 attendees:

When people do complain then school leadership can very calmly and graciously say, 'You know what? We're doing it anyway, tough luck'.

The government may have cut ties with Roz Ward and taken over the running of the program, but nothing has really changed. While the program has been dismantled, significantly changed or dropped entirely in other jurisdictions, the Victorian ALP government insists on imposing it upon all of our public schools, and it is only a matter of time before they will impose this on other schools. Speaking about the way the government has gone about the implementation of this program, Paul, a Melbourne dad of two children, said:

As a father I want to reserve the right to guide my kids in the way I see best for them.

...

This isn't about being afraid of anything, homophobic. It's not about stereotypes. Everyone I have spoken to on this issue cares about their kids, and they care about other kids.

...

We cannot really allow government departments to make our decisions as parents for us. This program potentially sets a dangerous precedent.

He continued:

... there is a collective that's gathering around this ... so that the people who represent us in state politics here in Victoria realise that actually there are quite a few people who have a problem with this program.

Paige, a Melbourne legal studies and psychology student and mother of two, said:

It's just contradictory to what I'm telling her at home. So don't cut parents out of the conversation within the programs. As soon as you cut parents out, you're teaching kids that Mummy and Daddy don't know anything and Mummy and Daddy are always wrong, and that is a scary thought ... Parents should never feel like they don't have a say in the person that they would do anything in the world to protect.

In the *Safe Schools Guide to Supporting a Child to Affirm or Transition Gender Identity at School*, teachers and school officials are instructed:

It may be possible to consider a student a mature minor and able to make decisions without parental consent.

This document does not mention any specific age for when a child's gender transition process may be undertaken without parental notification or consent, but considering that primary schools have signed up to the Safe Schools Coalition, children as young as six could be subject to such a process excluding their parents' involvement.

However, it is not just high schools and primary schools that the government is targeting. The tentacles of the government's social re-engineering agenda have also reached into kindergartens. The respectful relationships program, which is laden with gender and sexuality theory similar to the Safe Schools program, is being implemented in Victorian preschools. The Victorian Early Years Learning and Development Framework already stresses the importance of encouraging respectful relationships in the preschool setting and avoiding practices that continue to contribute to gender inequality, prejudice and discrimination, yet this program goes beyond this to groom children as young as three for the scientifically

disputable gender theories they are about to be indoctrinated with in primary and secondary schools.

Under this government, boys cannot be boys, girls cannot be girls and parents cannot be parents. Children have become the subjects of the state's social re-engineering project, and our public schools have become the laboratories in which the re-engineering takes place.

The next paragraph is about home education regulations, which are being pursued without sufficient parental consultation. Overall, the proposed regulations will move the emphasis away from education to compliance, and they are being perceived by the home educating community as punitive rather than supportive. The proposed regulations go beyond checking that people are educating their children, by creating the opportunity for governments to dictate how they do so. The Department of Education and Training's own regulatory impact statement on the 2017 regulations admits that the views of 43 submissions on the 2007 regulations received in 2016 are unlikely to represent the views of the whole homeschooling community of around 2700 families. This same impact statement claims on page 25 that the Home Education Network, HEN, and I quote:

... works with the department to develop resources and information to support homeschooling families.

This is factually incorrect. Written communication from HEN states, and I quote:

... the department has not consulted home educators on resources since 2009. In fact, the *Guide to Home Schooling in Victoria 2010*, which was developed in consultation with home educators through the Home Schooling Advisory Committee was reissued by DET in 2015 without consultation. The new version had a completely different tone and introduced material on the risks of home education and pushed alternatives.

HEN goes on to point out that this statement refers to the *Guide to Home Schooling in Victoria 2016b*. This suggests that such a document exists, yet it has not been released. In HEN's own words:

Consultation was promised on the development of a new edition but was limited to the choice of cover photo in December 2015.

When the Department of Education and Training says they have been consulting with the home education community, what they really mean is they sought input on the choice of cover photo for the government's document.

Additionally, when parents have had an opportunity to make their concerns known through confidential

submissions to the department of education regulations review, their requests for privacy were ignored, with hundreds of submissions uploaded onto their website with sensitive information and personal details published. One parent had outlined in her submission that she had chosen to home educate after her child was relentlessly bullied and even held under water by her tormentors in swimming class. Another parent wrote about how they chose to home educate their dyslexic child who could not cope with the pressure of mainstream schooling and had started to self-harm. Although wishing to remain anonymous for the sakes of their children, their identities were revealed online, causing additional stress to parents who already felt like their voices were not being heard and their views were not being heard. The major privacy breach resulted in the department withdrawing all submissions from the website, further reiterating to parents the difficulties they must endure just to contribute to the conversation.

One of my constituents even contacted me about the submissions that she, her husband and her daughter had made to the department. Not only was their daughter's submission lost, despite being sent in at the same time, the department later discovered that it had been published but supposedly did not know who the submission belonged to. All three of them received copies of their original submissions from the department as well as redacted copies with numerous mistakes that were not present in their original submissions. Understandably this family was very frustrated and spent many unnecessary hours going back and forth with the department to sort out this situation — and people wonder why parents are completely disenfranchised by the government.

I would just like to give some basic facts about home education in Victoria. Homeschooling, or home education, is the education of a child outside of the traditional school system. The right of parents to choose this option is recognised under the Education and Training Reform Act 2006. Families who choose to homeschool assume full responsibility for their child's education. The number of registered homeschooled children is rising, increasing by more than 164 per cent since 2008. Overall, children registered for homeschooling represent less than 1 per cent of all school enrolments, but in 2016 Victoria had the highest total number of homeschool students of all other Australian states and territories.

Home education is on the rise for a variety of reasons, not the least of which is the rise of gender indoctrination within state schools. If regulations are to be changed, genuine consideration, consultation and empathy towards homeschooling needs to be

employed. Too often home educators tell me that they feel disenfranchised, misunderstood, condescended to and ignored by the very department that should be supporting all parents of school-aged children — the department of education.

I refer to my last point on ongoing parental concerns about these programs and regulations. As they roll out, these concerns have been largely ignored. I have covered this, but I will add that petitions totalling approximately 2790 signatures have been tabled in this Parliament, raising concerns about the Safe Schools program. Some have called for the program to be withdrawn, with funding redirected to a balanced anti-bullying program that addresses all forms of bullying. Others called on the government to stop compelling all Victorian secondary schools to have to implement the program and requested that Victorian parents be allowed to determine if their children will participate.

The government has so far chosen to ignore these petitions, silencing all of the voices represented. On Wednesday, 26 October last year, I brought a motion before the house calling on the government to withdraw this program and conduct a review of the program which would take into account the views of parents. The vote on the motion was tied, once again proving that the government was more interested in maintaining their ideological agenda than taking into account the views of everyday Victorian parents.

On 9 March this year during question time I asked the government:

... why does the Andrews government, which claims transparency in other areas, continue to ignore parents' rights to know what is being taught ...

And in this case I was referring to children with disabilities. The answer I received from the Department of Education and Training was that it:

... encourages parents to discuss any concerns regarding their child's participation in the —

Safe Schools —

program directly with the school principal.

The government's answer in effect tells concerned parents to go to their school principal, who has been told by the founders of the program to say, 'You know what? We're doing it anyway. Tough luck'. Does anyone else see something seriously wrong here?

Today I feel it necessary to bring to the house this motion, which affirms the rights of parents, to assure parents that their voices are being heard, at least by

some of us here in this chamber. Today I stand here to affirm the rights of parents to freely choose their children's education, and I also affirm that these rights should be supported and not inhibited by the state. Parents are the primary educators of their children and as such should have a right to choose the educational philosophy and environment which best suits their child's needs. Governments should not diminish or infringe upon this right. Governments quite simply should let parents be parents and ensure that education is best set up to facilitate this.

It is time for Victorian schools to once again be centres of academic learning and indeed centres in which children can flourish as persons without the iron fist of this or any government's social re-engineering program enforced upon them. I do look forward to the debate on this motion. Let us see which MPs in this house support families as a foundation and the best institution in which to nurture our future generations. I commend this motion to the house.

Ms SHING (Eastern Victoria) — I rise today to speak in relation to Dr Carling-Jenkins's motion and in doing so indicate that the government will not be supporting the motion as put. There are a number of components to this particular motion, a number of which have been canvassed at length not just in the previous motion put by Dr Carling-Jenkins in relation to the Safe Schools program or in relation to education regulations and the way in which they are occurring across the state as we deliver the education state and the substantive investment in infrastructure reforms that we promised we would deliver when elected in 2014, but beyond that in the discussions that have occurred in the public domain as part of a progressive set of reforms that deliver greater integrity, greater capacity for compassion, equity and fairness for all students across Victoria and greater engagement with every student, irrespective of whether those students are male, female, gay, straight, same-sex attracted, intersex or trans.

Young people in the state of Victoria have the right to an education which in fact gives them every opportunity to learn, invests in their potential and provides them with the greatest access possible to reach the potential that they would like to achieve, to achieve the momentum that they would like to achieve and to do themselves and their communities proud and to do their families proud. In this regard the motion itself contains at the outset a reference to the United Nations Universal Declaration of Human Rights and article 26, which states amongst other things — and this is pertinent to the motion itself:

Parents have a prior right to choose the kind of education that shall be given to their children.

Nobody cavils with the fact that the Universal Declaration of Human Rights contains these principles. Nobody cavils with the fact that international law sets out a range of frameworks within which member states should ideally legislate and create regulatory frameworks that uphold the rights of individuals, that uphold the rights of communities and that strike proportionate balances between the rights of some individuals as against others.

What this motion fails to recognise or understand, however, is the significant role that other legislation has within the Victorian statute book. In this regard I note the charter of human rights and the way in which that is required to be considered as part of the impact of any proposed legislation before it is introduced and the fact that this forms part of the second-reading speech. This is a key consideration for any Attorney-General wishing to introduce legislation into the Victorian Parliament, and it is a crucial part of this. One component of the Charter of Human Rights and Responsibilities under the Victorian Charter of Human Rights and Responsibilities Act 2006 is the notion of proportionality. Proportionality requires a consideration of and a weighing up of competing priorities as they relate to the enabling of some rights on the one hand and the fettering of some rights on the other. In this regard I would like to move to the second part of Dr Carling-Jenkins's motion, which states that:

the government has limited ...

the right referred to in the declaration of human rights, article 26 —

by failing to sufficiently consult parents in the implementation of the Safe Schools and respectful relationships programs in Victorian schools and early childhood education ...

I intend to spend the bulk of my contribution today on these particular issues, because as we move to the other parts of the motion it will become clear that there are extensive consultation processes ongoing as part of homeschool education and that we do have a power of work to do. The Minister for Education, along with a number of other members of Parliament, continues to engage in making sure that this really important cohort of parents and their children across Victoria receive the recognition, the respect and the regard that their own choices require them to be given. There is an ongoing process, as I indicated, and I will come back to that.

At the outset I note that the implementation of the Safe Schools program is something that we brought as a commitment to the election in 2014. This is a program which will be delivered to every government secondary

school — not primary schools but secondary schools — over the course of this particular Parliament. In this regard I note that I have previously made contributions on the importance of this program to this place and that I have also worked alongside communities right around Victoria as a Safe Schools ambassador.

I work as a Safe Schools ambassador, and I do this out of pride and a pride that was long fought for, as the first out woman in the Victorian Parliament. I do this off the back of a long period of feeling like I was less, like I was other and like I deserved to be treated badly because of who I am, and I do not want that for other young people in Victoria. I do not want young people to experience — as I did, as so many of my friends and as so many of the people in my community have experienced, as so many older Victorians experienced — discrimination, bullying or harassment, which comes at a significantly higher and disproportionate rate at school and throughout life than it does for people who are not LGBTI, same-sex attracted or gender diverse.

It is pertinent and appropriate to note that today we are in this Parliament debating this motion on the one-year anniversary of the Premier of this state, Daniel Andrews, apologising for historical convictions for same-sex activity that saw people spend time in jail and that saw people stripped of their dignity for being who they are. It is one year today since the Premier got to his feet in a joint sitting of this Parliament — which was not attended by everybody but that engaged with the vast majority of parliamentarians — and said sorry for the many instances of pain, of heartache, of trauma associated with being legally prosecuted for who you are.

There was one instance of prosecution against women in the statute book, and this is where a lesbian couple was in fact charged and investigated for holding hands on a tram in the 1970s. A couple going about their business holding hands was the subject of a legal proceeding. In making his apology one year ago today the Premier stated very clearly that we had come a long way and that in apologising to those who have been convicted under this scheme we had moved on, that we had recognised the hurt and the pain and that it was appropriate to stop and reflect upon the damage that it had caused, and he urged people out there in Victoria, LGBTI folk, to hold their partner's hand — to find the person that they love and to hold their hand in pride and in defiance. In fact pride is something that is really hard to come across when you are same-sex attracted or gender diverse.

LGBTI people in Victoria, as I have said so many times before, are significantly greater in the representation of people who suffer from depression and anxiety, people who attempt self-harm and people who attempt suicide. LGBTI people are more likely to receive less access to services. We are more likely to be discriminated against in the course of receiving services, in the course of the work that we undertake in our lives and in the course of the money that we take home. We are more likely to be damaged through the way in which we are treated than not.

It is with this framework in mind that I note that the Safe Schools program, which before the 2014 election had been rolled out under coalition governments, supported by the federal government and by federal government members, is in fact a program of resources which people can find on the Department of Education and Training home page, which sets out a range of resources for schools to implement in the course of the program — not as part of the curriculum, as some may have us believe. It is a range of resources to assist in understanding LGBTI young people — people like the young person I was, people like the young man at Xavier College who stood up bravely in front of his school assembly this week and came out because he was sick of the bullying and the discrimination and because he felt like he had no other option. These resources are designed to give students and parents the resources to understand that pride is a necessary part of acceptance and that it needs to go beyond tolerance and beyond putting up with something that is distasteful, that is inconvenient or that is uncomfortable. In fact the Safe Schools program is about resourcing people across the board to understand that LGBTI folk deserve dignity, recognition and respect.

This is not something that comes at the expense of self-determination in any other regard. It operates alongside initiatives such as the respectful relationships program. It is geared in good faith toward making sure that children and young people — who may otherwise feel sick to their stomachs when they wake in the morning to find that they feel the way they felt yesterday, who may wish and dream and hope to be someone else and who may in fact do anything and everything to be someone else and may in fact spend an entire lifetime not being true to themselves — have an opportunity to understand and to value their own worth exactly as they are.

This program delivers on the importance of education and educational opportunity and the dignity and the opportunity that goes with that for more Victorian children. It is not a program that is designed to sway or coerce or influence anybody into what has been termed,

in a somewhat hysterical fashion, ‘the homosexual agenda’. This is not a recruitment process. This is quite simply a way to make sure that young people feel okay about themselves for being exactly who they are. This is why we do not resile from the introduction of the Safe Schools program. This is why the resources are located within the Department of Education and Training’s own resources that they have published online.

This is not about teaching children how to bind their chests or tuck their penises. This is not about social engineering. This is not about a Marxist ideology. This is not about any of the things that the naysayers would have you believe. This is not about a threat which will come to you to undermine the way in which you manage or parent your children or the way in which you live your lives. This is about making sure that we deliver on the duty of care that we have to all children in a school environment to make sure that they, their teachers and the staff at their schools have the resources to understand, respect and accept difference. We need to continue to deliver on the promises that the Premier has made around integrity and around respect, and on this day, one year since the apology for historical homosexual convictions, we stand by our commitment to the Safe Schools program. We stand by the work that is being done in a dignified and in a compassionate way.

I thank every person who has come to me and engaged with me on this issue, and in particular I thank those who have in fact disagreed with me, albeit in a respectful way. There is always room for debate; there is always room for healthy discussion of differing points of view. In keeping that option available for people to approach their elected representatives to discuss the way in which a scheme might operate, there is a great capacity for me to learn. There is a great capacity for me to understand the fear or the misgivings that may arise in relation to a program like this. For those parents who have come to me with their children and for those young people who have come to me on their own, thank you for your courage in being prepared to explain to your parliamentarians the difference that dignity makes.

I know it has not been easy. I have seen firsthand the effects that discrimination can have on the often frail and often volatile ego and sense of self of young people who live in our state. I have also seen firsthand their capacity to get beyond that when they are in an environment where they are supported. I have seen schools which have introduced the Safe Schools program, and I have heard from staff who themselves are relieved to finally have the language and vocabulary

to be able to talk with people, whether they are their peers, their students, their families or their communities, about the importance of dignity and acceptance.

These are not easy issues for many people to talk about, but they are important issues and they do warrant discussion. That discussion should be respectful and it should be well informed. It should be done with grace and with inclusion, and it should be done in a way that is accessible to everybody, not just to those in metropolitan Melbourne and not just to those in the inner areas of our state but to those across our culturally and linguistically diverse communities, across our Aboriginal and Torres Strait Islander communities and across our remote and rural and regional communities. This program is important. This program saves lives. This program is an investment in the dignity of young people to grow up and to know more clearly that who they are is absolutely fine.

On this basis the second component of Dr Carling-Jenkins's motion around the Safe Schools program and the respectful relationships program in Victorian schools is in fact vulnerable to criticism around the claim that the rights of parents to be consulted have not been properly observed. Every day the Department of Education and Training consults with parents, with schools, with teachers, with staff and with communities. Every day the Minister for Education — as is every MP who is doing their job properly in this Parliament, irrespective of where they sit — is required to work with people and for people and to understand their priorities and their needs.

I hope that this continues to be the case. I hope that this program in fact defies and is not vulnerable to the political agenda which has seen it become a political football. Our young people deserve more than this. I do not think I am alone when I say that when I was at school I deserved more; I deserved a little better than what I got, and it was not through malice at the time, it was because I was different. In embracing everybody we stand a much better chance of adults understanding the importance of recognition and respect of difference as well. It makes us better overall.

The respectful relationships program is another component of education which has been a huge focus for the government. In teaching children that communication can happen in a collaborative, respectful and dignified way we are equipping young Victorians with the tools they need to communicate respectfully, to communicate openly and to communicate without violence in their lives. This government has invested in the number one law and

order issue for the state — namely, family violence — in a way that is absolutely unprecedented across Australia, including by the commonwealth government.

Our \$1.9 billion investment in implementing the Royal Commission into Family Violence reforms and recommendations is a part of delivering on prevention and on making sure that we take care of the victims of and witnesses to family violence. The respectful relationships program is a key part of this, and it provides teachers with a range of age-appropriate resources — including in early childhood education — and with health and physical education in personal and social capability areas that give people tools to talk about how conversations should be raised to discuss conflict, why and how people are different, how people can get along and how people may in fact have views that require further discussion. What this does is it swims against the current of family violence that overwhelmingly affects women in our country.

It is not entirely women but it is overwhelmingly women who are affected by family violence. In Australia at least one woman every week is killed by her partner or former partner. Every single week a woman in Australia dies at the hand of her partner or her former partner. Few days go by when you do not see a small reference in a newspaper to another woman being bashed or injured so severely that when she is taken to hospital she lasts a few hours before dying. This is our number one law and order issue, and in tackling this and in making sure that we resource everybody to not only respond to the court processes and the legal processes but to also have a better legal framework to hold perpetrators accountable, we need to focus on prevention. We need to focus on providing resources to women and children who are fleeing family violence.

Victims and survivors of family violence have had a power of work done with them and for them by the very wonderful Rosie Batty. Rosie has put everyone else before herself. In advocating for the rights of women and children and advocating for systemic change to reduce and ultimately remove family violence altogether from our vernacular, she has spearheaded a range of reforms. These reforms include prevention initiatives that are designed to break the circuit between what it is that children see at home in a violent environment and what they often then go on to replicate in later life.

The respectful relationships agenda has also been incorporated into the curriculum. Unlike the Safe Schools program, it is a core part of the curriculum. The respectful relationships program delivers on planting

the seeds now in our children's minds that say to them that tolerance of family violence is not acceptable. It teaches children that physical response is not appropriate. It teaches them the importance of gathering communication experience and skills to talk about what they do not agree with. It teaches them about appropriate emotional responses. It teaches them that it is okay to be angry, to cry or to be frustrated, but that should never, ever result in physical harm to anyone. This in fact has been a focus of many family violence prevention policies and practices in Victoria and across Australia for over a decade. In this regard we stand proudly by the implementation of the respectful relationships program.

In point (c) of Dr Carling-Jenkins's motion she refers to imminent changes to home education regulations that are being pursued without sufficient parental consultation. I would like to pick up on a number of the things that Dr Carling-Jenkins referred to in her opening comments on this motion and in particular to begin with the privacy breach that occurred and caused an enormous amount of pain, upset and distress for parents who found that the details of a number of submission authors had been published in contravention of their specific instructions. I am advised that this was caused by human error, and it is not good enough that it occurred in the first place. It did cause pain and distress, and it was not good enough.

As I understand it the Minister for Education became aware of this error the day after it had occurred, and he then ensured that submissions were immediately removed from the website. However, this is still one day that passed with this information being online. The department reported the incident to the privacy and data protection commissioner and contacted, as I understand, all of the affected people to apologise for the incident. There is an independent review of the privacy incident underway, and that is important too. It is crucial that we make sure this does not happen again and that recommendations are sought and provided for future process management to incorporate best practice in privacy design.

Further to that, the proposed homeschool regulations talk about introducing a new requirement for a family to submit a learning plan at registration and the ability for existing registrations to be reviewed. Despite what Dr Carling-Jenkins may have referred to in relation to consultation about the design and cover of the report only, it is not intended that the learning plan would be long and onerous to complete or require a day-by-day description of learning activities. The learning plan is intended to prompt consideration of what instruction will most benefit the student, taking into account all of

the circumstances. We note that the circumstances vary dramatically from family to family, from learning environment to learning environment, and the plan will also prompt consideration of how a parent will demonstrate that they will meet those individual needs.

Reviews of existing homeschooling registrations are also designed to ensure the requirements of registration are being met, and in fact it is intended that only a small number of families will be reviewed each year and that information gathered from the reviews will help to build a clearer picture of homeschool achievement in Victoria. We want to give homeschooling parents every opportunity possible to have the resources and assistance they need to give the very best outcomes to their children. What we want to make sure of is that every parent who homeschools can have access to resources and documentation that respect the diverse nature of the homeschooling community, and this is part of what the government wants to hear about.

The department's recent public submission process on the proposed homeschooling regulations received over 500 submissions. The range of views expressed in these submissions makes it really clear there is room for a lot more engagement with this community. I know this also because I have met on a number of occasions with a number of homeschooling parents and groups around the differing needs that they have, not just in the community and not just within their families but from child to child in the same family.

Several changes to the regulations are being considered in response to the feedback received during the consultation process. This is a live process. It is not simply lip-service. It is not about, as Dr Carling-Jenkins intimated, feedback on the cover design of a report. It is an active process to make sure the department works alongside families and the Home Education Network (HEN) to increase engagement with the homeschooling community. This feedback will be really important in the early stages of implementation, and the minister is also particularly interested to ensure that representation will be sufficiently broad to accommodate all voices in the community. As I understand it, the minister is also meeting with the Home Education Network on 25 May. This follows on from a departmental meeting with representatives from HEN on 12 May. It has committed as well to further engagement with the homeschooling community in the lead-up to the commencement of proposed regulatory requirements on 1 January 2018.

The Education and Training Reform Act 2006 recognises homeschooling as a legitimate form of education in Victoria. Nobody is disagreeing with that at all. It is really important that we resource parents and

families to deliver what they see is best for their children in that learning context. The government recognises that families choose homeschooling for a range of reasons, and that is reflected in the diverse nature of the homeschooling community in Victoria. We also recognise it is a commitment that is taken very seriously by parents who are seeking the best educational and wellbeing outcomes for their child in their specific circumstances. The regulations aim to strike a balance between the need to regulate and the need to ensure quality for homeschooled children in Victoria. Even with the proposed changes, Victoria will still have the least stringent regulatory approach of any Australian jurisdiction — for example, other jurisdictions require homeschooling families to adhere to a particular curriculum or require home visits in order to grant or renew registration. The proposed regulations will not require either of these measures.

We do expect and we do respect that homeschooling families are doing a great job of educating their kids. I have seen the really wonderful responses that children have had to their homeschooling environments and to what they have learned and what they have managed to develop in skill sets, opportunities and experiences that they have had in the course of homeschooling. We need to make sure that we are meeting our duty to ensure that this is the case for all children. Under the current regulatory system there are very limited mechanisms available to ensure the quality of homeschooling, and this does not allow me or this government to ensure that all Victorian children are receiving a quality education and that all Victorian children are supported to learn, grow and succeed in life.

In this regard I move on finally to the ongoing parental concerns with these programs and regulations as they roll out, and the assertion at (d) of the motion that these issues have been largely ignored. They have not been ignored. They have been listened to. They have been considered. The framework in relation to the Safe Schools program and the respectful relationships program will continue to operate as it is. It is founded in respect, it is founded in dignity, it is founded in equity and it is founded in the importance of making sure fundamentally that our young people do not end up depressed, anxious, ill, hurting themselves or killing themselves.

In relation to homeschools we will continue to consult with and to work with and between the department, the Homeschool Education Network and homeschooling communities. We look forward to this feedback continuing to be taken on board. It is a diverse community. We need to make sure that every child has the best opportunities possible within the environment

they are learning in. Again we affirm our commitment to the work that we are doing in this regard, and despite the wording and the contribution of Dr Carling-Jenkins we again indicate that we will not be supporting this motion.

Mrs PEULICH (South Eastern Metropolitan) — I first of all thank and congratulate Dr Carling-Jenkins on bringing this motion to this Parliament, to this chamber, for debate. It is a very, very important debate. It is essentially a debate about a clash of values, and the test of our democracy will be — —

Ms Patten interjected.

Mrs PEULICH — Ms Patten, you will have your time. You will have time.

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Mrs Peulich, through the Chair.

Mrs PEULICH — The test of this democracy is how it handles these debates — not just this one but many others — as a clash of values. My understanding, having been born under communism, where there is no — —

Ms Pennicuik interjected.

Mrs PEULICH — Ms Pennicuik groans — when people were summarily executed and imprisoned for exercising freedom of speech and religion. You groan.

The ACTING PRESIDENT (Mr Morris) — Mrs Peulich, through the Chair, please.

Mrs PEULICH — There would be a litany of left-wing and right-wing dictators who would take pride in the attitude and arrogance of Ms Shing, who believes that her values, which she admits openly are progressive and therefore somehow to be imposed and to be used to inculcate children, are the superior values. The pride that she takes in her values is juxtaposed against the contempt and the derision that she shows for other values — in particular for values that typically may be referred to as conservative and traditional.

Ms Shing — On a point of order, Acting President, I would really appreciate it if Mrs Peulich could refrain from pointing aggressively in my direction. I am finding it disrespectful in a debate which I hoped would be respectful.

Mrs PEULICH — On the point of order, Acting President, I did not even look at Ms Shing, because can I say in terms of the attitude that she reflects I find her

frightening. So I certainly do not look at Ms Shing, nor have I pointed to her.

Ms Shing — On the point of order, Acting President, I would seek a withdrawal in relation to that remark. I find it deeply, intensely offensive.

Mr Finn — On the point of order, Acting President, Mrs Peulich has expressed a view as to how she is feeling. She is feeling frightened. I do not know what Ms Shing's problem is — obviously there are a number — but she has come in here and claimed that she is offended by how she is feeling, when it is the left that talk about feelings night and day, 24 hours a day, 'We all feel this' and 'We all feel that'. There are no facts anymore. It is all about feelings. Should she not be the one who is defending feelings in this place, surely, if she is consistent —

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Mr Finn.

Ms Symes — On the point of order, Acting President, I take direction from you, but I do not think Mrs Peulich said that she was frightened. She pointed to a member of the house, who has just gone and made a very respectful contribution to the house in relation to perhaps her values, but she did not actually attack —

Mr Finn — And uninterrupted too, I might say.

Ms Symes — Correct; it was uninterrupted. She did not attack anybody else's values while she was making that contribution. So with respect to the chamber, I was offended by Mrs Peulich's comments about a member of this house, and I would like her to withdraw those comments. She referred to Ms Shing as frightening; she did not say that she was frightened.

Ms Pennicuik — On the point of order, Acting President, if I could assist with the point of order, I am not sure if you heard, but as Ms Shing asked for that comment to be withdrawn, Mrs Peulich said she did not care if Ms Shing was offended.

The ACTING PRESIDENT (Mr Morris) — Order! There is no point of order, and I will not be seeking a withdrawal from Mrs Peulich. However, I would note that during Ms Shing's contribution the house did afford Ms Shing the opportunity to make that contribution without interjection. Mrs Peulich was beginning her contribution, and there were a number of interjections that interrupted her. I will ask Mrs Peulich to continue her contribution.

Ms Shing — On a point of order, Acting President, I was personally offended when I was referred to by

Mrs Peulich as being frightening. I heard it very clearly. Everybody else heard it very clearly. This is not in fact about anything other than respectful debate, and yet for this to degenerate into personal insults yet again from Mrs Peulich is something that I find really personally offensive. I find it unparliamentary, and I would seek a withdrawal in relation to the remarks that Mrs Peulich has made.

The ACTING PRESIDENT (Mr Morris) — Order! Ms Shing, I have heard your point of order and request for a withdrawal. I do not believe that Mrs Peulich has said anything that would need her to withdraw. I ask Mrs Peulich to continue.

Mrs PEULICH — Could I suggest, to expedite this and to facilitate a very important debate, that you refer the matter to the President following this debate. He will review the *Hansard* and make a determination. If he deems that my enunciation of how I feel are matters that warrant withdrawal, not only would it be a very sad reflection on current democracy but I would certainly be prepared to abide by the Chair's ruling. That may be a better way of moving forward.

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Mrs Peulich. I have made my ruling, but I am also happy to refer the matter to the President.

Ms Symes — On a point of order, Acting President, I just seek clarification of your ruling. Are you ruling that referring to another member of Parliament by saying 'You are frightening' is not offensive? I am a little bit unclear on the ruling that you have made.

The ACTING PRESIDENT (Mr Morris) — Order! Ms Symes, when I was listening to Mrs Peulich what I heard her say was that in her opinion she found Ms Shing's views frightening. That is what I heard.

Honourable members interjecting.

The ACTING PRESIDENT (Mr Morris) — Order! That is what I heard from where I am sitting, so that is what I ruled upon. The transcript may reveal something else. That is what I heard whilst I was sitting here, and that is what I ruled upon.

Mrs PEULICH — No matter how you describe it, it does not negate how I feel. What I wanted to say and what I did say was the pride in the values that Ms Shing holds has translated into an arrogance that is reflective of this government and that in itself juxtaposes the contempt and the derision of conservative and traditional values that many people in our state hold and to which I feel that I am entitled.

Now are we going to censor what people say in Parliament? Are we going to censor parliamentary debate and how I feel? I find the Safe Schools program frightening. I am sure that all of those people who have come here to listen to this debate and who are watching this debate streaming live find elements of this program frightening, especially given that there would be a common understanding in Western democracy that indeed families have the primary responsibility for the upbringing, protection and development of their children, not the state. Again, having been born in a communist regime I — and all of those who have come from various dictatorships — do not have faith that it is the state and the state's values which are to be imposed upon and shape the development of a child. That is the primary responsibility of parents and families.

In fact Aristotle said in *The Philosophy of Aristotle*, 'Give me a child until he is seven, and I will give you the man'. That is why we have the programs that we have here in respectful relationships as well as in Safe Schools and of course now articulating also into the homeschooling agenda. I would like to congratulate Dr Carling-Jenkins for bringing this debate to the Parliament.

Young people do not belong to the state; they belong to their families. Although my child is now an adult, if he were of this vulnerable age I would be frightened for him. I do not believe that when a parent abrogates his or her responsibility for the rearing of their child and the inculcation of values that are going to hold that child in good stead for the rest of their lives it is a responsibility that should be transferred to the state, especially when it is based on so many assumptions and so many unsubstantiated arguments — for example, that somehow our children are not protected from bullying.

As Ms Shing, who does have a legal background, pointed out, since day dot every child educated in the government school system has been protected by a legal responsibility — a duty of care — that every teacher has and exercises towards their charges. Every teacher has a vicarious responsibility for the fulfilment of that duty of care. That duty of care is equivalent to that of a reasonable parent. The duty of care is exercised no matter whether you are fat, whether you have freckles, whether you wear glasses or whether you can speak English. When I migrated to Australia at the age of 10 I spoke no English. I was beaten up every day, especially on Fridays, by a girl called Melanie, so I know firsthand what bullying is about. I know exactly what it means, and it does not mean using that as some sort of platform in order to bring in radical theories and use the minds of our children as a petri dish in a science laboratory. It does not mean that.

And yes, every child, including children who may be LGBTI, deserves support. When it comes to that sort of support, it is best executed in a targeted and customised way through school counsellors and school psychologists, the involvement of the family and other support services. When the former coalition government designed the program, that is how it was intended to be delivered — as support material for children who had specific needs and not to be rolled out on a blank canvas of children and used as a way of undermining the values that they may bring in.

Recently we had a meeting of the Victorian Parliamentary Friends of Faith Communities, which Dr Carling-Jenkins participated in. The concerns about these programs are equally shared between different faiths, whether they are people who are of the Muslim religion or whether they are people who are Buddhist, Hindu or Christian. Surely they are entitled to their religious freedom. Without religious freedom and the values it is predicated on, there is no democracy; there is no multiculturalism, so let us not be hypocritical about this. Why should one set of values be superior to another set of values or in direct conflict or contradiction with them? Surely our state system should minimise the involvement of the state and secure the safety of all children, as is required under the Education and Training Reform Act 2006 and as has always been the case.

Ms Shing said — and I have often heard this argument — this program saves lives. The outcome of this program is untested. It may well save some lives, but how many children experiencing identity confusion in adolescence will it confuse? How many children's lives may be derailed? How many children's lives may take a different turn? We do not know. As a person who has studied research methodology, both in my sociology and psychology studies, I know the importance of looking at these matters through the prism of longitudinal studies — not snapshots, not feelings, not PR and not propaganda. Indeed there has been none of that.

The Andrews government has mandated the rollout of the Safe Schools program across all government secondary schools by 2018. I observed the appearance of the Minister for Education before the Public Accounts and Estimates Committee's hearings, and he failed to acknowledge the fact that the teaching materials and resources that are recommended in course outlines, including links on websites, are part of the curriculum. Obviously he does not understand the definition of the word 'curriculum'. Curriculum includes all of the resources that are used in the delivery of a particular course.

We know that the program was designed by La Trobe University's Australian Research Centre for Sex, Health and Society and Roz Ward, a self-proclaimed Marxist. She said that the Safe Schools program is not about bullying. We know it is not. No child should be bullied, no matter what they look like, no matter what language they speak, no matter where they were born, no matter what religion or indeed no matter what their sexuality is. In actual fact our schools are and should be safe. That is required without any change under our Education and Training Reform Act 2006.

In December 2016 we said that we would scrap this program and introduce a genuine anti-bullying program in schools. New South Wales and Tasmania have already scrapped this radical sexuality and gender theory program and replaced it with similar programs. The former coalition government, as I said, did resource Safe Schools Coalition Victoria to employ an adviser within the department to assist schools in instances where a sexuality or gender-questioning individual required specialised assistance and care, and that is the right thing to do — not roll out a program used as grounds to inculcate the empty minds of children with some sort of new value system.

The respectful relationships program claims to be anti domestic and family violence. When we had the Royal Commission into Family Violence, guess what? We did not look at the causes. If these programs continue, the homeschooling program will increase. Parents should have the right to choose the type of education their children get and the sorts of values they inculcate their children with within the framework of the laws.

Ms PENNICUIK (Southern Metropolitan) — It is somewhat disappointing to be going over old ground here with this particular motion. If I could begin by addressing the first part of the motion, which is:

That this house —

(1) notes —

- (a) the United Nations Declaration of Human Rights (1948) article 26(3) ...

Of course there are two clauses before article 26(3) which I think are worth reading out to provide some context for the benefit of the chamber.

Dr Carling-Jenkins decided to mention just one part of the article.

Article 26(1) states:

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher

education shall be equally accessible to all on the basis of merit.

Article 26(2) states:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Article 26(3) states:

Parents have a prior right to choose the kind of education that shall be given to their children.

The motion starts out with a selective rendering of article 26. The rest of article 26, which is about education, points to the right of all children to access free compulsory education, particularly at the elementary level.

As Ms Shing said, no-one is denying that under article 26, and also the Victorian Education, Training and Reform Act 2006, there is a right for parents to choose which schools they send their children to, whether they be government schools, whether they be independent schools or whether they be Catholic schools — which of course receive a lot of government funding in any case — or indeed whether they choose to homeschool their children, and Dr Carling-Jenkins mentioned that in the case of Victoria less than 1 per cent of parents choose to do that. We started out with a very selective rendering of the United Nations Universal Declaration of Human Rights. The motion continues to be very skewed in the way it is written by going on to say:

... the government has limited this right by failing to sufficiently consult parents in the implementation of the Safe Schools and respectful relationships programs in Victorian schools and early childhood education ...

There has been a lot of misinformation spread about the Safe Schools program; in fact the Public Accounts and Estimates Committee had to sit through some terrible questioning by the member for Kew during budget estimates. Instead of focusing on the wide range of subjects that could have been focused on in terms of the funding of education, the committee had to sit through a lot of quite offensive questioning by the member for Kew with regard to that. But in the interests of time — and we do have a time limit on this motion — it is worth saying what Safe Schools is. According to the website of the Department of Education and Training:

Safe Schools is a formal and public commitment —

by the department and by the government —

that schools make to create an inclusive and safe environment for their school community, including for LGBTI students, families and teachers. This commitment recognises that creating a safe and inclusive environment is key to tackling bullying, discrimination and harassment at schools, particularly arising from homophobia and transphobia.

That is what the program is about; it is about raising awareness of the bullying and discrimination that these children, their teachers and their families do suffer and about educating all students that this type of bullying and discrimination and harassment is not acceptable. The statement goes on:

All students should be safe from bullying and feel included at school. Students who don't feel safe or included at school cannot learn effectively.

We have been through this before. The website continues:

Safe Schools is not a subject in the curriculum, nor is it prescriptive in any way.

Schools have the discretion to use as many or as few of the resources, training materials, and other support that the program offers to help them deliver their commitment.

...

It is important for all children and young people to understand that not everyone is the same and to respect this.

It is an important part of the program and it is an important part of all school education programs that people understand this.

It is worth stating again what I said in the similar debate in October, that all young people have a right to feel safe at school. However, many LGBTI students have negative experiences in Australian schools. LGBTI young people experience high rates of bullying, and the vast majority of this occurs at school. According to the website:

61 per cent of LGBTI young people report experiencing verbal homophobic abuse;

18 per cent report physical homophobic abuse;

69 per cent report other types of homophobia, including exclusion and rumours;

80 per cent of respondents experienced the reported abuse at school.

This is why we need the Safe Schools program. It is about young people being safe at school — it is as simple as that. It is an evidence-based program, and that is what should be supported in the schools.

With regard to respectful relationships, again I could have a lot to say on it, but I will be brief. We have a

problem with family violence and we have a problem with gender violence in the community. Everyone knows that, and there has been a lot of focus on it over the last few years — and rightly so. You will discover this if you just go straight to the final evaluation report of the pilot program, where it says:

Children and young people have become one of the most important populations for the prevention of gender-based violence. The unacceptably high rates of gender-based violence, in particular, violence against women and their children, are well established and there is a clear opportunity to change the story for future generations via the education system.

...

Schools play a central role in the intellectual, social and emotional development of children and young people.

And it is in the schools when talking about respectful relationships between people that we can make inroads into changing the culture that is behind the gender-based violence that we see in the community. The executive summary and recommendations states:

... the whole school approach is the single most important criterion for effective violence prevention and respectful relationships education in schools.

It states that this program takes an evidence-based and a comprehensive approach to respectful relationships in schools:

... including a rigorous approach to action research and evaluation aiming to measure different dimensions of change ...

et cetera. It goes on:

A growing international and national evidence base tells us that effective respectful relationship education must include the following core elements:

- 1) addressing the drivers of gender-based violence;
- 2) taking a whole school approach ...
- 3) integrating evaluation and continual improvement;
- 4) providing resources and support for teachers;
- 5) utilising age-appropriate ... participatory curriculum ...

including in primary schools and even in early childhood, where these behaviours can start manifesting themselves, and that is where they need to be addressed. The final core element is to have a long-term vision and approach.

On the homeschool education issue, which is covered by paragraph (c) of Dr Carling-Jenkins's motion, like others I have received a lot of correspondence about

this issue. I have spent a lot of time looking at the correspondence and the points that have been raised. I have compared the proposed changes to the regulations with the existing regulations, and I have considered what I am told by people in emails and their responses to the responses that I make — I reply and I get another reply back. I have also met with representatives from the Home Education Network. Despite what they are telling me, I do not see an awful lot of difference between the two sets of regulations. There are some changes, but there are not very many and they are not very wide or comprehensive. It is worth saying that in terms of the regulation of homeschooling, Victoria is the least regulated state with regard to homeschooling. In other states it is much more highly regulated, including New South Wales. We need to put it in that context.

However, I did write to the minister on 18 April. I asked him the following questions. What is the rationale for requiring a child to attend a mainstream school while waiting 28 days for homeschool approval? Has the department undertaken any research regarding the further study and employment outcomes of homeschooled children, and if not, will it be commissioning such research? What will be required to be included in the proposed homeschooling plans? Will the Victorian Registration and Qualifications Authority (VRQA) be provided with additional resources to oversee homeschooling plans and reviews? What procedures will apply for parents of homeschooled children to appeal any decisions made by the VRQA? I have still not received a full response from the minister, although I have received an acknowledgement, and I am also hoping to meet with the minister to discuss the regulations.

I am not sure that parental concerns with these programs, which I think are being wildly overstated, and the regulations have been ignored. I know that individual schools tailor their respectful relationships and Safe Schools programs to their schools and do consult with the parents in those schools.

With regard to the rights of parents to freely choose their children's education, of course that is part of the declaration; it is part of the legislation, but it is not absolute either. There does need to be some oversight by the education department in the interests of children because education is about children and the question should be: what is in the best interests of the children? Children's rights and welfare need to come first, and I do not agree that these rights are being inhibited by the state.

Ms PATTEN (Northern Metropolitan) — I will speak briefly on this motion by my colleague Dr Carling-Jenkins. I feel like we had this discussion in October last year. I did not support the motion in October last year, and I do not support the motion now. I do not feel that this motion is all that different. I am sure many of us would love to see the full adoption of article 26 of the Universal Declaration of Human Rights; I am sure we would like to see that within our own legislation. But, sadly, I do not think that this motion actually goes to the crux of article 26, 'Right to education', in the Universal Declaration of Human Rights.

With reference to article 26, the motion suggests that Victoria is not meeting this country's international human rights obligations. That is just simply not true. Parents can freely choose where they send their children for education — whether it is a public school, a private school or a Catholic, Islamic, Steiner or community school — they can choose homeschooling or one of the many other varieties of education in the great tapestry that is our education system in Victoria. That choice is protected by article 26, and as I said, it is freely available. What parents have never done is dictate and choose each and every subject that their child undertakes from an à la carte menu. That is not how we run our education system. We expect you to learn maths, we expect you to learn certain things and we expect you to learn respect. We expect you to learn to be a good human being — —

Ms Pennicuik interjected.

Ms PATTEN — As per the declaration, which I will get to. Thank you, Ms Pennicuik.

With respect to the Safe Schools program, the Department of Education and Training has encouraged parental and school community engagement, and from what I read and see that is just what has been happening. Schools have been engaging with parents in developing how they work with the Safe Schools program and how they work with the respectful relationships program, one that I am very much in favour of. I also note that this is exactly what the minister said to Dr Carling-Jenkins in a letter to her that was printed in *Hansard* on 9 March — that this is exactly what the program is about. It is about encouraging parental and school community engagement. So I feel this motion is trying to create a problem that simply does not exist.

Let us again look at the complete version of article 26, because we cannot look at part (3) of that article without looking at parts (1) and (2). Ms Pennicuik read

those through, so I would just like to paraphrase and say:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

That is what the respectful relationships program is about, so by denying the respectful relationships program you are actually denying article 26 of the Universal Declaration of Human Rights.

I will quickly go to the fact that these programs, the respectful relationships program and the Safe Schools program, are about preventing discrimination, preventing bigotry and preventing homophobia — concepts that, I repeat, are clearly articulated in the Universal Declaration of Human Rights. And in an interesting juxtaposition, one of the reasons the many parents I spoke to about homeschooling were taking their children out of schools was bullying — because they came from LGBTI communities, because they were autistic or because they had disabilities. All the reasons why we have the respectful relationships program are to protect the exact people I am hearing from: the parents who are homeschooling their children. It is those children that those programs are protecting.

I do have some sympathy and concern for parents about some of the regulatory changes around homeschooling. In meetings I had with many homeschooling parents and in speaking to a number of organisations they shattered a lot of the stereotypes I had in mind around homeschooling, and I am very pleased that those stereotypes I wrongly had in mind have been corrected. I have a much greater understanding of the reasons that people homeschool and the benefits for many children. In fact my sister, who has been a teacher for 25 years, is a proponent and supporter of homeschooling.

Just in finishing, and I will make this quick because I would like to hear Dr Carling-Jenkins sum up, I think this motion is ideologically driven. It is the same idea that she attacks the rest of us for having, and I think it demonstrates a lack of understanding of the charter of human rights. It infers a breach of rights that is non-existent. I call on this house to affirm something that we are already doing. We are already trying to promote respectful relationships, to address family violence, to address violence in our community and to address the horrible discrimination that parts of our community are feeling, whether it is people with disabilities or the LGBTI community. As I did not

support the motion moved in October last year, I do not support this motion.

Mr FINN (Western Metropolitan) — I rise to commend Dr Carling-Jenkins on bringing this very important motion before the house today. I have to say that I have been a little bit disappointed this afternoon as it seems to have turned into a debate about Safe Schools. I think there is far, far more to this debate than just Safe Schools. Choice in education is a basic right of every parent, whether they wish to send their child to a government school, an independent school, a Catholic school or whatever school they wish to send their child to. Indeed homeschooling is as much a parent's right as is sending their child to any school they choose.

It staggers me that the Labor Party would actually oppose that. I thought those days were gone. Remember the DOGS — the Defence of Government Schools? When I was a kid, many, many years ago, we had Joan Kirner and assorted other individuals pushing for the closure of non-government schools, and you would have to wonder what would happen if indeed all non-government schools did close. What would happen if every state school in Victoria was flooded with tens of thousands of new students from schools that had closed as a result of some policy, some view, that non-government schools had no right to exist and parents had no right to send their children to such a school?

I am a product of both the government system and the Catholic system, and I can see the pluses and minuses in both, I can assure you. As I think I have said in this house before, probably the greatest influence on my life was a schoolteacher in the state school system many years ago, a bloke called Ken Dunne, who got hold of a young bloke who had fallen through the cracks in the Catholic system and got him back on track. I think I said at the time of Ken Dunne's death nearly three years ago, when I paid tribute to him, that if there is anybody responsible for me being here today, it is probably Ken Dunne. He is not in a position to defend himself, so I suppose I should not say that, but he certainly is the sort of teacher that many teachers are in the state system — exceptional teachers, teachers who really do care about their students. My commitment to choice in education is 100 per cent and is unchallenged, and it has been all of my life. It is a matter of justice in my view. Parents who send their children to non-government schools pay taxes too. They are entitled to support as much as parents who send their children to government schools.

I have not got as long today as I would like, but I need to say something about Safe Schools because it has

been a major part of this debate today. Before doing that I should say that, in terms of choice for all in education, that choice must extend to parents of children with autism because at the moment there is little choice, if indeed any choice at all, and we need to change that. We need a revolution in autistic education in this state, and that is something I am hoping we will see and I am certainly hoping I will be a part of in the not-too-distant future.

Ms Shing got up and tried to argue her point, and she is very passionate about her support for Safe Schools. Clearly she has been affected by bullying in the past on the basis of her sexuality, and that is not something that I can condone or support in any way. There is no room for bullying of anybody for any reason, and it does not matter whether they are short, they are fat, they are tall, they have freckles, they wear glasses or they are Richmond supporters — it does not matter. There is no room for bullying in any school.

Safe Schools picks out a small section, a very small section, of a school community and goes in to bat for that section. What we need is a wideranging anti-bullying program. What we need is to show every student that bullying is totally intolerable on any basis right across the board. It is ludicrous to pick out a minute section of the school community and put in a program specifically for them, ignoring all the other issues that we have. It is sad when I hear Ms Shing get up because what she does, as she did last year, is reinforce in my mind that in fact the Safe Schools program is nothing about bullying. It is about the promotion of a program that changes people's children's perception of reality. In my view, and I say this very honestly and with no disrespect to anybody, Safe Schools is child abuse. There is no doubt in my mind that Safe Schools is child abuse, and it is certainly something that I would never support in its current form.

The bottom line is that this current government hates traditional families. This government has a view that it knows more — it knows better — about how children can be raised than their parents do. It is what we expect from the extreme left. That has been their attitude all along, and clearly this government is an extreme left government. That is displayed by its attitude on this particular issue. As I say, I am staggered that we have a Labor Party coming in here today saying that it opposes choice for parents in education. I would expect it from the Greens, I might even expect it from the Sex Party, but I would not have expected it from the Labor Party. I thought those tired old policies had disappeared long ago, but the fact of the matter is that we have a Premier in this state who is the great divider. He is the great

divider, and he is doing it again on this issue. He is pitting parent against parent, he is pitting student against student and he is pitting private against public. He just divides, and I presume it is a result of his commitment to divide and conquer. So far there has been a degree of conquering, but we can sincerely hope that in the not-too-distant future that will come to an end.

It is very sad that we have to debate a motion of this nature, because you would think that choice in education would be just taken as the norm — as a natural fact of life. But, sadly, as we have found out this afternoon, that is not the case. We have a government in this state that uses education not as a way of teaching kids how to read and write, because there are so many who leave school who cannot read and write. Indeed we have found in recent times that there are a number of teachers who cannot actually read and write. So if the teachers cannot read and write, what hope have the kids got? We have seen here in this state a government that uses education and the education system, the school system, as a political weapon and a political tool to attack children and to twist the minds of children, and that is something that none of us on this side of the house can tolerate.

In fact it might be worth, at some stage, submitting a private members bill to have the numberplates in Victoria changed from 'Victoria — The Education State' to 'Victoria — The Re-education State', because that is very much what this government is all about. It is about re-educating, it is about indoctrination and it is about pushing a political line, and that is all it seems to be interested in. I once again commend Dr Carling-Jenkins for putting this motion to the house. I give it my 100 per cent, wholehearted support, and I sincerely hope that in the next few minutes the Labor Party will have a change of mind and will also support freedom of choice in education in this state.

Dr CARLING-JENKINS (Western Metropolitan) — Before we vote on this motion today I just wish to thank all the speakers who contributed. Unfortunately I feel many speakers did not go to the heart of the motion, which is about working and consulting with parents, respect for parents and the right of parents to choose their children's education. Deliberately, very little attention was paid to home educators, for example, which I think is telling in itself and consistent with the way home educating parents, who are currently fighting for their voices to be heard, are being treated under this government. I do acknowledge the passionate coalition speakers who spoke in favour of the motion, and to their comments I have time to only say: ditto. It is time for the

government to let parents be parents and to ensure the education system is best set up to facilitate this. So today, as we go to a vote, I affirm the rights of parents to freely choose their children's education and that these rights should be supported and not inhibited by the state. I commend this motion to the house.

House divided on motion:

Ayes, 18

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

Noes, 19

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

Pairs

Ondarchie, Mr	ALP vacancy
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Motion negatived.

The PRESIDENT — Order! It has come to my attention that inadvertently one of the members may have been missed in the count. I am of the view that that member was actually in the chamber. I believe that I saw her in the chamber, and a couple of other people have indicated to me that they also observed that member in the chamber.

Given that that member was not included in the count by this inadvertent error, it is my view that consistent with standing order 16.06 I should order a recommittal of that division. Therefore I ask for the bells to be rung for 3 minutes and I will put that question a second time.

Bells rung.

House divided on motion:

Ayes, 19

Atkinson, Mr	Morris, Mr (<i>Teller</i>)
Bath, Ms (<i>Teller</i>)	O'Donohue, Mr
Bourman, Mr	O'Sullivan, Mr
Carling-Jenkins, Dr	Peulich, Mrs
Crozier, Ms	Purcell, Mr

Dalla-Riva, Mr
Davis, Mr
Finn, Mr
Fitzherbert, Ms
Lovell, Ms

Ramsay, Mr
Rich-Phillips, Mr
Wooldridge, Ms
Young, Mr

Noes, 19

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

Pairs

Ondarchie, Mr	ALP vacancy
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Motion negatived.

MARKHAM ESTATE REDEVELOPMENT

Debate resumed from earlier this day; motion of Mr DAVIS (Southern Metropolitan):

That this house —

- (1) expresses its grave concern at the lack of influence afforded to the neighbouring community over the proposed height and density of the Andrews Labor government's planned intensification and overdevelopment of public land that was previously dedicated to public housing at the Markham estate in Ashburton;
- (2) recognises the legitimate desire of the local community to be consulted;
- (3) recognises that the City of Boroondara is best placed to be the responsible authority for any planning decisions affecting the redevelopment of the Markham estate;
- (4) notes the government intends to privatise the majority of the Markham estate redevelopment, realising what have been described in government emails obtained under freedom of information requests as 'super profits';

and calls on the Minister for Planning to absent himself from any decisions relating to the proposed redevelopment of the Markham estate.

Mr SOMYUREK (South Eastern Metropolitan) — I wish to make a brief contribution on the motion raised by Mr Davis in relation to the Markham estate public housing renewal. I will begin by making the point that Labor is the only major party in this Parliament that is committed to increasing social housing stock throughout the state of Victoria. The Markham estate is actually a demonstration of this fact, since it was under the previous government that this estate declined to such an extent that the Labor government committed to

demolishing the existing Markham estate and starting again in order to create a livable space for many of our most vulnerable citizens. Notwithstanding the misinformation being put out there into the public domain by those opposite, it is worth noting that no final decisions have been made yet, and those decisions will be made based upon thorough consultation with all relevant stakeholders.

Development Victoria was engaged to develop the site and prepared concept designs which then led to an engagement program to allow for the views of local residents and stakeholders to be received. The initial design included a mix of public housing and affordable private housing to provide a diverse range of housing options. This type of social housing is in the highest demand, catering to singles and older couples in particular. The inclusion of private apartments and townhouses will create greater housing choice in Ashburton for first home buyers and indeed for downsizers.

Despite the claims in terms of healthy residential development, we know that a more diverse and integrated range of housing is beneficial for social cohesion and successful community development. The claims of privatisation are based on an unwillingness to understand the methodology of healthy planning and do not consider the fact that if any revenue from private sales unexpectedly exceeds the costs of the project, that excess will be reinvested directly into more public housing. This redevelopment is ideally located amongst schools, a train station, shops and services, making it, I am sure you will agree, an ideal place for a wide range of individuals and families to call home.

In conclusion, I am confident the minister will continue to consult all relevant stakeholders and that the consultation will result in the best outcome for the community and the future residents of the Markham estate. Therefore, in view of the above, I oppose the motion before the house.

Ms PENNICUIK (Southern Metropolitan) — I am pleased to speak on the motion that Mr Davis has put forward today with regard to the Markham estate, which is a motion in four parts. In essence the motion is about the lack of consultation with regard to the proposed redevelopment by Places Victoria — I presume now by Development Victoria; the privatisation of part of that public estate at this site in Ashburton; and that the City of Boroondara is best placed to be and should be the responsible authority for any planning decisions affecting the development of the Markham estate.

This is an issue that has been in train for quite a long time now, coming up towards almost two years. On 7 September 2015 the Minister for Housing, Disability and Ageing announced that 56 public housing units at Markham Avenue, Ashburton, would be demolished due to their poor condition. The flats were contained in a number of two-storey units, with quite nice grounds that had grown up around the estate, including 60-year-old trees. The minister announced that they would be replaced by 240 dwellings — this was at the time — and that 75 per cent of the development would be for private sale, with public housing to increase from four to 60 dwellings at that time.

The community was, to say the least, shocked at the scale of the proposed development, which is out of character with the surrounding environment, and they were shocked that no consultation had taken place before getting to that stage — that is, the framework design of around 240, now 250, units on this particular site. For six months the minister and his department did not say anything and did not respond to the questions from the community regarding the height of the development, the bulk of the development, whether there had been any background studies into traffic, overlooking impact on the adjoining biodiversity on Gardiners Creek, car parking et cetera — nothing. Residents received a brief form letter from the Department of Health and Human Services (DHHS) four months after the original announcement — in the middle of January, when of course most people are away — which did not attempt to respond to any of the concerns.

That was the first stage of the consultation, and it is a very important part of the motion. If I could go to the very brief contribution that we just heard from Mr Somyurek, where he said that ‘thorough consultation’ will be undertaken with all stakeholders and that what happened was that a design was undertaken by Places Victoria and then the community was consulted about it, I think therein lies the problem. The community was not consulted. The council was not consulted, because the minister appointed himself as the responsible authority and called the matter in. Of course the community was outraged to find that what had previously been a public housing estate was going to be completely overdeveloped, have 250 units put on it and that the design of these units, the placement of these units and the placement of the public housing units was already pretty well decided before any consultation took place with the community.

Mr Somyurek did say that the minister will continue to consult with stakeholders. That is only after a huge campaign has been run by the council and by the

community, led particularly by the Ashburton Residents Action Group, who have run a remarkable campaign and done an awful lot of work in regard to the impacts of the proposed redevelopment of the Markham estate.

I also asked a question in the Parliament in November last year about this site, because it was around that time people were really coming to terms with what was being proposed, which is on a relatively small site of public land, approximately 13 house blocks, adjacent to Gardiners Creek — very close to Gardiners Creek, only a matter of metres away. It is also closely adjacent to remnant grassy woodland which is protected by the council, to a community garden which abuts the Markham estate and to a large amount of public open space. The proposal to replace the 56 demolished public housing units with 190 apartments to be sold on the private market and only 62 new public housing units is a massive overdevelopment on this site.

My question really went to: how is this type of redevelopment of public housing going to assist with making inroads into the 33 000 people who are waiting on the list for public housing, and why is the government putting profits before people and giving over three-quarters of this public land to the private sector instead of taking the opportunity to provide more and better public housing on the Markham estate?

I take the point that was made by Mr Somyurek and by Minister Dalidakis that the previous government did precious little with regard to public housing and did run down the public housing estate, so we are supportive of seeing more public housing, but this development is not going to give us more public housing. While the number of public housing units will increase very slightly from 56 to 62 on the current figures, the fact is that most of the units will be smaller than the ones that are currently there and will in fact house less people than were previously housed at the Markham estate and that three-quarters of the site will be sold off as private housing.

I spoke at the rally that was held on 25 March in High Street, Ashburton, which was organised by the Ashburton Residents Action Group and which attracted a huge number of people from the local community. There was a person there who had a sign up saying there is no privileged housing crisis. That I thought was quite apposite to the argument here that the apartments that will be sold off to the private sector will occupy, let us say, the better part of the site — the site that abuts the community garden, the site that is near the open space, the site that is closest to Gardiners Creek — and

the public housing will be closer to the actual street and other housing in Markham Avenue.

I mentioned the location of the Markham estate in Markham Avenue. It is a very small street. It is a quiet street. It has a cycling path through it, and in fact it has been narrowed slightly to allow for that cycling path, so the amount of traffic that would be generated by this site would have quite an impact. The council has complained over time about the lack of any attention to the traffic that would be created by the site, but also in terms of Gardiners Creek we need to make sure that where new developments are proposed they are not going to impact on the adjoining waterways such as Gardiners Creek. If in fact you were to go down to the site, you would see the remnant grassy woodland that is there and also a number of older trees and river red gums that are there, and some of these river red gums will be lost in the development.

You would have to say that really if you were looking at this type of development as a benchmark for how public housing developments should be done and how the local amenity of an area should be considered, the development that has been put forward by the government for Markham estate is completely wrong. It will have a huge impact on Gardiners Creek. It will have a huge impact on the remnant grassy woodland between the estate and Gardiners Creek. In this day and age, with diminishing amounts of remnant vegetation and with so many pressures on local creeks and waterways, to plonk such an enormous development on this site really does defy belief that the government would be going ahead with this.

Minister Dalidakis in his defence of the government's position — and I have to say that his defence and the very brief defence offered by Mr Somyurek were pretty weak defences of this calling in by the minister —

Mr Mulino — That's a bit harsh.

Ms PENNICUIK — It is not harsh; I think it is accurate. I was waiting to hear a more robust defence of the minister's reasons for calling in the development and for the size and overdevelopment that is being proposed for Markham estate, and I heard no real defence of that. There was an awful lot of rhetorical argument put forward by the minister, such as 'hypocritical motions', David Davis trying to divide the community and the government getting on with the job and delivering for local communities. In terms of this local community it is not feeling that it is getting delivered what it wants to see. The community and the council have long said they do want more public housing on that site. The community is not getting more

public housing on the site and the development proposal is not delivering for the community at all. Everybody pretty well is in agreement that more public housing is needed there, except that the community and the council — and I agree with them — would like to see even more public housing on that site than is proposed by the government's proposal.

Mr Dalidakis went on to say that this motion is premature and the minister is weighing up the concerns that have been raised. That is great to hear, because it has taken a huge public campaign and the council campaign to bring the minister and the government to the point where it is saying it is considering the points that have been raised by the community and the council, but there has been little evidence of that so far. All that Mr Dalidakis could tell me with regard to consultation was that he has had a meeting with the CEO and mayor of Boroondara council and indeed the minister has met with the mayor and CEO and perhaps with other officers of the council.

There was a letterbox drop, which I have already mentioned, and he also mentioned the 'engagement program' that was held in October and November. He went on to call them information sessions, which is pretty well what they really were. There was no real engagement by Places Victoria or DHHS at those sessions, one of which I attended, and the actual landmark question, which is about the size of the development, was not up for discussion. People were only allowed to give their feedback as to other aspects but not the actual size of the development or the amount of public housing, so I do not know how that classifies as proper consultation or engagement.

One of the issues that is very apposite with this development is its funding model, and that was certainly put well by the council back in November last year. In a December media release it said:

Council's assessment of the Markham estate redevelopment has revealed that the Victorian government is selling land to itself and using the value of the land to inflate the number of private dwellings to be built to pay for the cost of building public housing.

...

The land is owned by the Victorian government.

It is owned by the Victorian people actually.

The transfer of ownership of the land from a government department to Places Victoria, a government agency, is an 'on paper' transaction that should be excluded from the calculation of the cost of the development ...

By including the value of the land in the cost of the development, the government ...

is coming to its own conclusion — and these are my words — that more private dwellings on a much larger project are required to recover the cost of the land. But there is no cost to the land because the land is already owned by the people of Victoria and held in trust by the government, so there is no sale of that land actually required. We could provide more public housing on that land by simply funding it from the budget. To put forward the idea that we need such a massive development to cover the cost of the land is an entirely false construct, and I agree with that.

One of the problems with this development at the Markham estate being essentially one of the first cabs off the rank with this model is that the government is intending and has announced it is intending to roll out this model across Melbourne and in regional Victoria. I know for the moment that the government has indicated that it will be looking at this type of model of providing more private dwellings on public land than public dwellings in places like Ascot Vale; Abbotsford Street, North Melbourne; Heidelberg West; Bills Street, Hawthorn; Gronn Place, Brunswick West; New Street, Brighton; Noone Street, Clifton Hill; and Walker Street, Northcote.

The model that the government is adopting for the redevelopment of the Markham estate on public land is very concerning. Public land should be used for public purposes. In other jurisdictions around the world, when new public housing estates are built on public land the percentage of public housing required to be built on those pieces of public land is quite high — 50 per cent and more in other places. Certainly the community and the council are calling for a much greater percentage of public housing to be built on the Markham estate.

I am concerned and the Greens are concerned about this model of using public land to provide private housing when we have 33 000 people on the public housing waiting list. These places around metropolitan Melbourne — and, as has been foreshadowed, in regional Victoria — are actually on public land set aside for public housing owned by the public and either have now or have had 100 per cent public housing on them in the past. It is difficult to understand the model that the government is putting forward.

In the postwar years, when a lot of these public housing estates were built, they were built using public money. They were not built by flogging off part of the public estate to the private sector. If they could do that in those times, we can certainly do it now. To have so many people waiting for public housing and to provide such a minuscule increase in public housing on this site in Ashburton really is quite unbelievable. As I said, there

is a nominal increase in the number of units from 56 to 62 in the current proposal, but there are in fact fewer bedrooms, so fewer people will be accommodated on that site than were before the units were demolished.

The level of consultation has been abysmal. Mr Somyurek and Minister Dalidakis said the minister is continuing to consider issues raised. There are a lot of issues for the minister to consider, because a lot of issues have been raised by the community and by the council with regard to the complete inappropriateness of the current proposal at this site. The Boroondara council has done a lot of work on analysing the proposal that has been put forward. It presented a report to the urban planning special committee earlier this year which went through the proposal in great detail and pointed out the problems with it. I commend the council for the work that they have put into analysing the proposal that has been put forward by Places Victoria and highlighting the shortcomings of it. It is important work, and it also shows that the council does have the expertise and the ability to deal with this planning issue.

The idea that redeveloping a public housing estate in a suburb of Melbourne should somehow be called a major project raises questions as to what a major project is. If I could digress a little bit — certainly not as much as previous speakers have on this motion — and just go down the road a little to the Kew Residential Services site in the same municipality, the City of Boroondara, that is a saga that has been going on now for more than 10 years. In a nutshell, public land was set aside for the use of intellectually disabled people, and most of it was flogged off to the private sector. Some residents are permanently unable to return to the site. Some residents have returned to the site. It is fair to say that some who have returned to the site are quite satisfied. It is not all doom and gloom, but there are still a lot of unanswered questions about the development of that site that are ongoing. I asked questions only recently in this place about the re-signing of contracts with the developer, Walker Corporation, and the odd timing of the re-signing of those contacts.

I do not want to go too far down that path except to say that it appears that if the government is saying, 'This model is a great model because we'll be able to reinvest money raised by building 75 per cent private housing on public land', Kew is not a very good example because it appears that no money has been made by the government. They have sold off hundreds of houses and/or apartments on that prime real estate in Melbourne and have not made any money. How can that be? It is an absolute scandal, that whole

development, and it really does need to be looked at again certainly by the Auditor-General, now that the Auditor-General has the powers to look at public-private partnerships. Perhaps the Ombudsman should look at it again, because there are ongoing issues there with what has happened to the public land and what has happened to any supposed profits that were going to be going back into disability services. That has not happened.

I will just go through some of the issues that have been raised by the council about the proposed development of the Markham estate. In December 2016 the council considered a draft version of the proposal, at which time it resolved to inform the minister that it did not support the proposed redevelopment or the process being followed to facilitate it for a number of reasons which were set out in that report. It set them out in a letter to the minister, copies of which were sent to Places Victoria, the Minister for Public Transport, the Minister for Major Projects, the Minister for Housing, Disability and Ageing and the Secretary of the Department Health and Human Services.

Some of the issues they raised were: the inclusion of amendments to the landscape plans that significantly increase the impact of the development on the existing trees proposed to be retained, jeopardising their health and safety, and the seeking of planning permission for advertising signs that are prohibited by the Boroondara planning scheme. I mentioned that a large number of trees are going to be removed from the site just because of the excessive number of units that are proposed to be put on the site. That is going to significantly reduce the amount of permeable land on the site, which is, as I said, adjacent to remnant woodland and Gardiners Creek.

There is going to be underground parking, and there is going to be a lot of paving. Even though some of it may well be what is called permeable paving, the council's arborists have said that that will still put at risk the trees that will remain. A lot of trees will be lost from this site, and there is no need for that because the government could come up with a development for that site that in fact doubled the number of public housing units there with good design that is energy efficient and that fits in with the amenity of the local community in Markham Avenue, the creek, the community garden next door and the sporting ovals nearby without taking out the very old trees that are there. In fact — this is my view — the opportunity should be taken to extend and expand the area of remnant vegetation that is between the creek and the proposed development, not encroach upon it and put it at risk, which is what this development will do.

The council, in its report of February 2017, went on to say that it remains opposed to the proposed development and proposed changes to the Boroondara planning scheme for the following reasons:

Council is qualified, capable and experienced ... and should be maintained as the responsible authority ...

...

The failure to carry out formal public notice to abutting and nearby property owners ...

...

The development would cause unreasonable detrimental social effects —

that it would have —

... through the failure to propose a genuine 'tenure-blind' proposal —

because, as I have mentioned, the proposal will be separated into the private dwellings on the better side of the site and the public housing on the less good side of the site. It goes on to say:

The objective of achieving 'cost neutral' delivery of public housing is not necessary ...

So after some consideration of what the council said, Places Victoria reduced the number of private dwellings from 190 to 188. Council said:

... provision of 188 private dwellings in the form proposed will cause an unreasonable detrimental impact on the site, the local area and nearby residents;

the inclusion of the market value of the land in the cost of the development is fundamentally flawed and results in an overdevelopment of the site;

the development is inconsistent with the objectives of the general residential zone ...

... fails to comply with council's adopted neighbourhood character policy with regard to the retention of significant trees and space for replacement tree planting and the scale of buildings around the perimeter of the site;

...

the extent and duration of shadows cast over Markham reserve, the Ashburton community garden and Gardiners Creek Reserve ...

It also says:

the development fails to comply with the standards and objectives of the ResCode with regard to —

I will not read them all out, because there are about 15 particular matters that it is not compliant with.

The development also:

... fails to provide sufficient on-site car parking or bicycle facilities ...

... fails to incorporate sufficient traffic management strategies to mitigate the amenity impacts that would be caused by ... increases in traffic volumes ...

As I mentioned, it is a very quiet and narrow street; it is not an arterial road and it is quite a long distance from any arterial road, the closest ones being High Street and Warrigal Road.

The document also says, most importantly:

The development fails to achieve a net increase in public housing within the City of Boroondara, having regard to the net loss of public housing at this site and within Bills Street, Hawthorn, in recent years ...

So there are a lot of concerns that are ongoing with the proposal for the redevelopment of the Markham estate. The redraft of the proposal has not satisfied the council; I am going through the very detailed report that has been put together by the council officers who have analysed the proposal.

Part of that report includes looking at the actual design of the apartments. I have been talking about the whole of the proposed redevelopment and its impact on the surrounding area — the environment, the local amenity et cetera — but council officers also looked at the particular proposals for the apartments. They found that the revised development remains non-compliant with a number of new standards. These include the functional layout standard, with inadequately sized main bedrooms in quite a large number of apartments; inadequately sized other bedrooms in even more apartments; inadequately sized living rooms in around half a dozen or so one-bedroom apartments; inadequately sized living rooms in a large number of two-bedroom apartments; problems with insufficient room depth; and a lack of storage.

Energy efficiency is not up to standard. Solar access to communal open space is also impacted. There is very little natural ventilation. A number of dwellings do not meet the requirements for private open space. Finally, the standard for accessibility requires that at least 50 per cent of apartments be designed to be accessible, and this has not been achieved. So quite apart from the impacts of the proposal as a whole, there are a lot of problems with the design of the apartments.

I have spent quite a bit of time on this matter because I am very strongly in agreement with the community and the council that this is a really inappropriate development for this area. We often hear the words

‘inappropriate development’, but this development is emblematic of what an inappropriate development is. It is a development in the wrong place. Perhaps the type of development being proposed for this site would be fine in another location, but it is not fine in this location.

The funding model that is being applied to this site is — as the council says, and I agree — leading to a false need for so many private dwellings to be built on what is public land that has been set aside for public housing. If this kind of development is going to be rolled out across Melbourne, then that is a concern in terms of making inroads into the number of people who are on the public housing waiting list. This development will make no inroads whatsoever into the public housing waiting list, and that is very concerning. So many opportunities are being lost with this development.

To the great satisfaction of a number of people who are listening to me I will have to wind up as I think my voice is about to go. Before I do, I want to just address the last part of Mr Davis’s motion — I am not sure if he is intending to do a right of reply — which calls on the Minister for Planning to absent himself from any decisions relating to the proposed redevelopment of the Markham estate. I assume that this rather vague wording actually refers to paragraph (3) of the motion, which recognises that the City of Boroondara is supposed to be the responsible authority for any planning decisions affecting the redevelopment of the Markham estate.

We agree that the council should be the responsible authority; in fact in any such development this should be the case because the council have their own planning instruments in place for those streets, those areas and, in this case, for some of the environmental assets nearby. They are best placed to understand the needs of the community and to work out what would be an appropriate development on that site. That is the same for any of the other proposed sites across Melbourne.

I would like to also commend the Ashburton Residents Action Group for the huge amount of work they have done in raising this issue and their support of a much better development and more public housing on that site.

House divided on motion:

Ayes, 22

Atkinson, Mr	Lovell, Ms
Barber, Mr	Morris, Mr
Bath, Ms	O’Donohue, Mr
Carling-Jenkins, Dr	O’Sullivan, Mr
Crozier, Ms	Patten, Ms

Dalla-Riva, Mr	Pennicuik, Ms
Davis, Mr	Peulich, Ms
Dunn, Ms	Ramsay, Mr
Finn, Mr	Rich-Phillips, Mr
Fitzherbert, Ms (<i>Teller</i>)	Springle, Ms (<i>Teller</i>)
Hartland, Ms	Wooldridge, Ms

Noes, 16

Bourman, Mr	Mulino, Mr
Dalidakis, Mr	Pulford, Ms
Eideh, Mr	Purcell, Mr (<i>Teller</i>)
Elasmar, Mr	Shing, Ms
Jennings, Mr	Somyurek, Mr
Leane, Mr (<i>Teller</i>)	Symes, Ms
Melhem, Mr	Tierney, Ms
Mikakos, Ms	Young, Mr

Pairs

Ondarchie, Mr	ALP vacancy
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Motion agreed to.

TAFE SYSTEM

Mrs PEULICH (South Eastern Metropolitan) — I move:

That this house —

- (1) expresses its grave concern at the decline of Victoria’s training system noting that under the Andrews Labor government, 123 000 students have disappeared from the training system in the past two years and students graduating with a vocational qualification are now less likely to get a job;
- (2) notes that Federation Training is in breach of the Financial Management Act 1994 by failing to provide to Parliament annual reports for 2015 or 2016;
- (3) calls on the Andrews Labor government to immediately provide data on the TAFE’s student enrolments, contestable funding and staffing for the 2015 and 2016 years; and
- (4) notes that the Andrews Labor government has broken its promise to increase funding to TAFE, by spending hundreds of millions of dollars less on student training.

The government’s track record on TAFE and training is a very poor one. It is marked by lies, obfuscation, poor legislation and regulation. The result of this is that we are now seeing TAFE, and in particular the training sector, plunged into a downward spiral, with 120 000 students disappearing from the training system in the past two years. Ms Tierney recently at the Public Accounts and Estimates Committee (PAEC), as she has done frequently in this chamber, very conveniently blamed the former government — it is always very easy to do that — arguing that it was the coalition government that cut TAFE funding.

Indeed what the Labor Party has been dishonest about are the reforms that they instituted when in government under Premier John Brumby and Minister Lynne Kosky — God bless her soul. She was a very nice person. The reforms instituted were the deregulation of the vocational and training system, setting up a contestable, market-driven environment and providing funding to the private sector and TAFEs in a contestable, open and transparent system. But in Ms Tierney's evidence at the recent Public Accounts and Estimates Committee hearing she said:

A deregulated market actually behaved in a very, very bad way. That had a significant impact on young people who were trying to study to then find a pathway to get a job, having their lives upturned in so many ways and their faith destroyed as a result of people taking advantage of them, and indeed running incentives that were only to their benefit and never to the benefit of the student or local communities.

Indeed, this is the very system that the Labor Party put in place. But in setting up this market-driven, contestable environment they failed to fund it adequately. Ms Tierney and Labor need to take responsibility for the decline in the Victorian training system. They are now using smoke and mirrors in an attempt to re-regulate the market and give TAFEs, many of which are in an unsustainable financial position, benefits that are not extended to the private sector. They are doing a 180-degree turn — perhaps not entirely 180 degrees but getting there — on the reforms which Labor instituted when they were in government.

The minister blames the deregulated market for the government's woes in TAFE and training and the financial and enrolment issues plaguing the sector. As I said before, this deregulation, as the minister put it, was the result of the Kosky-Bracks Education and Training Reform Act 2006 reforms which were not welcomed at the time by the head of the Australian Education Union (AEU) federal TAFE secretary who stated in 2008 that the reforms 'amount to the dismantling of the public TAFE system'.

As mentioned, these reforms were built on the notion of contestability. What we did see because of inadequate regulation and in particular the inadequate accountability of the private sector and inadequate quality control were some cowboys emerge as providers. When we were in government, as well as inheriting a grossly underfunded system, there was no mechanism to do quality audits on the registered training organisations (RTOs) and certainly not to audit their contracts or deny them contracts, a system which a former minister in the portfolio, Peter Hall, instituted. This government continues to say that we did nothing about it. Actually we put in place the mechanism to

reign in the cowboy providers and to ensure that the contracts of rogues were not renewed or were terminated and that there was an assurance of quality.

Ms Tierney obviously needs to either take a lesson in history or perhaps be a bit more transparent and up-front when it comes to the quagmire of ALP training policies which have created the current problems. Trying to lay the blame on somebody else is clearly not facing up to the truth.

The ALP 2014 platform signed by Daniel Andrews stated:

Only Labor built TAFE and only Labor will protect it.

What does that really mean? I think what it really means is that Labor dismantled TAFEs and, if elected, will finish the job by destroying them. That happens when you establish a monopoly. By various forms of funding and by moving away from the contestable market we will move to an environment where TAFEs will be predominantly the major providers of training and further education. Indeed the minister has ensured that TAFEs are the only ones that will be providing school vocational education and training. When you have that, when you have a monopoly, quality does fall, there is less responsiveness to industry despite the mechanisms the minister has put in place — their relationship with industry and so forth — and we see that reflected in the number of enrolments and what is happening to the sector.

The presentation given by Ms Tierney at the Public Accounts and Estimates Committee was light on detail, and it remains so. She is, I think, the only minister who has actually presented to PAEC whose presentation is still not uploaded to the Public Accounts and Estimates Committee website. All of the others are up. Hers is not. One must ask why. It was very light on detail and very selective when highlighting students and course enrolments, having only provided a graph with data for just two years, being 2012 and 2014. Of course what we need is fulsome advice and information provided to the Public Accounts and Estimates Committee, as opposed to a presentation which attempts to again pull the wool over everyone's eyes. There is a lack of accountability. There will be, however, a snapshot audit tabled by the Auditor-General in June 2017 that will no doubt be a revelation. We will be able to apply a greater level of scrutiny to this particular sector and to the policies that Ms Tierney is now progressing.

Labor continues to fail to meet the obligations and has failed to deliver an effective and quality TAFE and training sector and quality training to students. One hundred and twenty-three thousand students have now

disappeared from the training system in the past two years, and as a result they are less likely to get a job. If we look at the latest youth unemployment statistics, there has been no movement in Victoria's youth unemployment figures. One would have thought that after two and a half years of government there would have been an upward movement given the emphasis the government has placed on this area of policy.

The obligations set by Kosky and the former Labor government are clear, and it is even more clear that this Labor government has failed to stand by its obligations and failed to meet them. One hundred and twenty-three thousand students amounts to a 30 per cent reduction since Labor came into government. Last year 56 million fewer student contact hours were delivered by the training system. This decline is hitting both TAFE and registered training organisations. Quality of training has also declined. In this year's budget papers, page 190 of budget paper 3 shows that there has been no change in the proportion of vocational education and training completers with an improved employment status after training.

One of the most disturbing areas, however, is the second part of this motion, that Federation Training has failed to table two annual reports. It is therefore in breach of the Financial Management Act 1994 by failing to provide to Parliament annual reports for those two years, and we need to call on the government to immediately provide the data on the TAFE student enrolments, contestable funding and staffing for the 2015 and 2016 years.

The issue relating to Federation identified in the Victorian Auditor-General's Office (VAGO) *Technical and Further Education Institutes: 2015 Audit Snapshot* was a significant and controlled breakdown in relation to Federation Training. It was so dire that the VAGO report has even excluded Federation Training from its analysis of TAFE revenue across the sector. The lack of reporting is not only in breach of the Financial Management Act 1994, but it means that crucial data and information are being actively withheld. This data holds TAFE and training institutions to account, including accounting for millions in public money, helping to prevent roting and helping to ensure that what has been committed to by government and training providers is being delivered.

The information must be subjected to an acceptable level of public scrutiny both in the Parliament and the wider community in a timely fashion. As it stands Parliament does not currently have an accurate and fulsome picture of what is going on in the TAFE and training sector as a result of the trashing of this

requirement under the Financial Management Act 1994. I have no doubt that it is not likely to make the picture any more attractive when the information is finally received. However, I will reserve my judgement.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Victorian fire services review: report

Ms LOVELL (Northern Victoria) — I rise to speak on the Victorian fires services review *Drawing a Line, Building Stronger Services*, October 2015 report. As we all know, in the last week the Labor government and Daniel Andrews have announced that they are ripping apart 160 years of proud history of volunteer firefighting in Victoria with their decision to tear apart the Country Fire Authority (CFA), one of the oldest protected volunteer institutions in our state. The difficult thing about this is that there have been eight reviews into emergency fire services in this state, and not one single review — not one of those eight reviews — has recommended the action that Daniel Andrews has announced, which is to split the fire services into volunteer and paid agencies.

What will this mean for Victoria, this attempt to tear apart the CFA? What is the Volunteer Fire Brigades Victoria telling us? They are telling us that this will result in the loss of thousands of volunteer firefighters, and if that happens, that will put the lives and the property of Victorians at risk. As I have already said, the CFA have a proud history — a 160-year history of volunteering in this state, of protecting communities and of fighting campaign fires. This decision may put all of that at risk.

It is feared that the volunteers will not just be lost from the outer urban areas where stations will become part of the new Fire Rescue Victoria but that volunteers will be lost from right across the state because of the lack of respect that this government has shown to volunteers. They have been treated very shabbily, and they have been shown that they are disrespected by Daniel Andrews and the Labor Party.

Of course there are 35 integrated stations in this state, which are both volunteer and career stations. One of those is in my own home town of Shepparton, and other stations are in Ballarat city, Cranbourne, Hoppers Crossing, Patterson River, South Warrandyte, Belmont, Dandenong, Melton, Point Cook, Springvale, Bendigo, Eltham, Mildura, Portland, Sunbury, Boronia, Frankston, Mornington, Rosebud, Traralgon, Caroline Springs, Geelong city, Morwell, Rowville, Wangaratta,

Corio, Greenvale, Ocean Grove, Shepparton, Warrnambool, Craigieburn, Hallam, Pakenham, South Morang and Wodonga. The outer urban ones that I have named amongst that group are where a lot of our surge capacity comes from. The volunteers at those stations are the surge capacity that comes into country Victoria and assists when there are campaign fires to be fought, like the Black Saturday fires. If those volunteers are lost, the ability for the CFA to respond to many of those very large fires will be diminished, and it will put Victorians and their property at risk.

Also as part of this Daniel Andrews has said he is going to redraw the boundaries. We do not know much about that because Daniel Andrews has not given us a great deal of detail about what he intends to do in the legislation. Redraw the boundaries — does that mean in Shepparton they redraw the boundaries to take in the entire urban area and that destroys the Mooroopna, Kialla and Shepparton East volunteer brigades? What does it mean for the Shepparton Search and Rescue Squad, who do all of the road rescue now that we have Fire Rescue Victoria? Will the union want a grab of power to take those powers away from another volunteer group in Shepparton?

We are also not hearing from this government what the cost of the delivery of this is going to be. They are being deliberately secretive. Former CFA board chairman John Peberdy says it is between \$600 million and \$700 million, but the minister refused to answer questions from the Public Accounts and Estimates Committee about the costings on this, so the government is being deliberately secretive.

There is a \$100 million package for new stations and training and recruitment, and we think that the investment should go ahead. Regardless of the split of the CFA, it is a good investment in our volunteer brigades in Victoria. It is a shame that this government has locked in presumptive legislation with the splitting of the CFA. I call on them to split these bills so that we can all support presumptive legislation, which we have been calling for for some time, and vote on the split of the CFA separately. The only consultation that this government has conducted on this split is to talk with Peter Marshall and the United Firefighters Union. They have not consulted the CFA brigades, and that is despicable.

Victoria University: report 2016

Mr EIDEH (Western Metropolitan) — I rise to speak on the Victoria University annual report 2016. The report outlines the success and lifetime achievements of the university as it celebrates and

marks the centenary of the establishment of Footscray Technical School and its 100 years of commitment to the community. I would like to thank Chancellor George Pappas and vice-chancellor and president, Professor Peter Dawkins, for their commitment in preparing such a comprehensive report to accompany 100 years of success, growth and achievements.

This is alongside the achievements of their students and staff, who have made it possible to achieve what has been achieved. For Australia's leading sports university the past year was full of success and celebrations which were well earned. The university has proved itself to be an iconic institute of the west, and celebrated its centenary with a vastly exciting and engaging program of activities. They have also proudly achieved a ranking in the top 2 per cent of universities worldwide. Its being the first and only university based in the west of Melbourne highlights the continuing need for Victoria University to be both a university for and of the west in addition to its expansion globally. This is supported by the university's ranking in the top 400 universities worldwide in the prestigious Times Higher Education World University Rankings. The university's aim is to continue to provide an excellent standard of education to its diverse student community.

Whilst it is obvious that Victoria University is an important and vital part of our education sector, it also plays a key role in our economy due to its impact in the west. The report demonstrates that Victoria University contributed \$632 million to the region's gross domestic product and supported an estimated 4400 jobs. This highlights the major role Victoria University plays in the economic and social prosperity of the region. Victoria University is relaunching its TAFE division in partnership with the state government after the government advised that it would provide \$10 million funding to help build a new facility at the Sunshine campus. The funding complemented a significant grant of \$5 million from the Ian Potter Foundation.

The university also launched its new strategic plan, *The University of Opportunity and Success: Strategic Plan 2016–2020*. The strategic vision is to:

... be open and excellent, creating exceptional value for any student from any background and uplifting the communities in which we operate.

The university's key plank in their strategic plan for 2016–20 is a strategy for the west of Melbourne, designed to ensure a strong, vibrant university that drives economic prosperity and serves the needs of the region. Victoria University is performing above the national average in two important areas: skills

development and learner engagement. At the same time it has been steadily reducing the gap between its own and the national average rate of student satisfaction, showing that it is aiming to prove that Victoria is the state of education.

The year 2016 saw work commence on a selection of elements in the plan, including planning for three strong precincts that are deeply integrated with industry and community, undertaking research that significantly impacts on and contributes to the uplifting of communities in the west of Melbourne, revitalising TAFE in the west of Melbourne and providing regional leadership and coordination to shape the economic development of the region, such as being a world-class leader in sports, exercise and active living. It is fair to say that after reading the Victoria University report, containing the major achievements that I have mentioned and others that I have not, it is clear that it is aiming to ensure that Victoria continues to be the state of education and that it will achieve an endless array of successes in 2017, which I am very excited to see. I commend the report to the house.

Department of Treasury and Finance: budget papers 2017–18

Mr MORRIS (Western Victoria) — I rise to make a statement with regard to the state budget papers 2017–18. I want to make reference to a particular project that is being funded in the state budget. There was a particular announcement just recently with regard to the Ballarat railway station precinct. This is a precinct that I know Mr Ramsay had a lot to do with during the term of the former government. The 2014 master plan that was drawn up by both the state government and the council at the time, which I was very fortunate to be involved with then, was a good master plan. It mapped out what could be done at the railway precinct, which is a critically important piece of land in Ballarat's CBD. However, we have seen this government try to pick apart this master plan, and in doing so they really have come up with an absolute dog's breakfast of a project. We see now that the government made commitments prior to the election about what was going to be done, and then after the election they decided that they were going to drop a few things off the list.

Prior to the election the government committed to adding a bus interchange to the railway precinct. They announced their plans with much fanfare, and now when people look at the detail, they realise that there is no bus interchange as part of the announcement that the government made. Then, looking further into the detail of the government's first announcement, we see that

rather than having over 400 commuter car parks on the site, the number has been reduced to just 270 — a reduction of over 130 car parks for a railway precinct that is growing significantly.

There is quite a well-organised group in Ballarat at the moment called Save Our Station, and I have been very fortunate to meet with the Save Our Station group on a number of occasions. I was very pleased to have a discussion with them about their plans for the site that they have developed in consultation with their group. I think they have certainly come a long way from what the government is currently proposing.

The government is prepared to basically sell off a large proportion of this land and give it to a private developer. The original master plan that Mr Ramsay was involved in detailed a four-star hotel. What the government is now proposing is not to put up a four-star hotel. They are proposing to put up a block of flats at the railway precinct, a block of flats that indeed could be sold off at any time and would not achieve the outcome that was detailed in the master plan.

Similarly the government have been dragged kicking and screaming to announce \$5 million in the state budget for a bus interchange. However, there are absolutely no plans for this bus interchange. There are no plans about when it is going to be built, who is going to build it and indeed whether or not \$5 million is going to be enough. There are going to be a significant amount of bus movements through this bus interchange and there is no clarity around where these buses are going to come from. One would imagine they are going to come off Nolan Street, but Nolan Street in its current configuration is going to severely struggle to handle the sum of 50 bus movements an hour that is likely to occur there. How is this plan going to happen? The government are yet to answer any of these questions.

Heritage Victoria are going to be conducting an assessment of the government's plans, and I think this is going to be a critically important time to assess whether or not the government's plan is the right one. I and many other residents in Ballarat are of the firm view that the government have got this wrong. They started out with a good master plan that Mr Ramsay was involved in detailing.

Mr Ramsay — I launched it.

Mr MORRIS — Yes, indeed you did launch it, Mr Ramsay. However, what the government has done is pick and choose, and as a result of that they have come up with what can only be described as an absolute dog's breakfast of a project.

We also have the impact of the urban buses that are going to be going past the Ballarat station, which was not even thought of at the time of Mr Ramsay's master plan. I note that late last week the two local members for Ballarat — Geoff Howard and Sharon Knight from the Legislative Assembly — announced with great fanfare that there was going to be an additional 100 car spaces for commuters. Basically what they were trumpeting was that they were going to give back to the commuters of Ballarat exactly the number of car park spaces that are currently there, and they expected to be congratulated for it. The people of Ballarat are not falling for that; they realise that they are being sold a pup. What we on this side of the house have been saying is that the government should abandon the current project and they should go back and listen to the community and develop a better plan.

Auditor-General: Board Performance

Mr ELASMAR (Northern Metropolitan) — I wish to speak to the Victorian Auditor-General's report entitled *Board Performance*, tabled in May 2017. At the outset let me say that volunteer directors of public entity boards are wonderful, selfless, compassionate people who give their time and, in most cases, their substantial expertise to enhance the lives of ordinary underprivileged Victorians. For many years many of my friends and close associates sat on boards as volunteer unpaid directors. Board members do a wonderful job and often work in full-time employment as well. I am grateful for their volunteer efforts and we should all be thankful for their ongoing commitment. Often it is a form of public service that is unseen and mainly unrecognised. Their philanthropy is a testament to the effectiveness and efficiency of not-for-profit organisations operating today, particularly in the health industry. In Victoria there are about 3400 public sector entities. They are governed by roughly 33 000 board members and 85 per cent of them are unpaid. Interestingly enough most directors are from outside the public service.

The responsibilities of board directors is prescribed and very clear. According to the Auditor-General's report, there are some question marks regarding knowledge and application of financial responsibilities and whether some regional directors understand their fiscal accountabilities in terms of conflict of interest issues. However, I am sure that aspect will be remedied by the implementation of the recommendations contained in the report. A board member's primary function is to set strategic directions and monitor and manage the performance of senior management. The audit report examined whether boards are performing effectively and contributing to effective governance of public sector entities.

In conclusion, it would appear that the overall majority of voluntary board directors are doing a fantastic job. The significant majority of public sector boards demonstrated best practice in most areas of governance and are operating effectively. It would seem that the portfolio departments provide good guidance on governance to their boards, but responsible portfolio departments could do more to support boards and oversee their performance. The recommendations contained in the report are self-explanatory and to a large extent already occur within the health portfolio. These boards are worthy of our full support. We must continue to provide them with the best education possible and encourage annual reassessments of skills and aptitudes as they are applied to the governance of these boards. I thank the Auditor-General for the report.

Victorian fire services review: report

Ms BATH (Eastern Victoria) — I rise today to make a contribution on the 2015 fires services review, *Drawing a Line, Building Stronger Services*. In terms of the Country Fire Authority (CFA) and in terms of CFA volunteers, how they are paid is not in dollars or cents. They are not paid with long service leave. They are not paid in terms of superannuation. They are paid in terms of respect and the work that they do within our community, and this government is not respecting the volunteers.

A number of parts in section 6 of the Country Fire Authority Act 1958 deal with consultation. Indeed the volunteer charter enshrined by the previous government, which was signed off by the then opposition leader Daniel Andrews, makes a number of points in relation to consultation. The state of Victoria will provide for and support the volunteers subject to the following principles, and I quote:

Consult with the elected representatives of volunteers on all matters which may impact on volunteers including proposed legislation and the inadequacy of resources to enable volunteers in CFA to deliver the agreed services.

What we see here is that all parties must agree to outcomes against the following principles:

Is it fair?

Is it just?

Is it reasonable?

Does it discriminate against volunteers?

Is the outcome practical and sustainable?

Is it in the best interest of the safety of the Victorian community?

Last Friday at about 8.30 a.m. I listened to Mr Merlino, the Minister for Emergency Services, talking on 3AW. He said, ‘We have communicated widely. We have communicated across the board. I have talked to many people’ — and I am paraphrasing him but the intent is there. Let me also say that from talking with volunteers right across Eastern Victoria Region that is not the case for volunteers in my patch; it is not the case for representatives of the Volunteer Fire Brigades Victoria. It is basically a fabrication to suit his purposes.

In terms of the fire services review, which is one of eight reviews that have occurred in the last 10 years, none of them have ever stated that the CFA should split, that there should be a great transformation of the CFA to split off the paid firefighters from the volunteers — not one.

In terms of consultation the review states:

... most importantly, firefighters should be heard and their ideas sought on how best to get the job done.

Recommendation 8 reads:

The review recommends that committed and sustained effort be made by the senior leadership of the fire services to reset its relationship with firefighters and their representative bodies, through adopting a genuine, collaborative and consultative approach in place of the adversarial, win/lose dialogue.

Also, submission 11 from Cardinia shire says:

We believe that an integrated model works well; it gives an opportunity for staff and volunteers to respond and train with each other on a daily basis thus fostering better working relations.

What we have got now is a cleavage. We are going to have integrated stations, for example, in Latrobe Valley, in my patch. We are going to have an ‘us and them’ situation. Rather than being an integrated working model where paid firefighters, who are doing a great job in their area, and volunteers collaborate with each other, we are going to have a line drawn down the divide of an integrated station, and I cannot see how that is in the best interests of the community.

When we look at the fire services review that is currently being undertaken — and transcripts are on the website — none of the following people, who had the choice to have free comment in our review, in their discussions recommended a split with the CFA: not the former chair, John Peberdy; the former CEO, Lucinda Nolan; nor the chief fire officer, Joe Buffone. Nor did Mr Marshall come in and say, ‘I believe the best model is to split the CFA’. So here we have a government that is in grave peril, I believe, of in the long term putting

our communities at risk. They are not valuing the CFA volunteers, they are not consulting with the CFA volunteers, and I think this is an absolute disgrace. As I said before, it is an indictment of the Labor government.

Victorian fire services review: report

Mr RAMSAY (Western Victoria) — I am pleased to be able to make a contribution in relation to the same report that Ms Bath just made a contribution on, the *2015 Report of the Victorian Fire Services Review: Drawing a Line, Building Stronger Services*. It is appropriate that we take the opportunity to refer to this report today given my understanding that new legislation will be tabled tomorrow, with a proposal to provide Victoria with a new fire service model which has the name Fire Rescue Victoria.

Having scanned the 2015 fire services review document I saw absolutely no referral to any of the commentary in that report about support for a fire service model that would actually remove the current Metropolitan Fire Brigade and Country Fire Authority (CFA) acts as we know them and provide a constitution for career firefighters only under the Fire Rescue Victoria model that I understand will be before the Assembly tomorrow in the form of new legislation. Interestingly enough, even the comment made by Craig Lapsley, the emergency services commissioner, has not indicated his support for such a model. It is interesting that the Andrews government would see fit to bring forward legislation to the Assembly tomorrow that really has no supporting evidence from this review document *Drawing a Line, Building Stronger Services*.

The review talks about strengthening the bond between career and volunteer firefighters in our integrated stations, providing more resources, better using the resources that are available for our firefighting services and respecting not only the career firefighters that do very important work but also respecting the volunteers who are unpaid, as we know, and who give up their time to protect their local communities. On that basis the review indicated we should continue that ongoing support to make sure that our volunteers are fully trained and fully resourced with all the new safety equipment that is available.

It is intriguing that the Andrews government, for whatever reason — no-one can fully understand the reasoning — would be bringing forward legislation that actually splits the goodwill of the current model of firefighting services in Victoria to what is a career-based Fire Rescue Victoria model which will be bound under an enterprise bargaining agreement

(EBA). We know the United Firefighters Union (UFU) will have significant control over that EBA through its power of veto clauses, which will remain, as we understand it, even though the commonwealth introduced legislation under the Fair Work Act 2009 that would protect volunteers and actually remove some of the power of veto clauses in the proposed or the current EBA that is on the table and which will impact on the roles and responsibilities of the CFA hierarchy.

I am greatly concerned about the proposed legislation that will be introduced into the Assembly tomorrow. I know our CFA volunteers are greatly concerned. My hope is that we will be able to make sure that any legislation that is brought before the Legislative Council is fair and equitable to our volunteers.

I am very disappointed the Andrews government has seen fit to roll up the presumptive legislation clauses into this bill. They should be separated. They are not related, and they have bipartisan support. I say to our volunteers and our career firefighters that were looking forward to the introduction of presumptive legislation, you have no-one to blame but the Andrews government. It has tried to be smart by ramming through its restructuring using the presumptive legislation as a tool to fast-track it through the Assembly and, it would hope, through the Council.

My hope is that common sense will come to those crossbenchers who will play an important role in the deliberations in the Legislative Council and that they will think long and hard about the impact that the legislation as a whole will have on our volunteers, particularly those who will be marginalised by this proposed new structure. In fact in the integrated stations I suspect they will just slowly move out and the career-based firefighters will take total control of those shared resources in those integrated stations. We know the boundaries will slowly move out and the UFU will have greater control through Fire Rescue Victoria in areas that were traditionally CFA volunteer boundaries.

The ACTING PRESIDENT (Mr Finn) — Order! I am sorry, Mr Ramsay; your time has expired.

Department of Treasury and Finance: budget papers 2017–18

Mr DAVIS (Southern Metropolitan) — Today I want to talk about the state budget 2017–18 and in particular the impact on local government. It is very clear that the government's State Taxation Acts Amendment Bill 2017 will have an impact, particularly through the changes in land tax collections. Annualising the valuations — that is, instead of

biennial valuations — will mean more work for local councils in the initial period, and as the government has flagged that it will centralise the valuation process in the city, in metropolitan Melbourne, with the valuer-general overseeing it, I think there is further cause for concern.

Many councils have valuers who are qualified and provide high-quality valuation advice, both in country Victoria and in the metropolitan area. Those valuers will be sacked and thrown on the scrap heap if the state government has its way. Particularly in the country, those councils that contract to local valuation advice firms — sworn valuations provided by professionals through a consultancy arrangement in country towns in many cases — will see those valuers thrown out of work.

This is a harebrained scheme that Daniel Andrews and his Treasurer have come up with. It will cause all manner of impact on local government. Local governments are already under significant pressure, and this is another state impost. They will be required to pay for the annual valuations, although the fact is local government does not benefit from local valuations. Local valuations in a council area simply divide the amount of rates to be collected between different ratepayers. In the case of the state government the uplift in valuations annually will mean more land tax is scooped in — and I might say more of the fire services levy will be scooped in too, and we know some real reasons why Labor might be wanting to scoop in more of the fire services levy straight off. The Premier has said there will not be an increase in the fire services levy, and yet his very own bill will see an uplift in the land tax valuations and scoop in more of the fire services levy in the first year that it is applied.

Let me also be clear that the impact will be significant on councils in different ways that people have not thought through. This is one of those cases where consultation with the sector would have been helpful, but Daniel Andrews, in his arrogant mode, is riding roughshod over local communities and councils yet again. The supplementary valuations that many councils undertake as new land comes on is something that their local valuation services have been very swift and effective in undertaking, particularly in the growth areas and the interface councils. There is very significant additional supplementary revenue that comes in as those valuations are done. Now they will be beholden under Daniel Andrews's system to valuations done in metropolitan Melbourne and at a time and choosing of the central bureaucrats, not in a nimble and knowledgeable way as local valuers have done them in the past.

The service that is provided to ratepayers across municipalities will be diminished too, because instead of having a local and experienced valuer who understands the municipality it will be a call perhaps to the city, or maybe it will be online. You will never be able to get a sensible answer or a thoughtful answer about why the valuations were arrived at for your particular property. So there are all manner of impacts that are going to occur here, and these have not been put through by the government.

Councils will be required to pay for these valuation services. I note that at the Municipal Association of Victoria conference recently rural councils called for four-year valuations, not two-year valuations, because of the modest price movements that occur, and that would lower costs. But Daniel Andrews, of course, is going in completely the opposite direction, saying annual valuations are what is going to be mandated under these arrangements.

I am concerned about the impact. I think the government has not thought through the full impact. The opposition is determined to protect local communities and local councils from the impact of these changes, and Daniel Andrews needs to rethink this. I know the valuers across the state are deeply concerned about it. I know that they see that what is going to occur here is that those who have provided a high-quality local service will be thrown on the scrap heap by Daniel Andrews. Those who have worked assiduously in a bureaucracy in a local council and provided high-quality support will be thrown on the scrap heap as Daniel Andrews centralises valuation services — —

The ACTING PRESIDENT (Mr Finn) — Order! Mr Davis, your time has expired.

Department of Economic Development, Jobs, Transport and Resources: report 2014–15

Mrs PEULICH (South Eastern Metropolitan) — I wish to make a few remarks on the annual report for the Department of Economic Development, Jobs, Transport and Resources, especially on one of its major objectives which is very relevant to South Eastern Metropolitan Region: its objective to achieve high-quality transport services. The report states:

The purpose of this objective is to plan and provide higher levels of service delivery, and improve accessibility and provide better transport information. A strong focus of high-quality transport services is the provision of reliable travel for individuals that aims for minimal travel time and customer satisfaction.

Of course that is something that is delivered through public transport, and the community of the south-east has tried very hard to make sure that its beautiful coastal amenity along the Frankston line is protected by forcing the government to rethink its plans to build a sky rail solution to the level crossings. There are three that the government is being stubborn on and that it needs to rethink its position on.

In addition to that, recently there was an announcement that the Mornington Peninsula Freeway extension, previously named temporarily as the Mordialloc bypass — in fact it is a Mornington Peninsula Freeway north extension — will proceed. There was some criticism by the local Labor member and the Minister for Roads and Road Safety that this project had been delayed by the coalition and we had not delivered it. Given that it had been promised by Labor, to be completed by 1999, I think that is a bit of an unfair criticism. They had promised it. They then back-pedalled on it in 2002 and dropped it as a commitment. We have fought to overturn the Labor government's opposition to the Dingley bypass construction, the Kingston leg. We funded it. We designed it. We began the construction. Labor completed it, and the current Minister for Roads and Road Safety cut the ribbon and did not have the decency to invite me to the event.

The Mornington Peninsula Freeway (MPF) north extension could never have been built without the Kingston leg of the Dingley bypass first of all being completed. It has been completed. The government has wasted time in progressing the MPF north extension. We had set aside over \$11 million in order to advance the planning, so we have lost time — time that now would be critical given the works that are going to be undertaken in relation to the level crossing removals. If the MPF north extension were completed or well advanced, then the interruption related to the level crossing removals, which will cause havoc for thousands of commuters along the Nepean Highway, would be minimised because there would be an alternative route. So this is about poor planning and diverting money when it should have stayed where it was.

Most recently Kingston City Council, which is now under the control of the Labor Party — a very sad state of affairs — and in particular of the deputy mayor, Cr Rosemary West, who seems to be running the show, ruling the roost, moved a motion on Monday night in relation to the MPF north extension that it be delayed, that this vital piece of infrastructure be delayed, in preference to the building of the extension to the Westall bypass, or the Dandenong bypass, connecting

Westall Road to the Monash Freeway. That is an important piece of road infrastructure for the south-east, but much more important is the MPF north extension. In addition to that Cr West has tried to spearhead a campaign to stop the building of the bike trail, the bay trail, which had been fully consulted on. The community had agreed that it would go back of kerb. Now she is trying to revisit all of that.

We have had enough of stalling. Traffic congestion is choking the south-east. We need people like Cr Rosemary West to be put back in her place and for common sense to prevail. I call on the Minister for Roads and Road Safety and the Minister for Public Transport to work together to support the needs of the south-east — that is, to address the chronic problem of congestion which affects businesses, local residents, cyclists and pedestrians. We need these projects progressed. There is no more time to be lost, otherwise we will be wringing our hands in another 10 years time trying to find a scapegoat. We need the MPF north extension, we need the bike trail and eventually we need the Westall connection to the Monash Freeway.

ADJOURNMENT

Ms TIERNEY (Minister for Corrections) — I move:

That the house do now adjourn.

Bendigo Health

Ms WOOLDRIDGE (Eastern Metropolitan) — I am very pleased to speak on the adjournment tonight, and my matter is for the Minister for Health, Jill Hennessy, in the other place. The action I seek is that she intervene with the board at Bendigo Health to fix the myriad of problems that Bendigo Health is experiencing currently so that patients in central Victoria can get the top quality care that they need and deserve.

Bendigo Health is facing such a myriad of issues at the moment. Prominent at the moment is the issue that there is a recently signed contract that agrees to centralising microbiology services to Melbourne, removing the on-site service. Not only is this a loss of five jobs, but importantly the medical staff have made it very clear that not having those services on site is a detrimental clinical risk to patients. Given it is a very clear objective of Bendigo Health to be world class, there is no way that this hospital and health service can be world class with microbiology services off-site and down in Melbourne, many hours away.

This follows the bungled transition from anaesthetic technicians transitioning to anaesthetic nurses. What is happening is there are still many agency staff. This is creating delays. It is creating a lack of local experience and also an increase in costs. A number of the surgeons have suspended paediatric surgery, and once again those children must come to Melbourne if they are to access those services.

We are also seeing untrained, inexperienced staff being used as cleaners and porters, and what we are seeing as a result of all of this is a massive blowout of the elective surgery waiting list. There are 60 per cent more people on the Bendigo Health waiting list than when Labor came to government — that is, 646 more, coming in at just over 1700.

There has been the botched implementation of the digital medical record, creating delays in patient assessment, management and treatment, and all the while we have a CEO who has temporarily stood aside. That is since 8 February — three and a half months ago — and there is still no decision from the board in relation to the position.

There is the brand-new Bendigo Hospital, which began receiving patients about four months ago. This should be the heyday for Bendigo Health, but I have to say it is a pretty unhappy place to work. There has been a loss of staff. There is poor staff morale, and people are leaving, going down the road to St John of God and elsewhere.

The board needs to stop dithering. They need to resolve the CEO matter and have a permanent CEO in place. They need to reinstate the anaesthetic technicians and then manage the transition to the anaesthetic nurses properly. They need to renegotiate the contract to ensure the continuance of microbiology on site. We have to put patient safety first. It is at risk. Local services are being lost. Staff are leaving. Minister, you must act to ensure the continuation of these vital health services in Bendigo.

Employment initiatives

Mr LEANE (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Industry and Employment, Wade Noonan, and it refers to last week when the Premier signed a memorandum of understanding with the Civil Contractors Federation. The Civil Contractors Federation is a federation that represents well over 100 civil contractors, and the memorandum of understanding states that the government and federation members will do everything they can to train and create employment opportunities

for underemployed groups of Victorians like returned servicemen, workers in transition, victims of family violence and workers in newly arrived groups, such as the Sudanese and Islander groups, so they can gain employment on government construction projects — and there are many of them, as we know.

I know the minister has done a lot of great work in developing programs and assisting underemployed groups of Victorians to gain employment. The action I seek from the minister is that he meet with the federation and point them to existing programs — as I said, great programs which he has initiated — that may be able to assist them in their endeavours or may be able to assist them in creating their own initiatives. That would very much be appreciated.

Taxi and hire car industry

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Public Transport, and it is regarding the Labor government's unfair implementation of the taxi industry Fairness Fund. My request of the minister is that, as a matter of urgency, she investigates the administration of the Fairness Fund and expedites responses for all applicants, but particularly my constituents the Rasmussens, so that they know where they stand and can start to move on with their lives.

The Fairness Fund website claims the fund 'will provide targeted financial support to taxi and hire car licence holders who need it most'. It also states that applications closed in April 2017. However, taxi licence holders are finding it particularly difficult to access the Fairness Fund and are frustrated by the lack of communication regarding their applications.

One particular licence-holder, Mr Henning Rasmussen, and his wife, Martine, have advised me that they submitted an application on 3 December last year but as at Friday, 19 May — five and a half months after they submitted their application — they have not had any proper feedback from anywhere, not even an acknowledgement letter or a reference number so they can follow up their application and certainly nothing to say their request is being actively assessed.

The website says to allow 'up to three weeks processing time to receive a letter of acknowledgement in the mail'. Perhaps the minister meant for this to read 'at least five and a half months processing time'? The Rasmussens have said they are facing bankruptcy if they do not get some help very soon. I am sure they are not alone in the challenges they face, but I will detail

just a snippet of the severity of their situation from their correspondence. They say:

We struggle to make ends meet every week. In fact we have had to rely on help for food from charities for approximately six months now. We cannot pay our taxi bank loan/mortgage and our private car is in dire need of maintenance. We simply do not have the money to pay for any repairs on it. We have relied heavily on other family members to help us out for a long time and they cannot continue to help indefinitely.

The government's mishandling of ridesharing and the effect it is having on the taxi industry — most obviously taxi licence holders — is appalling, and the taxi industry has been in limbo for some time now due to government's slowness to act in this area. The website says that the government anticipates that all applicants will know the outcome of their application by mid-2017. I expect that, given the extremely poor administration of the fund so far, licence-holders are sceptical of this. Many taxi licence holders, particularly in country Victoria, are concerned they will be left with significant debt because government compensation packages will not cover the debt that they have incurred to purchase their licences, which have now become worthless.

I also note that it is disappointing that the Rasmussens sought the assistance of the member for Shepparton in the Legislative Assembly on this issue but she was not willing to help them. In an email to me on 15 May Mr Rasmussen wrote:

I was of the understanding this would be a matter for Suzanna Sheed's office, but they are not willing to help me find out what is going on or not.

In fact he told me that her staff member had just told him to go to see Wendy Lovell, without even taking the details of his inquiry. And even though this email was cc'd to Suzanna Sheed, she still did not offer to help.

Cairnlea development

Mr EIDEH (Western Metropolitan) — My adjournment matter tonight is for the Minister for Planning, the Honourable Richard Wynne. The Andrews Labor government is committed to doing whatever is necessary to ensure a proper and consolidated planning process in Victoria, and our track record thus far is commendable, to say the least. In my electorate of Western Metropolitan Region there are many ongoing projects, and some great work has been done in Cairnlea to create a suburb that is thriving and growing into a very attractive place to live, work and indulge in numerous forms of recreation.

Many of you will know that Cairnlea was created and built on old defence land encompassing the ammunition

works. Former state governments and the Environment Protection Authority conducted many studies and reviews into the quality of the soil and the land more generally to ensure that it was safe to build a new suburb there. Having said all of that, some underlying concerns remain amongst residents of parts of Cairnlea about soil toxicity in some locations.

On the north-east corner of Ballarat Road and Cairnlea Drive there is currently vacant land under the auspices of Places Victoria. Recently fences were erected around the land by Places Victoria, and an initial inquiry with the Brimbank City Council resulted in information about a concerted tree planting initiative at the site. This site and this land has been said by some in the local community to consist of toxic soils and to not be suitable for human habitation or recreation.

My question to the minister is: are there any planning projects or reviews currently underway at this site, and if so, what level of investigation is being made into accusations of soil toxicity?

Ballarat railway station precinct

Mr MORRIS (Western Victoria) — My adjournment matter is for the Minister for Regional Development and relates to the Ballarat station precinct redevelopment. The Ballarat station precinct redevelopment could be described as a dog's breakfast, as I have previously said. It all started with the announcement on 29 November last year that the Pellicano Group had won the right to be gifted a massive amount of land by the government in the railway precinct — land that was gazetted as a rail reserve on 11 October 1859. That was some 157 years ago. Since then successive governments have seen fit not to flog off this land — that is, until now.

When this announcement was made, present were the Premier and Minister Pulford along with Geoff Howard and Sharon Knight, the members for Buninyong and Wendouree in the Legislative Assembly, but when they unveiled their plan, what was revealed was that they had planned on slashing the number of commuter car parks by 130 and turning the magnificent heritage Lydiard Street North into a bus depot.

This news was not received well by the locals, so in true Ballarat tradition, the locals rose up against this tyrannical government, and they achieved a couple of wins. Embarrassingly for the government, it was forced to commit a further \$5 million to the bus interchange that it promised before the 2014 election and initially refused to fund. Local members Geoff Howard and Sharon Knight had egg on their faces after being

wheeled out to announce that they would reverse their decision to slash the number of commuter car parks at the station. Rather than offering the community an apology, they tried to trumpet this as a win for commuters. All the while Minister Pulford shied away from this announcement, one can only assume due to injury as a result of all this backflipping.

All in all this redevelopment has been nothing more than a shemozzle. However, Ms Pulford will be pleased to hear that the Ballarat community has offered her a way out of this God-awful mess. The Save Our Station group have developed their own proposal for the redevelopment of the railway precinct. The action I seek is that the minister agree to Save Our Station's request for an independent body, such as Infrastructure Victoria, to complete an assessment comparing Save Our Station's proposal for the Ballarat station precinct with the government's proposal to determine which proposal is superior.

Save Our Station have run quite an effective campaign against the government's current ill-conceived and shambolic proposal for the precinct, so I am sure the minister will be pleased to hear, as I understand it, that Save Our Station have committed to ceasing their campaign against the government if an independent body finds that the government's plan is superior to the Save Our Station plan. That is an offer I am hopeful the minister will find too good to refuse.

Gippsland technical school

Ms BATH (Eastern Victoria) — My adjournment matter this evening is for the Minister for Education, the Honourable James Merlino. Before I explain the action that I would like from him I will go through a couple of points. The Federation Training site at Morwell is going to be the home for the new Gippsland technical school. The Gippsland tech school is going to do all things for all people, as outlined by the government's website. The government's website states that Melbourne architects have been appointed and that it is part of a new funding regime. It is part of a plan for 10 tech schools. It is going to look at food and fibre, health, new energy and advanced manufacturing. That is all on the website, which talks about providing the skills students will need for the 21st century, and I always like that phrase. It talks about science, technology, engineering and maths, those STEM topics. The website has a great picture of students working in a laboratory.

It is anticipated that the school will open in early 2018, so we are talking eight or nine months away. It has also partnered with eight schools in the Central Gippsland

and Latrobe Valley region and other partners. But what I am hearing on the ground from the people who are meeting with the board director is that their meetings are very ideologically driven. There is a lot of rah at these meetings, but it is very slim on detail. The questions are: how is it going to be implemented; what is actually going to go under that roof structure; will there be a science laboratory, as shown on that website; will there be a technology centre there; will there be an arts centre there; and what will go into the structure of the business and the building?

Schools are very curriculum-driven places. Teachers need to have resources that are created at this venue and delivered into a school to meet their curriculum and enhance the teaching of their students. But what I am hearing is that there is no detail around the structure, the content and the layout of this building. If it is coming in a very short time and is only a few months away, why are we not seeing this detail and why are these people not being told about it?

The action I am seeking from the Minister for Education is that he explain and provide proper detail around the layout and the internal workings of this tech school, not just rhetoric about how good it is going to be. How are the plans and the structure going to meet the needs of students who deserve the best education they can get in Central Gippsland?

Spectrum Journeys

Mr FINN (Western Metropolitan) — I raise for the attention of the Minister for Housing, Disability and Ageing a matter that came to my attention again last week as I travelled to Chirnside Park, which it has to be said is a fair hike from my place. I was out in Chirnside Park to meet again with Kate Johnson and her team from Spectrum Journeys. I have commented in the past that since I have had the role of shadow parliamentary secretary for autism spectrum disorder, one of the great joys I have had is to travel around Victoria and meet some truly wonderful people doing amazing things for people, particularly children, with autism. Kate and her team at Spectrum Journeys are certainly in that category. Their vision is to equip and empower families, educators, teachers and future professionals as they support children on the autism spectrum to flourish. Some of their core services include low-cost, needs-based workshops that are accessible, relevant and practical. These are expanding across Melbourne and indeed across regional Victoria.

One thing that really grabbed my attention was the blessing bag, which is a bag of products designed to pamper their receiver. The bags are for mums and

carers of children with autism. Sometimes when things get particularly tough mums and carers get a real buzz out of somebody showing some appreciation for what they do. I have seen some of the videos of thanks from some of the mums to Spectrum Journeys. They were in tears as they thanked them for what they have done in putting this bag together and giving it to them with a particularly nice card, I have to say, telling them just how special they are, because as we know with regard to autism, sometimes carers and mothers can lose themselves — they can become lost in the daily grind, as it were, and forget about themselves — so this is a great way of making people feel appreciated.

Spectrum Journeys do a great deal more. This is all done, I should say, on a voluntary basis. They raise their own money. This is a great group of young women in the outer east of Melbourne. Another \$50 000 would go an enormously long way to helping them. I ask the minister to sign the cheque and give Spectrum Journeys \$50 000 in order to allow them to do that.

Geelong Citizens Jury

Mr DAVIS (Southern Metropolitan) — My matter is for the attention of the Minister for Local Government, and it concerns the Geelong Citizens Jury. The minister has made much of the Geelong Citizens Jury. However, an FOI released to us in recent days, and this is after a seven-month-long fight, shows that an enormous amount of money has been expended by taxpayers — more than half a million dollars — on this process. A document I have in my possession dated 20 July 2016 says the budget for the Geelong Citizens Jury has still not been confirmed through the Department of Environment, Land, Water and Planning internal processes. A budget of approximately \$450 000, which does not include staffing costs, has been sought. Approximately half of these costs are specifically for the citizens jury.

Another part of this process is also concerning. In a memo dated 20 May 2016 the executive director, local government, approved a request for an exemption from obtaining three written quotes for the purchase of services for a citizens jury in Geelong. This is a hand-picked jury; this is a group of toadies who have been picked to conduct the process for the purposes of delivering a result that the minister wanted. I make the point that members of the jury are good local citizens, but the government has sought through the newDemocracy Foundation, which is the favoured group, to manage the process to get the outcome that they want. Those paying the piper are calling the tune in this case. They waved aside normal probity; they

waved aside normal arrangements. The request for an exemption from obtaining three written quotes for the purchase of services for a citizens jury in Geelong waves aside the normal protections.

In my view Minister Hutchins and her hand-picked citizens jury organiser are bypassing normal probity and financial processes. The total cost is, as I say, more than half a million dollars. This smells to high heaven. How can anyone be confident about the outcome after the total lack of probity shown in the appointment of the new Democracy Foundation? Whatever one thinks about the jury, whatever one thinks about the group that ran the process, it should have had a proper tender process; there should have been proper probity. The minister and her crew in the bureaucracy will say that they could wave aside normal processes because this is the only group that could possibly conduct a citizens jury. Well, that is baloney. There are many groups who could conduct such an approach.

I have to say that I am concerned. I want the minister to review the process to ensure that it does not occur again. More than half a million dollars could have been spent on services in Geelong; instead it was spent on the minister's hand-picked citizens jury organiser.

Kensington railway station

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Public Transport, Ms Allan. Kensington train station has experienced a surge in patronage, with services struggling to keep up with demand. The office of my colleague Ms Sandell, the member for Melbourne in the Legislative Assembly, who is currently on maternity leave, has been informed that overcrowding at the station is so bad that people are pushing and shoving to get onto already overcrowded services. We have been informed that on more than one occasion the jostling on the platform and the train has caused commuters to faint, fall and suffer injuries.

I understand that creating more capacity on the entire network is a priority for all parties in this Parliament and that work is being undertaken. However, this does not solve or ameliorate the immediate issue of overcrowding at Kensington. My request to the minister is that she examine the problem and work out what can be done in the short term to assist with the overcrowding — for example, increasing staffing to help manage the crowds or even reopening the waiting room, which has been closed for some time, in order to create more capacity for people on the platform and to manage crowds, particularly during times of inclement weather.

Bolte Bridge safety barriers

Ms FITZHERBERT (Southern Metropolitan) — There are many occasions on which constituents raise very personal and emotional issues with their member of Parliament. This was my experience over the weekend, when I received an email from Janine Mitten. Her words about her much-loved son, Jackson Smith, will stay with me for a long time. She wrote:

I thought you should know about a tragedy that occurred last week. My beautiful, talented 25-year-old son took his own life by stepping off the Bolte Bridge —

on 11 May —

at 12.22 a.m. He was not suffering any apparent mental illness and lived in a warm and loving family. He was a local to South Melbourne ... attended local schools and worked in the area. This has devastated and shocked our family, friends and community to the core and we all want answers as to why there are no barriers, netting or other deterrents on the Bolte Bridge!

I have to confess that until Ms Mitten contacted me, and even though I had driven over the Bolte Bridge many times, I had not noticed that there are no safety barriers like the ones we see on the West Gate Bridge.

Jackson's funeral was held on Monday. I cannot begin to imagine the pain that his mother and other family members are feeling and will continue to endure for a long time. Jackson's mother is seeking answers to some very reasonable questions. She does not want another family to experience the shock, pain and loss that her family is going through. She also raised the likely effect of Jackson's suicide on 'the poor workers and police and the truck driver who tried to stop him'.

Ms Mitten wants to see barriers at the Bolte Bridge and for this to happen urgently. My adjournment matter is for the Minister for Roads and Road Safety, and the action I am seeking from the minister is an explanation of what plans there are, if any, to install safety barriers on the Bolte Bridge.

Greater Geelong City Council

Mr RAMSAY (Western Victoria) — My adjournment matter is for the Minister for Local Government, the Honourable Natalie Hutchins. It is in relation to a matter I brought to the attention of the integrity forum of the Institute of Public Administration Australia in Geelong last week, which looked at integrity in local government. The matter that I want to bring to the attention of the minister, which relates to the action I seek, is around the City of Greater Geelong competing with private interests in relation to land

being held in the Geelong Ring Road employment precinct.

The situation is that the council not only owns land in that precinct but is also the approval authority in relation to the development of that land. I had occasion to meet with the Bisinella group, which is a large development group that does both residential and industrial development, and also holds similar land in what is known as GREP, the Geelong Ring Road employment precinct. They have been waiting for planning permits from the City of Greater Geelong for many years to be able to develop some of their land, but strangely enough the City of Greater Geelong, the owner of some of that land, has been approving planning permits to allow their own development of the industrial site and consequently — hopefully — create a number of jobs. The council has actually said that they would create 10 000 jobs at that industrial precinct, but I understand that with \$10 million of ratepayers money already spent they have not created one job.

The real issue for me is whether the City of Greater Geelong should in fact be not only the owner but also the planning authority of that land when the council is in direct competition with private interests, like the Bisinella company, and is awarding itself planning permits far in excess of what Bisinella is able to achieve by going through that planning authority. In fact I understand the Bisinellas have been waiting two or three years for planning permits to be approved, yet the City of Greater Geelong is approving their own planning permits for land to allow for industrial growth in that precinct. That to me does not seem right, and it does not seem fair. In fact I believe there is an integrity issue with council not only having ownership of land but also being the planning authority when it is in direct competition with private interests who seem to be not receiving the same processes or timeliness as the City of Greater Geelong is in awarding themselves their own planning permits.

I ask the minister to look into whether there is an integrity issue with councils behaving in such a manner. The local council inspectorate has indicated that they are also looking at this issue.

Responses

Ms MIKAKOS (Minister for Families and Children) — Tonight I have received the following adjournment matters: from Ms Wooldridge directed to the Minister for Health, from Mr Leane directed to the Minister for Industry and Employment, from Ms Lovell directed to the Minister for Public Transport, from Mr Eideh directed to the Minister for Planning, from

Mr Morris directed to the Minister for Regional Development, from Ms Bath directed to the Minister for Education, from Mr Davis directed to the Minister for Local Government, from Mr Barber directed to the Minister for Public Transport and from Mr Ramsay directed to the Minister for Local Government.

In relation to the matter that Mr Finn raised, which was directed to the Minister for Housing, Disability and Ageing, I just make the point as someone who also has children with autism in my life how much I appreciated hearing about Spectrum Journeys. I wish them well with their continued efforts to support children with autism, and obviously I will be directing that matter to the Minister for Housing, Disability and Ageing for a response.

In respect of the matter that Ms Fitzherbert raised, that matter will obviously be referred to the Minister for Roads and Road Safety, but I too read that email, and can I just express my deep sympathy to Ms Mitten and her family for the tragic loss of their son.

Obviously all those matters will be referred to the relevant ministers for a response.

I have also received seven written responses to adjournment debate matters, which will be distributed to members.

The PRESIDENT — Order! On that basis, the house stands adjourned.

House adjourned 6.11 p.m.