

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Wednesday, 29 November 2017

(Extract from book 21)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry (from 16 October 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer and Minister for Resources	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Industry and Employment	The Hon. B. A. Carroll, MP
Minister for Trade and Investment, Minister for Innovation and the Digital Economy, and Minister for Small Business	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 Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Local Government	The Hon. M. Kairouz, MP
Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, 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 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

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 15 October 2017)

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 Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Local Government	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 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

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 12 September 2017)

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 (until 23 August 2017)	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 Bourman, #Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Ms Hartland, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

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

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

participating members

Legislative Council select committees

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

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

Joint committees

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

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

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

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

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

Family and Community Development Committee — (*Council*): Dr Carling-Jenkins and Mr Finn. (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish.

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

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

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

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

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

Heads of parliamentary departments

Assembly — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

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

Parliamentary Services — Secretary: Mr P. Lochert

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 Melhem, Mr Morris, Ms Patten, Mr Purcell, 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:

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John ¹	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 ⁷	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel ³	Western Metropolitan	AC	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Luke Bartholomew ⁸	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 ⁴	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	VILJ
Elasmarr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini ⁹	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark ⁵	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph ⁶	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Melhem, Mr Cesar	Western Metropolitan	ALP	Young, Mr Daniel	Northern Victoria	SFFP

¹ Resigned 28 September 2017

² Appointed 15 April 2015

³ DLP until 26 June 2017

⁴ Resigned 27 May 2016

⁵ Appointed 7 June 2017

⁶ Resigned 6 April 2017

⁷ Resigned 25 February 2015

⁸ Appointed 12 October 2016

⁹ Appointed 18 October 2017

PARTY ABBREVIATIONS

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

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Wednesday, 29 November 2017

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.33 a.m. and read the prayer.

The PRESIDENT — I advise the house that Jaclyn Symes will not be here today. She is attending the funeral of Stephen Hutchins, the former senator, and the funeral is in Sydney. Members will be aware that Stephen was the husband of Natalie Hutchins, a minister in the other place. I am sure all of our thoughts and prayers are with Natalie and the family at this time. Stephen was taken far too young.

PETITIONS

Following petitions presented to house:

Voluntary assisted dying

To the Honourable the President and members of the Legislative Council assembled in Parliament:

We, the undersigned citizens of Victoria, implore the members of the Legislative Council of Victoria to vote against the Andrews Labor government's so-called Voluntary Assisted Dying Bill, which is in fact a method of state-sanctioned killing, and which:

- is unsafe, effectively supporting a form of euthanasia;
- is flawed, in that there are inadequate protections against duress and pressure being brought to bear on vulnerable patients at the end of life;
- will see lethal drugs stored in homes for long periods, opening the risks of deliberate and accidental misuse;
- fails to recognise the diversity of cultural practices and beliefs which surround death and dying and the irreplaceable role of family in our diverse multicultural society; and
- fails to recognise and respect deeply held religious convictions and faith.

By Mr DAVIS (Southern Metropolitan) (24 signatures).

Laid on table.

Queen Victoria Market development

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the City of Melbourne's proposal to redevelop the Queen Victoria Market, that will dismantle and remove heritage-listed structures at Queen Victoria Market in order to excavate and construct underground storage space and convert the market into an entertainment, dining and event precinct — none of which is in the interest of a fresh food market. The Queen Victoria Market is where family businesses provide personal

contact, quality fresh produce and merchandise, colour and noise, diversity and price competitiveness, and it provides the opportunity for tourists to join the people of Melbourne in an internationally recognised cultural activity.

The petitioners therefore request that the Legislative Council call on the Victorian government to —

- (1) urgently legislate to prevent the dismantling and excavation of the Queen Victoria Market;
- (2) put a moratorium on future market development until there has been proper consultation with the market traders and the community at large;
- (3) affirm the Queen Victoria Market as a historic, working market serving local Melbourne and Victorian residents and visitors, which reflect the culture, history, diversity and palates of Melbourne and Victoria; and
- (4) consider the impact of any changes to the market on the livelihoods of traders and the heritage value and ongoing viability of the Queen Victoria Market.

By Ms PATTEN (Northern Metropolitan) (271 signatures).

Laid on table.

Ordered to be considered next day on motion of Ms PATTEN (Northern Metropolitan).

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (LAB-GRADE PILL TESTING PILOT) BILL 2017

Introduction and first reading

Ms SPRINGLE (South Eastern Metropolitan) introduced a bill for an act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the conduct of a pilot program for pill testing, and for other purposes.

Read first time.

ACCOUNTABILITY AND OVERSIGHT COMMITTEE

Education, training and communications initiatives of Victorian oversight agencies

Mr O'SULLIVAN presented report, together with transcripts of evidence.

Laid on table.

Ordered that report be published.

Mr O'SULLIVAN (Northern Victoria) (09:38) — I move:

That the Council take note of the report.

This report covers the three agencies the committee has oversight responsibility for — that is, the new Office of the Victorian Information Commissioner, which merged the functions of the former Freedom of Information Commissioner with those of the commissioner for privacy and data protection, the Victorian Ombudsman and the Victorian Inspectorate. The report examines how education, training and communications activities of the oversight agencies can be strengthened to improve understanding of their functions and processes, both within the public sector service and the community more broadly.

Key accountability and oversight functions of the Ombudsman, the information commissioner and the inspectorate are contingent upon a member of the public filing a complaint or submitting a request. As such public understanding of these processes and functions is integral to the effectiveness of the oversight agencies. The committee received evidence in submissions from oversight agencies, local councils and government departments, as well as holding public hearings and conducting study tours to Queensland, New South Wales and New Zealand. The committee's inquiry found that more needs to be done to better articulate the role and work of the oversight agencies, and how these agencies can best work in the interests of all Victorians.

Among its 17 recommendations the committee has proposed that the Victorian Ombudsman be provided with a statutory education and training function; that it specifically engage with young people and disadvantaged groups through its community education and awareness-raising activities; that enhanced and independently evaluated e-learning programs be carried out by the Victorian Information Commissioner and the Victorian government invest further in the provision of e-learning training and workshops; that the Victorian Information Commissioner publish freedom of information review decisions online; that the Victorian Inspectorate review its website and include a series of case notes to provide guidance on matters of frequent complaints; that the oversight agencies deliver presentations to a wider audience; and that the Victorian government promote options for greater support of the public, including legal and counselling-based services, for people who remain dissatisfied with a final decision of the oversight agencies, in particular where they have exhausted all other review options.

I would like to thank the other committee members who were involved in this inquiry: the chair, Mr Angus in the other place, Ms Jaclyn Symes as the deputy chair, Michael Gidley, MP, James Purcell, Nick Staikos, MP, and the Honourable Marsha Thomson. I would also like to thank the committee secretariat for their work: Sean Coley, Caitlin Grover and Sarah Catherall.

Motion agreed to.

STANDING COMMITTEE ON THE ENVIRONMENT AND PLANNING

Owners Corporations Amendment (Short-stay Accommodation) Bill 2016

Mr DALIDAKIS (Minister for Trade and Investment), pursuant to standing order 23.30, presented government response.

Laid on table.

Ordered to be considered next day on motion of Mr DAVIS (Southern Metropolitan).

PAPERS

Laid on table by Clerk:

Auditor-General's Reports on —

ICT Disaster Recovery Planning, November 2017
(*Ordered to be published*).

Results of 2016–17 Audits: Local Government, November 2017 (*Ordered to be published*).

Results of 2016–17 Audits: Public Hospitals, November 2017 (*Ordered to be published*).

Subordinate Legislation Act 1994 — Legislative instrument and related documents under section 16B in respect of Kardinia Park Stadium Act 2016 — Event management declaration for Kardinia Park events, dated 22 November 2017.

BUSINESS OF THE HOUSE

Sessional orders

Ms PULFORD (Minister for Agriculture) (09:44) — By leave, I move:

That until the end of the session, unless otherwise ordered by the Council —

- (1) Further to the sessional orders adopted by this house on 12 February 2015 and amended on 17 March 2015, 15 April 2015, 16 April 2015, 31 August 2016 and 19 September 2017, the following new sessional orders be adopted, to come into effect the first sitting day of 2018:

A. Quorum of committee of the whole

Standing order 15.02(2) is suspended and the following will apply:

- (2) If notice is taken in committee of the whole that a quorum of members is not present the bells will be rung as for a division and if, at the expiration of 4 minutes or on a division, it appears that a quorum of members is not present, the Deputy President will leave the chair and the President will resume the chair.

B. Divisions — procedure for division

Standing order 16.02(1) is suspended and the following will apply:

- (1) Immediately a division has been demanded, the Clerk will ring the bells for 4 minutes and the doors will not be closed until that time. When successive divisions are taken, and there is no intervening debate, the bells for the ensuing divisions will be rung for 1 minute only.

Standing order 16.02(2) is suspended and the following will apply:

- (2) At the expiration of 4 minutes the doors will be closed and locked, and no member will enter or leave the chamber until after the result of the division has been declared.
- (2) The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders or practices of the Council, will have effect notwithstanding anything contained in the standing orders or practices of the Council.
- (3) The Clerk is empowered to renumber the sessional orders and correct any internal references as a consequence of this resolution.

Motion agreed to.**MINISTERS STATEMENTS****Early childhood education**

Ms MIKAKOS (Minister for Early Childhood Education) (09:46) — In my capacity as Minister for Early Childhood Education, I rise to update the house on how the Andrews Labor government is making things fairer for families and ensuring that all children have access to kindergarten in Victoria. Last week I was pleased to visit Bridge Road Kindergarten in Strathulloh to announce the permanent extension of the successful prepurchased kindergarten places pilot. This pilot was first trialled in 2016 as a way of ensuring that vulnerable children who missed enrolment deadlines or moved during the year would still be able to access a local kindergarten place. Over the past two years it has supported close to 1000 children who may otherwise have missed out on the benefits of early childhood

education. From now on, every year more than 650 places will be reserved across the state for vulnerable families and children, children known to child protection, refugees, Koori children and concession card holders so that they can still attend kindergarten at no cost to families and carers, even if they have missed enrolment dates.

The Andrews government is investing \$2.3 million from this year's budget to make this program a permanent fixture of the early education landscape, because we recognise that often the children who are most likely to miss out on kindergarten are those that will benefit from it the most. Research shows that children who have a stimulating and supportive start to life are more likely to do well later in life, and children who attend kinder score higher on their NAPLAN tests. The prepurchased places program changes lives by helping families overcome barriers to participating in kindergarten. It is one important way in which our government's \$202.1 million *Early Childhood Reform Plan* aims to ensure that every Victorian child can access and benefit from kinder. We are seeking to ensure every Victorian child is ready for kinder, ready for school and ready for life.

Family violence

Ms MIKAKOS (Minister for Families and Children) (09:48) — On another matter, in my capacity as Minister for Families and Children, I rise in acknowledgement of Victoria's second annual Victoria Against Violence campaign, spanning from 25 November to 10 December, to update the house on what the Andrews Labor government is doing to support the Aboriginal community to reduce the incidence of family violence. Family violence is a terrible scourge across the state, and it affects the Aboriginal community disproportionately. Victorian Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women, and 88 per cent of the Aboriginal children in out-of-home care have had an experience of family violence.

Last week I announced \$650 000 for the Indigenous Family Violence Strategy Community Initiatives Fund, which helps Aboriginal people reduce, prevent and respond to family violence in their own communities. This program is aimed at supporting local community projects to prevent, reduce and respond to family violence in Aboriginal communities across Victoria. The statewide funding allocation across 11 Indigenous family violence regional action groups has seen 45 projects funded. In keeping with the Andrews Labor government's commitment to self-determination,

regional assessment panels led by the Aboriginal community decided which projects to fund. One project that has been funded is Strong Spirit, Strong Families at the Winda-Mara Aboriginal Corporation. Using culture and the cultural symbol of a possum skin cloak, the project aims to educate and empower families to become more resilient. Another project will empower local Aboriginal and Torres Strait Islander men from the Warrnambool area to mentor young men at risk of perpetrating family violence by sharing information about this issue in a safe, supportive space and participating in cultural activities.

The Andrews Labor government is implementing all 227 recommendations of the Royal Commission into Family Violence and is delivering a 10-year plan to end family violence for all Victorians, including Aboriginal children and families, and this is being supported by an unprecedented \$1.9 billion investment across government. Family violence is Victoria's biggest law and order issue, and it is disappointing to me that the opposition is still yet to commit to supporting all of the royal commission recommendations.

MEMBERS STATEMENTS

Workplace deaths

Mr GEPP (Northern Victoria) (09:50) — A couple of months ago I rose in this place to highlight that there had been 18 workplace deaths so far in 2017. It is with great sadness that in the intervening period there have been another five workplace deaths, including a man in his 70s who died when his rough-terrain vehicle rolled over, a young man who died a few weeks ago in an agricultural accident after being stung by bees, a man who was crushed in a transport construction accident last month in northern Victoria, a man who died in an agricultural accident just four days before that in a farm-based motorbike incident and a man who died in a quad bike accident just five days after I last spoke on this issue.

Agriculture and construction remain our most dangerous industries, accounting for the majority of workplace deaths, but that does not mean that people have to die. It is a fundamental expectation of the employment relationship that a worker expects to go home. I would urge all employers, unions and health and safety representatives to work closely together to make our workplaces as safe as possible. It is not enough to rely on the regulator. It is not enough to seek the minimum. A safe workplace has to be the prime objective of any workplace, because the maimings, disfigurements and deaths cannot be regarded as just another economic value. The grieving families will

attest to this. I send my condolences to those left behind.

White Ribbon Day

Ms CROZIER (Southern Metropolitan) (09:51) — I was very pleased to be able to attend last Friday morning a White Ribbon Day breakfast at Government House hosted by the Governor, the Honourable Linda Dessau. President, you were in attendance with me, and I think you would agree that the Governor's speech and her experience of having worked in the Family Court gave great insight in understanding both the obvious and hidden impacts of family violence and the ongoing effects on all involved. It was a wonderful event, and it is a pity that no government MPs were in attendance to hear the Governor's address and support the White Ribbon breakfast. It was pleasing that so many people from a range of different organisations, such as Domestic Violence Victoria, Lifeline and Our Watch were in attendance, along with advocates of White Ribbon, all of which provide support to those in need and have been working to highlight the extremely detrimental effects that family violence can have on an individual, a family and a community.

I am pleased to say that this issue is being addressed at all levels of government from the Prime Minister down, and there has been much improvement in the community's awareness of family violence. I attribute much of that awareness to the ongoing work of people such as Rosie Batty and Kristy McKellar here in Victoria, other victims and their family members who have bravely spoken out but also those people who are dealing with the consequences of family violence on the front line, including the police, doctors, nurses, people in refuges and all of those who work with the various agencies.

In saying that, it is not only far too many women and children who are victims but also, sadly, men. So as this state and other jurisdictions work toward eliminating family violence, let all of us continue to work to reduce the terrible statistics — as those statistics are Victorians in every part of our community.

The Greens

Ms PENNICUIK (Southern Metropolitan) (09:53) — It is 25 years this week since the Victorian Greens were formed at a meeting of 20-something people at Edinburgh Gardens in 1992. That same year the Australian Greens were formed, made up of representatives from Tasmania, New South Wales, Queensland and the ACT.

I worked on the Greens' 1996 federal election campaign, leafleting in the electorate of Goldstein, where I still live. I joined the Greens later that year, so I am celebrating my 21st birthday as a member of the Greens. I joined because of the Greens' core values of ecological sustainability, social justice, grassroots democracy and peace and non-violence, and because of the wonderful, committed people I had met who were determined to build the Greens here in Victoria.

This was part of an Australian and worldwide Greens movement to see those values and Greens policies implemented. No other party then or now has fully recognised the ecological crisis we are in, with climate change and loss of biodiversity, or the social justice crisis, with growing inequality and disadvantage. The old parties to this day push on with their destructive neoliberal philosophy and with policies that are destroying communities and the planet.

In our 25th year the Victorian Greens have two senators, the member for Melbourne in the House of Representatives, eight members of the Victorian Parliament — three elected in 2006 and another four elected in 2014, including the lower house seats of Melbourne and Prahran, and then most recently we have seen the election of Lidia Thorpe in Northcote; Lidia is the first Aboriginal woman elected to the state Parliament.

We also have local councillors across metropolitan Melbourne and regional Victoria, some of whom have been re-elected once or twice, some of whom have been elected mayor or deputy mayor. All our Greens councillors have made positive changes in their communities. I am proud that I joined the Greens 21 years ago, and I am proud of the achievements of the Victorian Greens in just 25 years.

Apprenticeships and traineeships

Mr LEANE (Eastern Metropolitan) (09:55) — I am very pleased with the announcement yesterday from the Premier regarding a new law being introduced next year to ensure that 10 per cent of the people that work on all government projects above \$20 million are apprentices, trainees or engineer cadets. Part of the policy announced by the Premier yesterday includes the requirement that major projects source their safety equipment and their safety clothing from local manufacturers.

The infrastructure program that this government has embarked on is enormous; the opportunities are endless. I actually want to credit the Premier and the ministers for bringing in more and more changes to

make sure local people, especially disadvantaged people, get an opportunity to be engaged in what is the largest infrastructure program this state has ever seen, going forward as well. I think these sorts of announcements and the program that I spoke about really will mean that in the future this government and this Premier will be seen as one of the greatest governments and premiers that Victoria has ever seen.

Road infrastructure

Mr RAMSAY (Western Victoria) (09:56) — The Victorian Premier has given Victorians 11 new taxes, costing taxpayers 20 per cent more in their cost of living and a 30 per cent increase in power costs, and spent \$1.3 billion to not build the east–west link. Yet he wants more, and he will do this by adding more tolls.

The decision to go against advice and build the West Gate tunnel will cost motorists; they will be tolled, despite no mention of tolls during the election. More tolls will also be added to the Monash and Tullamarine freeways. The north-east link — the \$19 billion freeway that ends in traffic lights — will also be tolled. Tolls will go onto the Eastern Freeway to help pay for the north-east freeway. The West Gate tunnel is a \$5.5 billion shemozzle that will only please Transurban and shareholders. Experts have revealed that the business case and modelling are flawed; others have described it as a dog's breakfast. Traffic will vomit into the already clogged city centre from the tunnel. Residents in Brooklyn will suffer an additional 4000 trucks a day going past their front doors.

Infrastructure Australia, Infrastructure Victoria and all stakeholders I am aware of say the east–west link is the most important road in Melbourne that needs to be built. Until the east–west link is built, traffic congestion to Melbourne's west will continue to grow and groan. Traffic from Geelong to Melbourne is already in gridlock, and trains are overcrowded. The north-east link is an expensive lemon in the last planning stages that I have seen and at best a pipe dream. The sooner this scheming, deceptive, bullying, union-groveling government understands that the number one road priority is to build the east–west link, the better.

Post-traumatic stress disorder

Ms HARTLAND (Western Metropolitan) (09:58) — Yesterday we would have heard a group of very noisy motorcyclists going around the Parliament. They had a very important message; it was a group of ambulance officers who were about to go out on the road to talk about post-traumatic stress disorder to a whole range of country depots.

When I saw them I had a quick chat to some of the people I know, and it made me think again about all of those other workers who suffer from post-traumatic stress disorder — the people we rely on the most, like train drivers, policemen and policewomen, ambulance officers, firefighters, nurses and doctors who work in emergency rooms — and we always have to remember that the kind of work that they do can often profoundly affect their lives. We need to always be aware of this, making sure that these people are kept safe and also making sure, when there are serious incidents, that management, in whatever the workplace is, actually takes these issues seriously. So it was really good to see this group of people off on their very noisy motorbikes yesterday, taking that message out into the community so that we can all clearly understand that these are the people who protect us and we need to do something to protect them.

Gateway sculpture, Rosebud

Mr MULINO (Eastern Victoria) (10:00) — It was an honour to be at the unveiling of the gateway sculpture at Rosebud. This incredible piece was commissioned by Mornington Peninsula shire and developed in partnership with the Victorian government as part of Destination Rosebud. The sculpture is made up of two elements, *Sails* and *Helix Wave*, by Melbourne artist and designer Matthew Harding and co-artist Benjamin Storch. The artwork makes reference to the origins of Rosebud's name, to when the *Rosebud* cargo ship was washed ashore in 1855. The wood used in the sculpture has been recycled twice — once when the wood from the ship was used to construct the original pier and then again many years later when the pier was modernised — and the wood has been used to construct this very impressive sculpture. The sculpture marks both the western and eastern entrances to Rosebud along Point Nepean Road and is an integral part of the Destination Rosebud project.

Officer Secondary College

Mr MULINO — It was with great excitement that I was at the official opening of Officer Secondary College. Officer Secondary College is one of three schools recently built in Cardinia shire, which is much-needed investment given the population growth in that area. The architectural design of the building is drawn from the timber industry of the 1870s, the masonry industry of the 1880s and the agricultural industry of today. Students have access to a variety of learning environments and spaces, including in stage 1 sciences, technologies, physical education and the arts. All spaces in the school are technology enabled,

equipped for 21st century learning. Stage 2 features an outside terraced amphitheatre and a three-court gymnasium, which is suitable for different sorts of sports. All buildings and outside spaces are technology enabled and have fully integrated hearing augmentation systems that enable the best education for students with hearing impairments but are also useful for enhancing education for all other students.

Sinai terrorist attack

Mrs PEULICH (South Eastern Metropolitan) (10:01) — I wish to place on record the condolences of the coalition in relation to the events which occurred in Egypt on 24 November, which saw an act of terrorism committed at a Sinai mosque. Over 300 people were killed and at least 128 injured in what was clearly an act of barbarism. Our thoughts and prayers are with the families and friends of those who lost loved ones and with those who are recovering from injuries. Such callous acts of terrorism are condemned no matter who they affect or where they are committed, and the use of such acts must be stamped out through the cooperation of governments across the world, who must stand united against those who treat human life with little regard. We will not be intimidated by terrorism. We must do everything in our power to combat such threats to our society.

Victorian Multicultural Commission

Mrs PEULICH — I would also like to commend the outgoing Victorian multicultural affairs commissioners. They had to wait a long time in order to receive the thanks of this government. They include Safa Almarhoun, Phillip Bain, Maryum Chaudhry, Teresa De Fazio, Elizabeth Drozd, Yasmin Hassen, Peter Khalil, Marion Lau, Grahame Leonard, Jenny Matic, Huss Mustafa and Abeselom Nega, as well as Chidambaram 'Sriniv' Srinivasan and Chin Tan. They have served our multicultural community and broader community magnificently. It is a shame that they were not thanked earlier and their contributions recognised for the enormous amount of work that they have undertaken. At the same time I am glad that my shaming of the government has led to an announcement of long-overdue and outstanding commissioner appointments.

Steve Hutchins

Mr MELHEM (Western Metropolitan) (10:03) — I rise to speak of the passing of a Labor legend, the honourable former senator Steve Hutchins. He lost his battle with cancer of 19 years. One thing about Steve is he definitely was a fighter. That horrible disease kept at

him for the past 19 years, but he managed to battle through for that period. Steve was a champion of workers. He was a champion of the fair go all round. He never took a backward step in challenging for the right of workers to be treated fairly in the workplace. He held many positions in the Senate. He chaired a number of committees to advance the rights of workers and the rights of community, in particular the committee he chaired in relation to child labour.

Mr Hutchins was a great friend. If you were ever looking for a friend to stand by you when your time was good, that was him. When you were down, he was there with you, unlike some other friends who, when your time is down, will just walk away from you. But that was not Steve Hutchins. He was a true friend for many people. I had the chance a couple of weeks ago to say goodbye to him before he actually decided to go to New South Wales, to the Blue Mountains. That is where he came from. He just wanted to spend the last two weeks there, and he had his wish. Today he will be put to rest at 1 o'clock in the place he loved. That is how he wanted to leave this world, and he got his wish.

Steve is survived by his wife, my good friend Natalie Hutchins, a member of the other place, their son, Xavier, and his other five children, Lauren, Julia, Michael, Georgia and Madeleine. He will be truly missed by us all. Rest in peace, my friend, until we meet again.

FRANKSTON PLANNING SCHEME AMENDMENT

Mr RICH-PHILLIPS (South Eastern Metropolitan) (10:05) — I move:

That, in relation to amendment C117 to the Frankston planning scheme, which relates to the Kananook train storage facility, this house —

- (1) notes planning scheme amendment C117 was tabled on 16 November 2017; and
- (2) pursuant to section 38(2) of the Planning and Environment Act 1987 revokes amendment C117.

This is a matter that fundamentally goes to the question of jobs. It goes to jobs in my electorate — around 100 jobs located across seven different businesses in the Seaford-Frankston North area. A motion like this — a planning scheme amendment revocation — is not something that is brought to the house lightly. In fact in the time I have been a member of this place I have not brought forward a revocation motion, but in this instance the circumstances of the project that amendment C117 relates to and the unjustifiable impact it will have on the local community in the greater

Frankston area justify this matter coming before this Parliament so that the Parliament can send a clear signal that it values the jobs of those residents of the south-east — those 100 people who are employed in that Frankston North-Seaford corridor — and that it supports their continuing to be employed and continuing to be able to operate their businesses in that area.

To provide some background, amendment C117 to the Frankston planning scheme arises from the sky rail project, a project which has divided communities across metropolitan Melbourne figuratively and literally — a series of projects which have literally split communities with the erection of ugly elevated rail projects out along the Pakenham line in the south-east and now along the Frankston line in the south-east. This is not, as we know, what the community had been promised. When the Labor Party went to the election in 2014 it was on the basis of providing grade separations for a number of level crossings across Melbourne. Implicit in that promise was that the grade separations would result from undergrounding of rail lines or roads.

What we have actually seen across Melbourne is the construction of elevated rail lines, the grade separations being delivered through elevation, typically of rail lines — rail over road — which has created massive visual blockages along our metropolitan train lines and physical barriers within our communities and which has led to enormous community opposition. The latest area which is subject to the sky rail impost is the south-east, along the Frankston line. That is what takes us to the C117 amendment to the Frankston planning scheme, which the house is being asked to look at today.

Among the commitments the Labor Party made leading up to 2014 was a list of level crossings that it was to target for removal, and in fact those crossings at Seaford Road and Eel Race Road in the south-east were on that list. Again, these were promised implicitly as undergrounding grade separation — rail under road. The reality, however, has seen elevated rail now being constructed.

A consequence of those projects being pushed through in those communities is the need in Seaford to relocate train stabling facilities and to build a new train stabling facility on a new parcel of land away from existing facilities due to the extensive encroachment required by the elevated rail proposal. This has seen the Level Crossing Removal Authority seek to quickly come up with an alternative to existing train stabling facilities, and in its haste to provide an alternative train stabling facility so it can deliver this project in the short term it has determined to build what it has called the Kananook

train storage facility on land alongside the Frankston Freeway.

The authority and the government have identified a triangular parcel of land located to the west of Wells Road, to the east of Bardia Avenue, which is part of the residential area in Seaford-Frankston North, and to the south of Miles Grove, which is also part of the residential area in Seaford. It adjoins the existing railway line which runs to Frankston. This triangular parcel of land has been identified by the government, by the Level Crossing Removal Authority, as the site for a new train stabling facility.

The problem with this site being identified for a train stabling facility is that it is in fact private land; it is a number of privately held parcels, which are home to a number of private businesses. In fact there are some seven businesses located on individual parcels in that triangle, and as I said, it is a triangle bounded by residential development to the north, residential development to the west and Wells Road and the freeway to the east. This is a long-established pocket of industrial land or commercial land, with seven long-established businesses. Those businesses employ in the order of 100 people, who largely live in the local community, around Frankston and Seaford, and who, if the proposal to build this train stabling facility on that site goes ahead, will lose their jobs and will lose their business investment.

It is our view that this is not an optimal outcome. The selection of the site and its designation as a train stabling site, with the loss of those jobs and the loss of those businesses, is something which has been thrown together in haste and thrown together without consideration of the impact it will have on those businesses and without consideration of alternatives for train stabling which would allow those businesses to be preserved and those jobs to be preserved and long-term stabling to be put in place. So the purpose of the motion today is to disallow the technical amendment — C117 — to the Frankston planning scheme and therefore prevent this site being used for train stabling in order to preserve those jobs and those businesses on those parcels of land in Seaford.

This is a project — the train stabling facility — which has been opposed by the local community. It has been opposed by the City of Frankston, and indeed the then mayor of the City of Frankston — the most immediate past mayor — Brian Cunial flagged the City of Frankston's concerns about this proposal. To quote a statement of his when mayor, as reported in an article, he noted that:

... acquisitions would result in the loss of vital businesses and potentially more than 100 jobs from the municipality.

... council preferred a rail yard at Baxter as part of electrification of the Frankston railway line to that area.

'A stabling facility at Baxter ... will avoid loss of key industrial land and be a more feasible, longer term solution for train stabling and maintenance' ...

We would submit that the former mayor of the City of Frankston has got it right. The solution to this need for train stabling, which arises from this sky rail project, is to build the Baxter facility, not to build this short-term facility on this industrial land in Seaford, not to knock out those jobs and not to knock out those businesses. The solution is to build the facility on VicTrack land that can provide for the long-term needs for stabling along the Frankston line without jeopardising that investment and without jeopardising those businesses.

Even the Level Crossing Removal Authority in its material that has been published in relation to this project tacitly acknowledges that Baxter is the ultimate solution for stabling along the Frankston line. The material which has been published on the Level Crossing Removal Authority's website goes to the issue of Baxter and notes:

The Kananook train storage facility will not only accommodate immediate train storage needs but also has the capacity to accommodate predicted future growth on the Frankston line.

The authority tellingly goes on to say:

The construction of a new facility at the Kananook site in Seaford does not impact any future decisions to extend the electrified train network to Baxter and build another facility there.

So the Level Crossing Removal Authority recognises that the long-term solution is Baxter, and it is very careful in its public commentary to say that the Baxter option remains alive and on the table. The Baxter option is effectively the long-term solution. So what we are saying is rather than knocking out these 100 jobs and rather than knocking out the seven businesses, the Level Crossing Removal Authority should now be working on the Baxter option to provide stabling, which it acknowledges is the long-term option, rather than working on this interim solution, which will have irrevocable impacts on those businesses and irrevocable impacts on those 100 staff who are employed on that site.

This is short-termism on the part of the government and the part of the authority. We have seen undue haste from the government in rushing to get these projects, which have divided communities and which have been

controversial, in place and settled before the election. The push to get this train stabling facility at Seaford, rather than the long-term facility at Baxter, which does not require the compulsory acquisition of businesses and which does not require the consequent loss of jobs, is the option that should be pursued.

This is not just a theoretical exercise and this is not just a hypothetical; what we have at the triangular site at Seaford are real businesses employing real people. There are, as I said, seven businesses that currently operate on that site. The largest of those businesses is Page Brothers Jayco, which is on a 3-hectare site within that triangle. Many members of this Parliament and of this chamber would be familiar with Page Brothers Jayco. They are a very well known caravan and camping retail provider, they have a very strong retail presence in Melbourne — their brand is well-known — and they have been well-established on that site for many, many years, and that business employs around 50 people.

But there are also businesses such as Seaford Panels, Charlie Diesel Services, Trade Price Trucks & Spares, McGhie Truck and Machinery Australia, Sims Metal and Noble Park Trucks — a number of businesses — that operate typically around heavy vehicles which have been established over decades on that site in some instances. Some of those businesses have been in place for 40 years on that site. They have made a capital investment over many, many years, they employ in the order of 100 people across all the businesses — with around 50 of them employed by Page Brothers Jayco alone — and they should be entitled to continue to operate their businesses, to enjoy the benefits of their investment on those respective sites and to employ people on those sites when there is a viable alternative that is available to the government for stabling which does not require the loss of that private sector investment.

Compulsory acquisition, which will be the mechanism required for this facility to go ahead, is always controversial. It is always controversial where the government comes in and decides from a policy perspective that a public policy outcome will trump the interests of individual landowners and therefore a compulsory acquisition will take place. That is something that we in the past as a Parliament have recognised is necessary — it is necessary for governments to have the capacity to undertake compulsory acquisition in the public interest — but it is something that should be exercised with discretion, rarely and only when absolutely necessary. We would argue that the Kananook stabling facility is not essential and it is not being done in a way which respects the

rights and acknowledges the investment of the current landowners.

This project does not need to proceed on that site at Seaford. There is a viable alternative at Baxter, which may be less convenient for the government in its desire to rush through sky rail and get the negatives out of the way before the election next year, but it is not essential that they do it on that site. There is a viable alternative which the Level Crossing Removal Authority tacitly acknowledges will be the long-term solution anyway. We will see stabling at Baxter; it is just a question of when. We would put to the chamber that the government and the authority should be developing Baxter now rather than affecting these seven businesses and their 100 employees at Seaford at this point in time.

One of the other issues that has been raised in respect to this project is the uncertainty that has been created for those businesses and for those 100 employees. The authority has gone out and flagged that it wants to compulsorily acquire those sites on that triangle to develop this project, but the businesses and their affected staff have heard nothing.

The time line for the project is open-ended and the planning scheme amendment, which is the technical document we are talking about today, actually provides a time frame for the project to commence by 1 December 2022, which is some five years away effectively, and to conclude by 1 December 2032. This does not give any certainty to community around timing, and even putting aside those technical requirements of the planning scheme amendment, looking at the commentary that has been made by the Level Crossing Removal Authority as to its intention, the actual development on that site is still several years away.

In the meantime we have seven businesses employing 100 people who are in limbo. The compulsory acquisition process has not advanced. They have been told their sites are going to be acquired at some point in the future, so this development can take place at some point in the future in the next 'three to five' years. There is no certainty. Those businesses cannot do anything with their sites. They cannot make further capital investment in their businesses, many of which already have had substantial capital investment over many years. They cannot sell those sites with the spectre of compulsory acquisition hanging over their heads. They are in limbo until the government gets its act together and until the Level Crossing Removal Authority gets its act together.

We have a situation where the government has chosen to go down the path of the quick and easy option to provide stabling on the Frankston line as a consequence of the sky rail development. They have chosen to ignore at this point what they know is going to be the ultimate outcome, which is stabling at Baxter. As a consequence of that, they have thrown into turmoil the future of 100 people who are working in the Seaford-Frankston North area. They have thrown into turmoil the future of seven businesses that are located in that area and many millions of dollars of some capital investment. They will not even provide certainty now as to how they will proceed.

Having consulted with a number of those businesses, one of the big concerns that has come back is the fact they are left in limbo. They have no certainty, even if this project goes ahead. They have no certainty as to when it is going to be resolved, when the compulsory acquisition is going to be resolved or the consequential impacts on their business. By virtue of the fact the government has announced this, their sites are worthless. They cannot sell them; they cannot invest in them. The government is now taking its time as to when it actually advances with the compulsory acquisition and development of the project.

It is the view of the coalition that this project should not proceed on this site. There is a viable alternative at Baxter which will be the long-term solution for this project. By bringing this revocation motion today we are seeking for the Parliament to send a signal to the government and the Level Crossing Removal Authority that developing train stabling at Seaford is not the answer, that shutting down those seven businesses is not the answer and that killing off those 100 jobs is not the answer. There is a viable alternative: it is Baxter. The government know it will ultimately have to do Baxter. Through this motion we want to send a signal to the government that they should be protecting those existing jobs at Seaford. They should be doing what is going to be the long-term and right outcome — developing the Baxter site. I commend this motion to the house. It is about sending the signal that these jobs are important, that these businesses are important and that there is a better way for this stabling to be provided on the Frankston line without killing off those jobs and that investment.

Mr LEANE (Eastern Metropolitan) (10:26) — At the outset I want to indicate that the government will oppose this revocation motion. Mr Rich-Phillips and Mr Davis have said in previous sitting weeks that the opposition do not take these revocation motions lightly. Well, there seems to be one every sitting week. It is quite a shame that one a couple of weeks ago stopped a

public housing project from going ahead, and what this motion would do is stop a public transport project from going ahead, because this particular train stabling is very important to the Frankston line. I think Mr Rich-Phillips indicated that maybe Baxter could be an option instead of Kananook. The reality is that both of those sites need to be used for stabling in order to improve the Frankston line.

The aspiration of the government and the aspiration, I am sure, of all people that live on the Baxter–Frankston line and all the way up the line is that in peak hour there will be no need for a timetable, similar to the best public transport systems around the world. People will be able to turn up and be guaranteed in a few minutes that they will have a train heading towards town or away from town. That is the aspiration that this government has in building the Melbourne Metro and increasing the capacity internally. That is the aspiration that this government has in removing level crossings, such as the ones that we were talking about today along the Frankston line. To be able to deliver that, we obviously need more trains stabled at the end of the line and also along the line.

Mr Rich-Phillips's argument around Baxter is an option. Yes, Baxter is an option that this government will be utilising for stabling, but Kananook is an important option as well. Now, I take on board the crux of Mr Rich-Phillips's argument around businesses being affected to enable this stabling at Kananook and give him and in particular all the businesses the commitment that the government will work in with these businesses to any extent the government can to ensure that these businesses can successfully be relocated, therefore not affecting any jobs. It is a matter of the government assisting the businesses to relocate. The minister herself has met some of these businesses. Government departments and agencies — not just the Level Crossing Removal Authority, but other government departments and agencies that deal in supporting business — have engaged and will engage into the future with these businesses, helping them to relocate locally and successfully, to continue the great work that they do and to contribute by supplying employment, which they currently do.

Having been a Carrum Downs resident for a long time, I know personally that there is a lot of industrial land around Carrum Downs and Seaford. If that is not attractive to those businesses, I am sure they can be assisted with relocating to another area, but there are a lot of opportunities in that area for those businesses to relocate.

The motion today will not assist anyone. It will not assist a project that I think the whole Parliament should support. It is a project for which the aspiration is that many more services on the Frankston line are utilised, and removing level crossings is a very important aspect of that. As I said, having more trains available is obviously very important for that as well.

Taking on board Mr Rich-Phillips's description of that, the acquisition of land for projects has to be taken very, very seriously by government. I am sure Mr Rich-Phillips has been part of previous governments that were involved in similar situations. I think to attack the planning process and to try to revoke this amendment is just more political opportunism. The planning process that this particular amendment went through was rigorous. There was consultation. With consultation sometimes not everyone is happy with the outcome, but there was rigorous consultation held.

As I said, there was consultation with these businesses, and an agreement will be reached with these businesses about how the government assists them to survive, go further and get bigger and better. If that is the intent of all the players and all the partners in this particular situation, then we can guarantee that this project will be successful and we can guarantee that the removal of the level crossings that the government has committed to will be successful, because we have seen success.

If it is rail under road, the opposition will find reasons to be unhappy; if it is rail over road, of course they will be very unhappy. They have coined a phrase, another name for a bridge — 'sky rail'. As I have said in this house a number of times, the Romans built bridges thousands of years ago, Roman bridges spanned rivers thousands of years ago, so there is nothing new here. There is actually elevated rail in our existing system that runs through the electorates of some high-profile opposition Assembly members, such as Hawthorn and others, and that has existed for a long time. But the elevated rail, where level crossings will be bridged over, that this particular government is building will be an improvement on that aesthetically and also practically.

I find it strange that this particular motion comes in a week when the opposition has announced their jewel-in-the-crown policy, which sounds a bit similar to this government's policy when it was in opposition, of removing 50 things. Well, this government committed to removing 50 level crossings, as I said, for congestion's sake, for public transport's sake and for safety — we should never forget the safety aspect of removing level crossings. But the opposition recently announced that they will remove 50 road intersections.

Mr Rich-Phillips — 55.

Mr LEANE — I think your media release, Mr Rich-Phillips, said 50. I am happy to be corrected, but maybe you need to correct your media release, because what was put out in the media was that 50 road interchanges in Melbourne and Geelong are going to be removed, which has got to be one of the dumbest policies I have ever heard.

Mrs Peulich interjected.

Mr LEANE — I take up Mrs Peulich's interjection, which was something about Shaun Leane. I am sure it was not complimentary.

Mrs Peulich — It wasn't.

Mr LEANE — I will give you a bit of my work history, Mrs Peulich. I actually worked at VicRoads for a year building and maintaining traffic signals; I worked for a couple of contractors working on traffic signals, and I will give you a tip. Traffic gets moved in blocks. When you go through a set of traffic lights, whether it be six, seven or eight, they are all connected to a central computer, and you get moved in blocks. If you have ever experienced going down the Nepean Highway or another highway where you think, 'Oh, this is great. I'm getting every green light', that is not by accident; that is by design. Eventually you will come to —

Mrs Peulich — Thank you for that illumination.

Mr LEANE — I am happy to help, because I cannot believe how dumb your policy is. Eventually you will get caught at a red. The way it works is that eventually you will get a red light. So the opposition wants to remove one of them or two of them, working spasmodically down a highway or down a main road, and they are saying it is to get traffic moving. It will not make a difference. It will not make a difference to the way the network is set up. And the best bit is you have got these 55 sky roads going over other roads to remove sets of traffic lights. When you are looking at the vision of what you put out in your media release, there are actually traffic lights on top of the sky roads to let people turn right.

You are removing a set of traffic lights so you can build a new set of traffic lights. This is the dumbest policy. I feel like everyone in this room is dumber for me speaking on this. This is the dumbest policy I have ever heard, and I apologise to everyone for that. I cannot get my head around this. If you are going to remove 55, be clear, because what has been put out was to remove 55 road interchanges, which sounds a bit like the

previous opposition's policy. It sounds a bit similar. But the 50 level crossing removals was quite an important and intelligent policy, and it has been proved and is popular. The only thing similar is the number. But with the 55 road interchange removals, as I said, could there have been a dumber policy ever produced? I can guarantee as someone on this side that you have got no hope of us matching your election commitment on this.

Mr Gepp — It's only 35. Twenty are a promise.

Mr LEANE — Mr Gepp has looked at the media release. It talks about 55, with 20 off in the never-never, so it is 35 that are committed to.

When you are driving down a highway you will go over a bridge and be caught at a set of traffic lights. It is mind-blowing. No wonder it has not been spruiked. I do not know who came up with the policy. People do not need to take my word for it with my experience of working in this area; a number of experts have come out and said, 'Wow, this is really dumb. This could be the dumbest policy when it comes to moving traffic that anyone has ever come up with'.

Mrs Peulich — On a point of order, Acting President, do you think Mr Leane might actually come back to the motion, just vaguely? He has not spoken on this motion, except for about 30 seconds.

Mr Gepp — On the point of order, Acting President, Mr Rich-Phillips in moving his revocation motion touched on traffic congestion and the impact of the level crossing removals, so he opened up the issue of the opposition's dud policy into traffic lights, and I think it is a very lightweight policy. I would argue that Mr Leane is in order.

The ACTING PRESIDENT (Mr Melhem) — In relation to the point of order, Mr Leane has 45 minutes to go, but I urge him to come back to talking about the motion. In relation to the point made by Mr Gepp, Mr Rich-Phillips did talk about other matters, but I think it is worthwhile getting back to the motion, Mr Leane.

Mr LEANE — Thank you for that excellent ruling, Acting President, and I will move back to the motion. I cannot believe that Mrs Peulich says that she is happy to support their policy.

Mr Gepp interjected.

Mr LEANE — Mr Guy says a lot of things. Moving to what he has said around planning revocations and this chamber involving itself in planning scheme amendments that have followed everything that should

have been followed in the way they have been enacted, Mr Guy said on 20 November, which is only recently:

What Melbourne needs to do is take the politics out of our infrastructure delivery. I mean, there's no more arguing. We need to start getting on with some of these plans to free up traffic congestion.

That is actually completely opposite to what is happening in here today. Removing level crossings is an important element in removing congestion. I am not too sure if Mr Guy knows that this motion is being debated; maybe someone should tell him that at the moment the people in the upper house —

Mr Gepp — Have broken ranks.

Mr LEANE — Yes, they have broken away. We have got a bunch of rogues here who are going completely against what their leader has stated publicly. When speaking on a planning revocation motion in relation to an amendment in Williamstown which was moved by the Greens party, the Leader of the Opposition said:

We have clearly stated that we do not want to turn the upper house of Victoria into a responsible authority on every planning matter around the state. If we choose one, then we choose every one of them to deal ourselves in on.

So maybe he has decided the latter. He has decided he is going to deal himself in on every one. The problem with that is, if that is his position, the housing, construction and development sectors have great issues with these particular amendments. We heard from the Property Council of Australia on what they believe is a huge issue. On 15 November Sally Capp from the Property Council of Australia, when referring to the Ormond tower planning scheme revocation, which was unfortunately passed by this chamber, was quoted as having said:

This is not a political game ...

We are disappointed, concerned and frustrated. One of the main things that really drives affordability and supply of housing is planning certainty and these motions against Ormond station and Markham estate ... will throw everything up in the air.

Unfortunately what the property council has said is exactly what it is. When it came to those two particular revocations — which were a shame, because they were housing projects — Ms Capp said they came:

... at a time when we absolutely have to address more housing supply in the middle ring.

This is a huge issue, she said, and a political game is being played in this house by people who just see it as an opportunity for them to get some relevance in the

state. But I would say it has not gained them any great relevance; it is not the sort of relevance that anyone should be looking for, but people are buying themselves in. Mr Rich-Phillips said in his contribution to the motion that he wanted to talk about jobs, but the number of jobs that are not going ahead because of the last two amendments — the construction jobs and the ongoing commercial jobs at the Ormond project — is enormous.

Mr Rich-Phillips says he is concerned about the jobs at Kananook. I take it that he was genuine. We can give him confidence today that the Level Crossing Removal Authority, other government departments and ministers will work with those businesses to help them relocate and become bigger and better. We can give him that assurance today, but we cannot give that assurance to the workers that were going to work on the Markham estate. We cannot give that assurance to the construction workers that were going to work on the Ormond road project. We cannot give that assurance anymore to the indefinite ongoing commercial employment in the future on the commercial part of that particular project, because that is gone. They do not care. It was just for a win, particularly driven by Mr Davis, who would take any opportunity to try to get his head on the telly. He will take any opportunity whatsoever without any regard for the consequences.

It is not just the property council that the coalition has managed to upset. They have also managed to upset a lot of people in the sector, because there is no guarantee of the future of this sector anymore. You can go through the proper planning process, do everything you are supposed to do and come out with a project, but there is this issue now where at a whim, if the opposition feels like it is a good political opportunity to grandstand, they can come in here and move motions that could stop the project completely. There is no guarantee anymore. If you do the right thing and follow the process, there is no guarantee anymore that you can commence that project which you have put up, which you have jumped through all the hoops for and which you have done everything right for. There is also no guarantee whatsoever anymore for those people who were going to work on the project.

As I said, it is not just the property council who are upset. Vanessa Bird, who is the Victorian chapter president of the Australian Institute of Architects, is quoted as having said:

... when proper planning processes have been followed and approvals granted, politicians should not step in on political grounds.

She puts it better than me. She is concerned that if, as shadow minister David Davis has indicated, the revocation tool is used to block other projects, the planning process will become ‘dangerously political’. She said:

More political influence over the planning scheme inevitably means less professional influence, resulting in poorer outcomes.

That is from Vanessa Bird on 20 November 2017. As I said, those industry groups put it better than me. They are the experts in this area. They are the ones that see their industry has suffered. They are the ones that have seen employment in those particular projects evaporate.

Getting back to where I started, the premise of Mr Rich-Phillips’s motion is actually flawed. The argument he has moved is flawed. It is not necessary to just have the stabling of trains in Baxter. It is necessary for them to be at Kananook as well. I am sure it is the aspiration of people who live in the south-east, as I have stated, to have a new and improved public transport system. Their aspiration and that of the government is a public transport system, a heavy rail system, that is as good as some of the best around the world, where in peak hour there is no need for a timetable.

In peak hour along the Frankston line, because of the level crossing removals, because of the Melbourne Metro Tunnel and because of the extra trains, this will be the case.

Mr Gepp — That’s how you relieve traffic congestion.

Mr LEANE — This will enable that situation where there is no need for a timetable in peak hour, as I said, like it is in the best systems around the world. I will take up Mr Gepp’s interjection, which was, ‘That’s how you relieve congestion’ — you get more trains running, you get a better service and you get a service where you are not stressed about when the train is going to be there, and that is how you get people out of their cars. That should be the aspiration. I do not know if a few sky roads will get people out of their cars or not or get more people in their cars. I just think it will get a lot of people scratching their heads, and when it comes to compulsory acquisition a lot of the sites that have been identified in the 50 sky road policy that was released by the opposition, if it goes ahead —

Mr Gepp — 55.

Mr LEANE — Sorry, 55 sky roads. If that goes ahead, the compulsory acquisition on those sites will be enormous. Compulsory acquisition for the opposition is

okay when it is their projects, but when it is a project that is important to everyone in the south-east it is not okay.

We are in a new world here where the opposition feel that they are struggling a bit. They are looking for ways to find some relevance. They are prepared to do anything, including revocation motions like this, to deal themselves in on projects where they have not been dealt in and where they have opposed and they have opposed and they have opposed — and they constantly have opposed the level crossing removal program. But once a particular site has been grade separated and may have a new station, it is amazing: coalition Assembly members send a letter to every household and they say things like, 'We've done it'. The member for Bayswater said, 'We've got there'. After so many years of saying, 'I disagree with the project', 'I don't like the extra lanes', 'The poor shopkeepers' and this and that — all that was going on for a year and a half — once the project gets finished there is a letter in every letterbox saying, 'How fabulous am I? I've delivered'. It is amazing to say that all of a sudden about a program that the opposition has fought against and opposed. They say 'Of course we support level crossing removals' when they get put on the spot, but they have opposed it. There is no way they can come into this chamber and say they support the removal of level crossings, because they have opposed it at every step and at every location.

At every chance opposition members have had they have opposed the level crossing removal program that this government has successfully implemented, and today is another chance that they see to oppose more level crossing removals, because that is as important as this particular stabling is to the program. If the opposition wants to be consistent, maybe it should spare us the ownership at the finish — maybe spare us all when you own it when everyone loves it, when everyone is going to the new station, when everyone is not getting stopped at the boom gates and when the trains are not getting stuffed around because the boom gates are not working.

Mrs Peulich interjected.

Mr LEANE — Spare us the ownership, because I give Mrs Peulich and her friends a commitment that if — and it would be a terrible thing — the coalition do form government and do enact their 35 or 55 sky roads policy there will be no ownership coming from this side. That policy is all yours. We will not be matching it. I do not think any party will be matching that one in here, because — and I know I am repeating myself — when I first heard about it I thought, 'Wow, that's just

bizarre'. Then the more I looked into it, it went from 'That's just bizarre' to 'That's just downright moronic'. If there were a gold medal for dumb policies, the people opposite would be punching the air. They would be on the front of a Weeties box. They would be on the front with a gold medal for the dumbest policy that has ever been developed with their 50 sky roads or their 35 sky roads.

Mr Gepp — 55.

Mr LEANE — Sorry, Mr Gepp, their promised sky roads.

Mr Gepp — \$5.5 billion.

Mr LEANE — Five and a half billion dollars! They are going to sell the Snowy Hydro — \$5.5 billion and 35 sky roads. You would be travelling along, you would go over a bridge and then you would get stuck at the next red light. So all that money, all that compulsory acquisition that we need for it and all the grief for pedestrians — I do not know how pedestrians are going to get across; I am not too sure how cyclists are going to get through — to remove a set of traffic lights and put them on top of a bridge, because there are going to be traffic lights so you can turn right, Mr Gepp. So we are going to have sky traffic lights; we are going to the sky traffic light policy.

It is bizarre. I do not know who came up with the policy, but whoever it is should be demoted in the party. Whoever it is, you should run them out. Whoever came up with that policy, you seriously need to tell them to go and have a serious, hard look at themselves, because it was clearly not thought out and someone should be for the high jump, I think. When we are talking about jobs I think that is one job that should be replaced, because it is just amazing.

I just want to reiterate that we do accept, Mr Rich-Phillips, that there are businesses that will be affected because of this stabling. The government makes a commitment to do everything it can and to work with those businesses so they will be successful businesses that can be relocated and they will be businesses that will get bigger, better and greater. That is the commitment that we have — that all government departments will work with them, and of course they will be compensated for the disruption. There is time to work with these particular businesses, and in that location, as I said, there are huge industrial estates in Carrum Downs and there are huge industrial estates in Seaford, so there are places for those businesses to be relocated.

We are not talking about relocating businesses away from where the workers live. I would accept the angst and the grief from the workers and those businesses if there were not locations suitable nearby to where they work and live — I would accept them being anxious about that — but that is clearly not the case. There are acres and acres of industrial land in that area to be utilised, and as I stated, the government will do everything in its power. If all parties are committed to a great outcome, there will be a great outcome.

This is another day where we have a dangerous motion — a dangerous motion for a very important project and a dangerous motion for a whole sector to have confidence in a system. If they follow the system, if they jump through the hoops and if they do everything right, they can have confidence, if their project gets approved, that that project can proceed and deliver the important delivery that it is intended to. Government members urge all members of the chamber to not support this motion. As I said, this is an important project, and it is an important precedent that this motion needs to be stopped, so we urge everyone in this chamber to oppose it.

Ms SPRINGLE (South Eastern Metropolitan) (11:03) — I rise today to speak on this motion which has been put forward by the Liberal-Nationals coalition. I am quite gratified to hear Mr Leane talk about the proposed job losses and the government's plans on working with those companies to transition them into a different location, because obviously we cannot look at public transport and infrastructure projects in isolation; we do need to look at how they impact on the people that they will affect. So I am gratified to hear that the government is working with those workers and those businesses to successfully transition them into an alternative.

But down to the substance of this motion: this motion flags a lack of competency on the part of the opposition. It is concerning that the supposed alternative government of this state has such a limited depth of understanding of the functioning of our metropolitan rail network that it has come up with this motion. More stabling on the Frankston line is badly needed. Indeed there is already a shortage of stabling for a number of services that run. At present some of the rolling stock operating on the Frankston line has to be stabled at Westall on the Dandenong trunk or at E-gate near the city. Shuttling these trains to and from stabling in these locations does not make sense. These movements compromise the operability of not just the Frankston line but the other sections of the network as the trains need to pass through the city loop to get there.

Now, I do recognise that the Andrews government, in its ever-evolving love affair with Transurban, has decided to carve up E-gate with off ramps for the West Gate tunnel mega toll road and therefore needs to move the existing stabling elsewhere. This is a terrible wasted opportunity as this land is prime for urban redevelopment. Yet if we are to have more frequent services on the Frankston train line, then more stabling capacity and turnbacks are required on the Frankston train line itself. The stabling capacity at Carrum is a mere six trains; the proposed site at Kananook has the capacity for 24 trains. This is a great opportunity to provide a fourfold increase in stabling for the Frankston line.

Furthermore, if we are to have more frequent rail services without having boom gates down for most of the morning and afternoon peak, we need to remove the level crossings. The removal of the three level crossings at Carrum requires the relocation of the existing stabling, regardless of whether the removal method is rail under road or rail over road for these level crossings. The Frankston line corridor is very restricted as the Nepean Highway and Station Street border either side of it for long sections and the Kananook Creek is adjacent to it further south. The Victorian Greens have been advised by rail planners both with Public Transport Victoria (PTV) and in independent groups that there really are no other suitable sites for stabling on the Frankston line. The downside of the construction of these new facilities is that it requires the acquisition of six established businesses. I call on the government to assist these businesses with relocation, as they have today said they will do, to appropriate sites in the vicinity, including the costs associated with the retention of their existing customer base.

As for the claim by the opposition that the stabling would be better provided at the end of the line once the extension to Baxter has been completed, they are of course ignoring the fact that they, while in government, did not proceed with the extension to Baxter, despite it being in the 2012 PTV development plan. It is true that neither of the major parties has solid plans for an extension to Baxter. The opposition may say they have plans, but they seem to have decided that they are for building roads and nothing else, what with their ridiculous traffic light removal program, which is something truly out of the script of one of the more depressing episodes of *Utopia*.

While the Andrews government can rightly claim they are spending more on public transport infrastructure than their predecessors, the truth is they have just in the past week committed to \$22 billion worth of toll roads for Melbourne with the announcement of the north-east

link alignment and the planning approval of the West Gate tunnel. If these toll roads proceed — and I must say that it is a big if — they will entrench car dependency in this city to the detriment of its livability. If the Frankston line is extended to Baxter, the stabling at Kananook will still be required. Indeed provision of the same service levels all the way to Baxter will require even more train sets running on the Frankston line and therefore more stabling to house them.

I have also been advised that any future extension to Baxter will most likely require a degree of compulsory land acquisition regardless, because the existing rail corridor is narrow. If stabling at Kananook is not provided, then the size of the stabling required at Baxter will require additional compulsory land acquisition such that it is of sufficient size to stable 30 trains. I note that Baxter is within the green wedge and has an environmental significance overlay such that there would be understandable concerns in the local community if all of the additional stabling needs were pushed onto it.

In summary, this motion is purely a political joust to try to destabilise a necessary piece of public transport infrastructure. The Victorian Greens will not be supporting this motion.

Mrs PEULICH (South Eastern Metropolitan) (11:09) — I rise in support of my upper house colleague the Honourable Gordon Rich-Phillips, who has brought this motion to the house. To remind members, given that we have been speaking broadly on a range of transport-related issues, the motion says:

That, in relation to amendment C117 to the Frankston planning scheme, which relates to the Kananook train storage facility, this house —

- (1) notes planning scheme amendment C117 was tabled on 16 November 2017; and
- (2) pursuant to section 38(2) of the Planning and Environment Act 1987 revokes amendment C117.

And this is something that everyone in the south-east who actually cares about the south-east supports.

Following on from Ms Springle's comments, could I first and foremost say that when it comes to the desecration of our urban landscape and our urban environment by means of sky rail, which no-one voted for, the Greens have been absolutely silent. I hope I am not provoking the Chair. There has been nothing said about the loss of amenity, about the desecration of the urban environment or about the loss of thousands of trees along two lengths of sky rail. If anyone wants to know and truly gain an insight as to why this policy is a

disaster, just go down to Noble Park and have a look. You do not even need to get out of your car. Have a squiz, and you will see that this is absolute urban vandalism.

Yes, we do all want to see improvement in public transport and on our roads. In actual fact there has been study after study of the south-east attesting to the problems and the loss of efficiency as a result of traffic congestion. And that is why I was the first cab off the rank in actually pushing for level crossing removals. I was absolutely delighted that my own party was the first to make a commitment to level crossing removals. One of the reasons why I did that was that every day I saw the Clayton level crossing boom gates down arresting and halting ambulances that were trying to get often dangerously ill patients with time-critical issues to hospital on time. That level crossing should have been removed of course when the major hospital was built. That was the reason I took that to my party, and I was absolutely delighted that we were the ones who backed this program first of all.

However, there was a major difference: ours was based on the undergrounding principle. And we have done that. A great example is the Springvale level crossing. No-one complained about that. No-one complains about it, and there are still benefits to be drawn from that in the future. This is what we wanted to see happen right throughout the south-east and certainly right throughout the program. The pooh-poohing by Mr Leane of the crossing removal policy that we have announced is manna from heaven. For the south-east it was the OK corral of the 2010 state election and also regrettably at the 2014 state election, and it will be again at the 2018 state election. Without the removal of road crossings unfortunately we will not be making substantial inroads into traffic congestion, which is the bane of everyone's life.

But coming back to this motion, part of the vision for the improvement of traffic across the south-east has been the electrification and the extension of the Frankston line to Baxter. The Frankston council is very, very strong on this point. They do not believe in — and neither do most people in the community — this short-termism, and indeed this is just another obscene rush by the government to try to neutralise, to set in concrete, the obnoxious, outrageous sky rail project so that people are worn down, worn out and cave in to their bully-boy tactics, the hallmark of the Andrews Labor government.

There has been no consultation with the community on sky rail. The activities that have been convened have been basically designed in such a way as to silence

dissenters, to manage dissenters and to remove their criticisms from various forums. And indeed they have, I believe, deployed — whether it was the Level Crossing Removal Authority or the Labor Party or local Labor officials — trolls on social media and certainly attendees in the community to try to talk up sky rail, to say, ‘It is popular. This is what we need.’ Well, let me tell you, along the coastline of our bayside suburbs, which are the most beautiful in the world, we do not want sky rail. It is an abomination, and this is just another part of it.

Frankston City Council have been adamant about why they oppose it. I would like to quote from their officers’ assessment of this, at page 171 of a document dated 24 July 2017 under the subheading ‘Issues and discussion’:

The Kananook stabling facility was planned without any prior consultation with council, the community and affected landholders and occupiers.

That is typical of this government. They are bullyboys from head to toe, and they practise it and live it every day of their lives. It is disappointing that the Greens are prepared to accept this sort of bullying of the community and have been silent on this project. The report goes on to say:

Stabling has been relocated from Carrum to Kananook ...

The proposal will see the compulsory acquisition of land occupied by a number of key employers within the municipality, with a subsequent loss of 200 jobs.

The largest of these businesses, Page Bros Caravans, has been a long-time Frankston business, and is to date unable to find a satisfactory alternate site within our municipality. This business is now looking to relocate to Dandenong South.

Importantly there is significant concern on the negative impact on the amenity of residents, some of whom are within 35 metres of the north-western boundary of the stabling yard.

Further, the visual blight that will be created by a large stabling and maintenance yard is of significant concern.

The report goes on to say:

Council has been assured by the Minister for Public Transport that the Kananook project will not impact upon the timing for the electrification to Baxter, but it is hard to understand —

I will just repeat that: hard to understand —

why the state government would spend \$178 million establishing the Kananook stabling facility when that investment would have covered around a third of the cost for the electrification to Baxter.

So a third of the cost is going to be squandered on a short-term measure which is basically intended to put sky rail in concrete, to force the community and

objectors to sky rail to wear its concrete boots and to silence them. I know Frankston City Council has written to the Minister for Public Transport, the Premier and the Leader of the Opposition.

I would also like to point out that the submission opposing the proposed Kananook rail stabling facility, which was also prepared by the council, is also very enlightening reading. It says that the council:

... welcomes the commitments that the ... government has made towards the redevelopment of the Frankston station precinct ...

as torturous and mismanaged as that has been, and the number of businesses that project has brought to their knees —

Mr Rich-Phillips — How are the buses going?

Mrs PEULICH — The buses are not going very well, thank you. The submission continues:

The announcement of the grade separation proposals within Frankston and Carrum in March 2017, however, included an element that had not been included in any of the advertised options. That proposal was the relocation of the stabling at Carrum, as well as the provision of stabling for an additional 30-plus train sets to a large parcel of prime employment land in Kananook.

Council would say that the decision to create a large stabling facility on prime employment land at Kananook has been undertaken contrary to current network planning policy and sound economic, environmental and social considerations. Further, this proposal was not subject to any scrutiny or analysis prior to its announcement as part of a package of level crossing removal solutions.

PTV’s 2012 network development plan includes the electrification of the Frankston rail line to Baxter to be completed before 2027. Council submits that this project should be brought forward to replace the need to have the Kananook stabling yard. The federal government —

and this has been championed by the federal member for Dunkley, Chris Crewther —

has committed \$4 million towards a business plan for the electrification to Baxter in addition to improved services on the Frankston line.

In doing so, not only will hundreds of jobs be spared, but other benefits realised. Key benefits that the continuation of an electrified line to Baxter will deliver is the creation of sustainable transport options for the communities south and south-east of Frankston, and the creation of additional car parking at stations along the Frankston line, which currently is severely oversubscribed.

If other parties here in this chamber are interested in improving public transport, they also have to back the need to provide for more car parking at various railway stations; otherwise people simply cannot use them. This

motion makes complete sense, because what it is trying to do is force the government to rethink its short-term approach, to spare the jobs that this would cost, to spare the land which has been identified for employment activity and to undertake measures which would actually improve the functioning of the Frankston line and extend it to growth areas as well.

I have received a lot of encouragement from members of the community about pressing the government to rethink its sky rail option along the Frankston line. It will spell their political doom. If anyone has any doubt as to why this is a desecration, I would urge them again to have a look at the works along the Caulfield to Dandenong line and the mayhem that has caused and the visual clutter, graffiti, vandalism and drug trafficking that will harbour when it is completed. We want to protect our environment, we want to improve amenity and we want to address traffic congestion. We are going to do so if we are elected to government — and I certainly hope that we will be — by undergrounding level crossings and addressing the worst of our road crossings across the state, including in the south-east.

Dr CARLING-JENKINS (Western Metropolitan) (11:21) — I rise to speak only very briefly on the motion, and I wish to state that I do take such revocation motions very seriously. Last sitting week I supported a revocation motion around housing. That was a decision that I made because of the extensive lobbying from that community. I was quite impressed with that lobbying, I listened to that and that is why I voted for that one. But this motion was more of a surprise, as I had heard absolutely nothing from the community or from the council, so I decided that we would do our own research, and my staff called the seven businesses on my behalf. Most answered their phones this morning and provided comprehensive feedback to me. Unfortunately we were unable to complete this research. We tried to complete it this morning, but there were a couple of outstanding calls.

I am here to speak on and act on the information currently before me. One business said this to me: ‘The government does what it wants to do and there’s nothing we can do about it’. That is quite a defeatist attitude, but after speaking to them further they said they accept what is going to happen, and I am happy to raise with the government directly which business that was so they can follow up — I will not embarrass them from the floor.

I will quote what another said: ‘To us, it doesn’t really matter’. When asked about relocation assistance, they said that at the moment they are in the process of toing

and froing with the government to follow up all the issues involved and that they simply have not got to making plans on relocation assistance yet. So when we unpacked for them that this motion was going to be on the table today, they expressed surprise that the motion was being debated. They felt that that was premature, given that the consultation is still in its early stages.

I will not go through what each of the businesses said, but I will give an overview of the themes from these conversations. They said that they understood that the acquisition needed to happen and that they did not oppose the concept necessarily. Many did say that they felt that they were left in limbo, but again they understood that this is at an early stage of consultation. A number of them did say that the consultation did not start well. In terms of what they would like, the theme was that they would like solid assurances sooner rather than later. But I note that no business that we contacted spoke about closing down as a result of the acquisition. I will be asking the government to call the businesses, to open up a better dialogue with them and to reassure them and assist them.

When Page Bros RV was called — the largest business to be affected — they stated that they understood that this is something the government has to do and that they would be okay with it if the government was to provide assistance with moving, including finance to assist them in their move. They did say very clearly to my staff that they understood this was something the government had to do and that they were okay with that. The businesses we contacted did not say that they would lose their businesses or that jobs would be lost. They simply asked for assistance with relocation costs.

I note that Frankston council did not contact me. We attempted to contact them, and I note that Mrs Peulich spoke to their concerns extensively. However, as I said, they did not return my phone calls, they did not return the phone calls from my chief of staff, and the opposition did not supply me with a copy of what Frankston council said, so I cannot act on that advice.

I note that Mr Leane alluded on the government’s behalf to what will be done for businesses before perhaps going off on a tangent about coalition policy. I ask that the government —

Mr Leane — I can’t help myself.

Dr CARLING-JENKINS — You couldn’t help yourself, Mr Leane — I understand. I do ask the government to make a clear and concise statement at the end of this debate — I am asking for further clarity without the tangents or political pointscoring — for

these businesses prior to the vote on this motion. I do understand businesses do not automatically have confidence in the system. They need that clear consultation and they need this process simply to be completed. With this assurance being provided, I will be able to support the government's position on this motion.

Ms DUNN (Eastern Metropolitan) (11:26) — I rise today to speak on this motion that has been put forward by the Liberal-National coalition in relation to planning scheme revocation C117, Kananook train storage facility. My colleague Ms Springle has put forward the technical arguments as to why the Victorian Greens will not be supporting this particular motion. I am rising to talk about the application of proper and orderly planning principles in decision-making in this place.

There is no doubt that there has been an attempt by members of the government and some groups affiliated with the Labor Party to cast aspersions on recent decisions made by the Victorian Greens. This became quite apparent with the drumming up of feigned concern in the lead-up to the debate on this motion, where we even saw the Minister for Public Transport writing to the Leader of the Greens in a first-ever. Was she adding gravitas to the force of her concern by doing so? It highlights her concerns around the debate on this motion. There was also an attempt, no doubt linked to the Labor Party's well-funded campaign to win the by-election in Northcote, to paint two recent planning revocations as evidence that the Victorian Greens do not support proper planning practice.

Allow me to be crystal clear: the Victorian Greens are a party based on principles and member-led policy. We make decisions in this place based on those founding elements. The Greens do not support poor planning practice. It is unfortunate, I must say, that when it comes to planning at times it takes this house of Parliament to send the government back to do its job properly.

I note that today the government issued a media release in relation to this revocation motion titled 'Guy tries to block Frankston level crossings removal'. The media release goes on to say:

This is not the first time the Liberals have used a revocation motion when last sitting week they joined with the Greens political party —

not the Greens party, I note —

to block two projects that would deliver critical housing, transport and other infrastructure.

In fact if you look at those projects, I would hardly call three levels of car parking and a 4000-square-metre supermarket critical housing and other infrastructure. If we really want to get serious about what transit-oriented development is, then yes, sure, let it all be housing, but to suggest that 600 car parks makes up part of that is laughable.

The 13-storey Ormond station tower was an absolutely disgraceful project foisted on an unwilling community. The Labor Party used it as an attempt to attack the Greens for being opposed to transit-oriented development. But as I explained at length in that debate, it was not a well-designed transit-oriented development. It was a car park podium crowned with too many apartments that happened to sit on top of a train station, and not only that, it had the potential for a pokies club, no less, and no public exhibition or appeal rights attached to it. It was vigorously opposed by the local community, local traders and the council, yet the Andrews government pushed ahead with its plan.

Revoking the planning scheme amendment that allowed the Ormond station tower was a sensible act in this chamber, and the Greens were right to support it. In fact we encouraged the government to go back to the eight storeys suggested by the Glen Eira council as a suitable way forward on that site.

I must also counter the sensationalism used by the Andrews government in claiming that the Greens are opposed to public housing when we voted against their privatisation plan for the Markham estate. You can only privatise public land once. It is exceptionally hard to get it back, because it becomes very expensive and developed and, as Mark Twain said, 'They don't make it anymore'. The fire sale of public land that the state government is committed to is a destruction of valuable assets. Public land reserved for public housing should be used for just that — public housing — not for private developer profits.

I must also discuss the attempted revocation led by Mr Davis for the metro rail tunnel to be handed to the City of Stonnington, which was an attempt at drawing a very long bow to get South Yarra station included in the metro tunnel project. The Greens assessed that revocation, and it failed to meet our principles of good planning governance, because it would simply have forced the government to override the planning scheme process altogether, and even worse outcomes would be experienced by the people of South Yarra. Mr Davis used that revocation as an attempt at political pointscoring, with little concern for the chaos that would follow if the revocation was successful. No doubt he would have revelled in the chaos, because he

is one not for good governance but for politicking ad nauseam.

It is wrong to suggest that this house does not have a part to play in relation to planning matters. When we look at the objectives of the Planning and Environment Act 1987 they are very clear. I draw attention to some in particular:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- ...
- (e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- ...
- (g) to balance the present and future interests of all Victorians.

The direction of the Planning and Environment Act is very clear. It is so clear that in fact that act also includes section 38, which is the section that relates to revoking a planning scheme amendment. The fact that this is embedded in the Planning and Environment Act and that the Parliament may revoke an amendment is telling, and it reinforces that the Parliament does have a role to play in relation to these matters. Section 38 clearly states:

An amendment may be revoked wholly or in part by a resolution passed by either House of the Parliament within 10 sitting days after the notice of approval of the amendment is laid before that House.

It is clear that we have a role to play, and the Greens take that role incredibly seriously. We will evaluate every single revocation on its merits. We are not going to automatically support or oppose revocations; we want to look at each and every matter put before us and make a decision based on that. In fact we have voted according to that. It is this principles-based approach that the Greens have applied to all our votes on planning in this place. We will stay above the political fray on these matters and listen to affected communities and planning experts to determine what the most principled position is that aligns to proper and orderly planning for our great state.

Mr DAVIS (Southern Metropolitan) (11:33) — I rise to make a contribution to the motion. The government has botched the processes around the level crossing removals on the Frankston line. There is wide support for the model adopted for the north of the Frankston line in the three stations which have a rail-under-road solution. There is also likely to be wide support for the process that is being used through the

central part of the line. But for the southern part of the line the government has adopted its now familiar approach of sham consultation and bulldozing through local communities with the erection of a sky rail as its objective.

There is wide opposition in the community. The government has come forward with a proposal — in this case, planning scheme amendment C117 — relating to a future train storage facility at Kananook. It is a fact that this land would become public land, and it is a fact that under this planning amendment the government would push forward with the removal of businesses and the compulsory acquisition of property, and that is likely to have a very significant impact on local businesses, most prominently Jayco caravans. It is clear that the government's processes here have been bad, and it is clear that the outcome is bad.

I want to say something about the revocation process. It is absurd for some in the community and the government to argue that the chamber does not have the power to revoke planning scheme amendments. It is laid out clearly in section 38(2) of the Planning and Environment Act 1987. That is part of the planning scheme process that operates under the Planning and Environment Act and has for many years.

It is absurd for the government to argue that members of this chamber, me included, ought not to move revocations to planning schemes. Their own shadow planning minister, Mr Tee, moved such an amendment during the period in which my party was in government. So let us get over the rich nonsense that has been talked by the government and indeed some at the Property Council of Australia. Of course this is to be used sparingly. This is a matter where the Parliament has a purview and an oversight. Either chamber can allow a planning scheme amendment to be revoked and to do so singularly under the Planning and Environment Act.

I hasten to add — and I agree with my colleague Matthew Guy in the Assembly, the then planning minister — that this is something to be used sparingly, but the opposition did support a planning scheme revocation in the case of the Barwon Heads bridge in the period prior to 2010. It is the right of the chamber to take that course. The government sought to circumvent that in an absolutely scandalous, outrageous and anti-democratic move by using another section of the Planning and Environment Act to circumvent the clear democratic will of the Parliament in that particular case. I would hope that the government learned its lesson in that circumstance. In the case of the Barwon Heads bridge, the decision was very prominent in the loss of

the Assembly seat of South Barwon by Mr Crutchfield because the outrage at the government's undemocratic steps was palpable throughout South Barwon in the period after the revocation was overturned by the Brumby government.

My point today is to indicate that this is a matter of supporting businesses. This is a matter of getting a better outcome in terms of the sky rail approach that the government is adopting. Importantly, the government needs to look at alternative options for stabling. We all want to see increased capacity. We all want to see increased frequency. We all ultimately want to see an extension of the line towards Baxter, because that is an important long-term objective that governments have looked at. Certainly it was in the network development plan that we had in government. It is something that is very much on the agenda of the federal government as well. They have indicated that they support a study to look at the feasibility of this, how it can be best costed with a business case and get the best outcome for those not just in Frankston but also further onto the Mornington Peninsula. There are significant areas of growth in that area of the Mornington Peninsula, and it is absolutely justified to look at this as a way forward for the community into the future.

I also strongly make the point that the government's stubbornness and bloody-mindedness is what has driven the chamber to this step of examining whether a revocation should occur. If only the government were more prepared to consult, more prepared to work with the community, more prepared to work with the Frankston council in this case and more prepared to consider the best long-term solution rather than deliver a breakneck outcome that will break businesses, break jobs and reduce the final quality of the outcome for the community on the peninsula.

This motion seeks to revoke planning scheme amendment C117 to the Frankston planning scheme, which would provide for the stabling yards at Kananook that have been discussed by the government. The government is being invited to go and find a better solution that does not involve the loss of jobs and an impact on established small businesses. It is a fact that, in a planning sense, in the Frankston area and in the south-east of the city there is a shortage of industrial land of exactly this type.

I should say too that there is, and I alluded to this earlier, wide opposition to the government's model which goes over Seafood Road and Eel Race Road, a solution which is simply a closure, and the government's ill-considered approach in Carrum, which will be a blight on the views from the sea and a

suboptimal outcome for that area of the city. It is curious that the government's consultation process has been so unsatisfactory again, and I note the failure of the government to provide information to the opposition under FOI regarding the options that were considered in Carrum. I can only conclude that there were sensible and practical options that were considered and that the government rejected those options and would not allow the community and the opposition to scrutinise that decision-making, which in my view was very much within the objectives of the Freedom of Information Act 1982.

Ms TIERNEY (Minister for Training and Skills) (11:41) — I rise because a number of issues have been raised in relation to acquisition; in particular Dr Rachel Carling-Jenkins raised this issue. The purpose of me standing at this point in time is to assure members of this house that the government and its agencies will continue to work with affected landowners on relocation of businesses and any other associated issues with the project so that a satisfactory outcome can be achieved for those businesses and indeed the workers associated with those businesses.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (11:42) — Just in conclusion, I would like to thank the members who have contributed to this motion and those who are supporting it. The message that came back from the speakers on behalf of the government, Mr Leane and Ms Tierney related to the government's intention to support those businesses. What we have seen is a lack of certainty. Dr Carling-Jenkins referred to that from her consultations: the businesses she spoke to, as with the businesses we have spoken to, indicated they are in limbo. There is uncertainty about the process moving forward with compulsory acquisitions and the ultimate development of this stabling project.

Likewise Mr Leane used the term 'compensation', and I would make the point that there is a big difference between compensating a party under the compulsory acquisition framework and actually compensating them for the losses they will incur in having their business move. It is a very different matter, and simply talking in the context of the compulsory acquisition framework is to ignore the impact of this process on those businesses and ultimately on those jobs. If the government is genuine in what it says about compensation, it needs to have regard to those broader impacts and not merely to the cost or the value as assessed as part of a compulsory acquisition process.

I would also like to touch briefly on the points made by Ms Springle in her contribution on behalf of the

Greens. Ms Springle of course is one of the members for South Eastern Metropolitan Region, which is the area affected by this project. I am astounded that Ms Springle in her contribution basically brushed aside the concerns about businesses and brushed aside the concerns about jobs and then went on to talk against Baxter as an alternative stabling site on the basis that it has, to quote her, ‘a green wedge and it has an environmental overlay’.

It is very clear that the priority of the Greens and the priority of the member of the Greens from the south-east is putting that environmental overlay and the green wedge zoning in Baxter ahead of the jobs that are going to be lost and the businesses that are going to be shut down in Seaford and Frankston North. I think that is a salutary statement for people in the south-east, to understand the priorities of Ms Springle as one of their representatives and the priorities of her party in putting those environmental considerations at Baxter, as she sees it, ahead of the very real impact that this proposal will have on those 100 people who are employed at Seaford and those people who have invested in their businesses at Seaford.

This motion is the only opportunity this Parliament has to send a message to the government about this project. Dr Carling-Jenkins spoke about time frames and suggested it might be premature to go down this path. The realities of the Planning and Environment Act 1987 are that we only have a limited opportunity in which the Parliament can make its views on this matter known. That requires the matter to be dealt with within 10 days of the planning scheme amendment being gazetted by the planning minister. That means that we need to send a message now. The Parliament, if it is to have an impact on this matter, must intervene at this point in time. We do not have the luxury of waiting to see what the government does or does not do.

The government has been engaged in this process for some time. It has not been a satisfactory process for the businesses involved. The consultation has not been adequate and the uncertainty is not adequate, so the time for the Parliament to act is now. The only opportunity for the Parliament to act is now, and for that reason I call on members of this house to support this revocation motion, to support those 100 people whose jobs are at risk at Seaford and to support those businesses that have invested in good faith over decades at Seaford in developing the south-east.

House divided on motion:

Ayes, 16

Atkinson, Mr	O’Donohue, Mr
Bourman, Mr	Ondarchie, Mr
Crozier, Ms	O’Sullivan, Mr (<i>Teller</i>)
Dalla-Riva, Mr	Peulich, Mr
Davis, Mr	Ramsay, Mr
Fitzherbert, Ms	Rich-Phillips, Mr
Lovell, Ms	Wooldridge, Ms
Morris, Mr (<i>Teller</i>)	Young, Mr

Noes, 20

Carling-Jenkins, Dr (<i>Teller</i>)	Mikakos, Ms
Dalidakis, Mr	Patten, Ms
Dunn, Ms	Pennicuik, Ms
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Purcell, Mr
Gepp, Mr (<i>Teller</i>)	Ratnam, Dr
Hartland, Ms	Shing, Ms
Jennings, Mr	Somyurek, Mr
Leane, Mr	Springle, Ms
Melhem, Mr	Tierney, Ms

Pairs

Bath, Ms	Symes, Ms
Finn, Mr	Mulino, Mr

Motion negatived.

Sitting suspended 11.55 p.m. until 12.00 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Devondale Murray Goulburn

Mr PURCELL (Western Victoria) (12:00) — My question is to Minister Pulford representing the Minister for Industry and Employment. For decades Victorian industry has been pillaged by overseas companies which have benefited from government funding and subsidies in their home country. Saputo, a Canadian dairy company, has grown and flourished where dairy farmers have a great deal of protection in relation to the farmgate milk price, but Saputo are now seeking to expand their empire into Australia by taking over Murray Goulburn and through exploiting our less regulated markets where they can pay farmers as little as possible. Therefore I ask the minister: what is the government doing to protect the long-term future of companies and jobs in this state against predators that flourish through protection and subsidies in their home markets?

Ms Pulford — On a point of order, President, the question from Mr Purcell was directed to the Minister for Industry and Employment. I am the minister with primary carriage of the issues around Saputo and

Murray Goulburn, so is Mr Purcell happy for me to answer in part as the Minister for Regional Development and in part as the Minister for Agriculture?

Mr PURCELL — I am more than happy for the minister to reply.

Ms PULFORD (Minister for Agriculture) (12:01) — I thank Mr Purcell for his question and his interest in what is an incredibly important issue for many regional Victorian communities and for our dairy industry. The fact that Murray Goulburn has been experiencing significant challenges is well-known and understood. There have been a series of inquiries over 18 months. The Australian Competition and Consumer Commission and the Australian Securities and Investments Commission have undertaken inquiries to understand the root cause of some of the decisions that have been made at Murray Goulburn. Farmers and their communities have been impacted by dramatic price shocks, and the price of production for many farmers has been exceeding the price that they have been paid by processing companies.

Particularly Murray Goulburn for a time but also Fonterra and some of the smaller players in our industry — still significant but smaller compared to those two — were able to maintain milk farmgate prices just above the cost of production. But the dairy communities in the south-west in Mr Purcell's own region, in northern Victoria and indeed throughout Gippsland have all been very significantly impacted. The government has been monitoring the situation closely. The federal government have undertaken investigations through their agencies and have also been engaged in that respect.

Murray Goulburn recently moved from a particular phase of their board's attempt to resolve the instability that the company was experiencing into another phase, with the announcement of the sale to Saputo of operating assets and operating liabilities in the order of \$1.3 billion — very significant. The transaction came about because Murray Goulburn had been experiencing significant commercial pressures. Their inability to maintain a competitive milk price had meant that they had lost around 40 per cent of milk supply. This was in turn having consequences in dairy factories, with the announced closure of the Kiewa plant and the Rochester plant. The closure of the plant at Kiewa has been put on hold for now since the announcement about the proposed sale to Saputo. There is another plant, a third plant in northern Tasmania, which was also declared for closure.

Murray Goulburn, just to give members a sense of the scale of their problems, experienced a loss after tax of \$370 million for 2016–17. The lack of confidence that farmers have had in Murray Goulburn, particularly in their ability to provide a competitive farmgate milk price, has compounded their troubles, which were already significant. The board at Murray Goulburn has made a decision to put to shareholder members the proposed sale, and 50 per cent of those shareholder members will need to agree for that to go ahead. Certainly a commercial transaction was and remains our government's preferred approach through this for Murray Goulburn, and some of the matters that Mr Purcell went to —

The PRESIDENT — Thank you, Minister.

Poker machines

Ms HARTLAND (Western Metropolitan) (12:05) — My question is for Minister Dalidakis acting on behalf of Minister Kairouz, the Minister for Consumer Affairs, Gaming and Liquor Regulation. Minister, yesterday there were further allegations that poker machines at Crown Casino have been tampered with, causing players to lose more money than usual. Previously you have said that the regulator would investigate these allegations. When will Minister Kairouz accept that it is not appropriate for the regulator to investigate these allegations, and bring in the police?

Mr DALIDAKIS (Minister for Trade and Investment) (12:06) — I thank the member for her question. As is the practice, I will take that question on notice and provide it to the minister in the other place for answer.

VicForests

Ms DUNN (Eastern Metropolitan) (12:06) — My question is for the Minister for Agriculture. On Wednesday, 25 October, I was welcomed by dozens of members of the community in Mirboo North for a tour of the lyrebird walk in the state forest near their township. VicForests has announced that it will log coupes adjacent to and visible from the lyrebird walk in 2018. The local community is devastated due to the impacts this will have on their environment and on the tourist economy. This is why more than 300 people voiced their concerns and opposition to the logging at a town meeting in September. Will the minister listen to the community and rein in VicForests to ensure the logging of these coupes is cancelled so the local tourist economy is not permanently devastated?

Ms PULFORD (Minister for Agriculture) (12:07) — I thank Ms Dunn for her question and her ongoing interest in forestry matters, particularly in relation to the community at Mirboo North. Ms Dunn has asked whether the government is listening to the community of Mirboo North, and what I can certainly indicate is that a member for Eastern Victoria Region, Harriet Shing, was the only member of Parliament to attend that significant community meeting. Ms Shing shortly thereafter had a meeting with me and the Minister for Energy, Environment and Climate Change, at which point we both undertook to ensure that our respective agencies will continue to work with the community and engage with them on their concerns.

Supplementary question

Ms DUNN (Eastern Metropolitan) (12:08) — Thank you, Minister. In relation to my supplementary, VicForests has been trying to bargain with the community in Mirboo North by offering buffer zones near the lyrebird walk and a nearby creek. However, these buffer zones are legally required under the code of practice. Does the minister accept that VicForests's practice of portraying mandatory buffer zones as a concession to communities on its part is deceptive, and if so, what does the minister intend to do about it?

Ms PULFORD (Minister for Agriculture) (12:08) — VicForests does not conduct itself in a way that is deceptive, and I do not think it is fair to characterise these things as a negotiation. We apply the best possible practice that we can, and VicForests engages in meaningful consultation with communities.

Ms Shing interjected.

Ms PULFORD — Ms Shing rightly points out that if Ms Dunn had been at the meeting she might have heard VicForests, who I believe addressed the meeting and did speak to those issues, as did Ms Shing. It was a significant community meeting attended by many, many people. VicForests were there, and VicForests will continue to engage with the community and consult in a meaningful way with the community on these issues.

Firearm regulation

Mr BOURMAN (Eastern Victoria) (12:09) — My question today is for the Minister for Police, represented by Minister Tierney. The Riverman OAF is a straight-pull rifle made in the US. 'Straight pull' means you fire it, take your hand off the firearm to manually operate it and then it can be fired again, and the user must then remove a hand again to reload it and

repeat until they are finished. Clearly it is not a semi-automatic by any definition, either in the Firearms Act 1996 or by basic logical deduction. Manual intervention is a must for this gun to operate. At the moment the possession of the Riverman OAF is not possible in Victoria as the Chief Commissioner of Police is reviewing the classification of the firearm under section 3B of the Firearms Act, which I will paraphrase as the 'scary-looking gun section' of the act. My substantive question is: what public safety outcome is there for classifying firearms based on their looks, not function?

Ms TIERNEY (Minister for Training and Skills) (12:11) — I thank the member for his question. I will convey that question to the Minister for Police, and can I clarify the type of gun it was in relation to?

Mr Bourman — A straight-pull rifle.

Supplementary question

Mr BOURMAN (Eastern Victoria) (12:11) — Given that you must keep firearms away from public view during transport and so on, my supplementary question is: how, unless a member of the public is a shooter themselves, will they see this firearm to be scared of it?

Ms TIERNEY (Minister for Training and Skills) (12:11) — Again I will refer this matter to the Minister for Police, and I am sure that she will comply with the guidelines.

Questions interrupted.

DISTINGUISHED VISITORS

The PRESIDENT (12:11) — I take this opportunity to advise the house that we have a former member in the gallery, Mr Ron Best, who is a former National Party member of the house. Welcome.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Foster carers

Ms CROZIER (Southern Metropolitan) (12:12) — My question is to the Minister for Families and Children. Minister, an emergency carer — and her family — who has cared for a little boy usually gets paid \$81 per night for doing so, and she raised with the department that she was still owed for care provided as far back as February of this year.

She recently received a cheque for \$162 for care in September and October. When she queried that she still had outstanding payments your department offered shopping vouchers — one for \$100 and one for \$10 — with the Department of Health and Human Services worker claiming the carer would be better off receiving vouchers than a cheque. On receiving those vouchers there was no explanation of which period they covered and why they were in excess of one night's care but fell way short of what is owed to this carer. Minister, is it now Andrews Labor government policy to substitute overdue payments to carers with Woolworths, Coles, Target and Kmart vouchers? What was the rationale for the department to do so?

Ms MIKAKOS (Minister for Families and Children) (12:13) — I thank the member for her question. It is rather disappointing that the member has chosen to raise this issue in this manner. I would be very happy for her to provide me with the name of the individual in order that I can seek further details from my department in relation to the specific carer that the member has referred to. What I can say more broadly to the member is that our government has put in place numerous reforms and significant additional funding to provide additional supports to our carers. This goes to additional funding, even in this budget, to provide further support to create more home-based care placements, including further targeted care packages in our budget, and we have had funding in each one of our budgets to provide further support to our carers.

It may well have been the case that the department did give some vouchers to this carer as a short-term measure to provide additional assistance, but as I do not have the details of the matter it is very difficult for me to comment on the specifics. I look forward to receiving the details from Ms Crozier in relation to this particular carer so the matter can be looked at as quickly as possible and further advice can be provided to this particular carer.

What I can say to the member is that the reforms that we have put in place through the *Roadmap for Reform* and the very significant funding that we have put in as a government have seen additional support provided to our home-based carers. Just late last year I announced \$19.2 million of new funding to provide additional support in terms of covering out-of-pocket expenses for carers, putting in place more training for our carers and putting in place things like a new permanent carer hotline for permanent carers. Just last week I announced some further funding to Kinship Carers Victoria together with launching a new manual of information for our kinship carers. We are putting in place a range of supports to provide more funding for

our carers. We have put in place significant reforms to support these carers and, most importantly, the children that they care for.

I am very happy to follow up on the particular matter the member has raised. I have said to other members as well in the past that if they want to come to see me with particular details of any situation involving a child in out-of-home care, whether it relates to that child's needs or issues relating to carers, I am always happy to assist in following those matters up. I know for a fact that when these matters have been raised they have been able to be resolved in an expeditious manner.

Supplementary question

Ms CROZIER (Southern Metropolitan) (12:16) — Clearly vouchers instead of payments are part of your 'making things fair' commitment, Minister. Minister, this is a voucher that your department gave to the carer in replacement of a proper carer payment, so I ask: since 2016 on how many occasions have carers received these types of vouchers from your department?

Ms MIKAKOS (Minister for Families and Children) (12:17) — I thank the member for her further question on this matter. What I can say to the member is that some out-of-home care placements are actually managed by the community sector, not by my department directly, so I imagine it would be an impossible task to be able to quantify a number as it relates to placements managed directly by both the department as well as the community sector. But what I can say to the member is that we are putting in place additional funding through this budget, through previous budgets and through reforms to provide better support for our carers — support that just was not available under the previous government at all — and support through targeted care packages that provides additional support to carers to enable more children to have a loving and supportive home in which to live.

Girls in Tech Catalyst Conference

Mr ONDARCHIE (Northern Metropolitan) (12:18) — My question this afternoon is to the Minister for Innovation and the Digital Economy. Minister, in September 2016 you travelled to the United States where you, in your travel report, declared that you had secured the 2017 Girls in Tech Catalyst Conference that would be coming to Melbourne, and I quote, 'The first place in the Southern Hemisphere to host the organisation's premier event'. Minister, as we approach the end of 2017 can you confirm the date when this catalyst conference was held in Melbourne?

Mr DALIDAKIS (Minister for Innovation and the Digital Economy) (12:18) — I thank the member for his question and his keen interest in the tech sector, although I think he has asked this in relation to trade as well, but irrespective, the interest is welcome nonetheless.

Certainly we have a lot in the tech sector to support women, especially young women I must say, in a sector that sadly has had between 13 and 27 per cent gender disparity within it. We have worked very hard with that, including working with Girls in Tech, who set up their first chapter in Australia here in Melbourne. I will seek information from Girls in Tech, being a third party, about what their plans are. Given that it deals with an organisation separate to my department, I will endeavour to provide that information to the house as soon as possible.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) (12:19) — Minister, thank you for your response, but I refer you to your travel report where you say ‘I secured’ the Girls in Tech Catalyst Conference for 2017, when the website for the 2017 Girls in Tech Catalyst Conference talks excitedly about returning to the hub of entrepreneurship, innovation and tech in San Francisco, 12 650 kilometres away — or, for you, 90 000 frequent flyer points away. Minister, you boasted to the *Herald Sun* that this was your premier event to replace the StartCon disaster. You never walk the walk; you only talk it. Won’t you just admit that you are suffering from premature intimation?

The PRESIDENT — The minister can choose to answer if he wishes.

Mr DALIDAKIS (Minister for Innovation and the Digital Economy) (12:20) — I thank the member again for his ongoing interest in conferences and in women within the tech sector. I find it surprising that the member seeks to raise the issue of StartCon in his question. This was an organisation that refused to meet gender equity issues with us. As I said in my substantive answer, I will seek to provide an answer to this place as to where the Girls in Tech conference is at and will happily do so, but I remind this place that it is important that we continue to fight for gender equity issues within the tech sector. I think it is important that we continue to work hard to ensure that women feel that they have equal opportunity regardless of the sector or the industry that they wish to work in.

Animal Welfare Victoria

Mr RAMSAY (Western Victoria) (12:22) — My question is to the Minister for Agriculture. Minister, the Animal Welfare Victoria package included \$500 000 worth of grants. Will farmer groups and agricultural animal industries be able to access this funding for animal welfare education and extension activities?

Ms PULFORD (Minister for Agriculture) (12:22) — I thank Mr Ramsay for his question about the animal welfare grants. The guidelines for the grants were established by the former government. They were announced as an election commitment by the former government. They were committed to — as in funded — in 2011 for the first time. In 2012 they were enshrined in legislation. We see no need to change the guidelines that were established by the former government, and I would refer Mr Ramsay to those guidelines.

Supplementary question

Mr RAMSAY (Western Victoria) (12:23) — Minister, thank you for your response to my substantive question. My supplementary question follows, though. After three years as minister, agricultural animal industries have been sidelined in your policy for preference deals in Northcote. In the spirit of reconciliation will you commit more than 50 per cent of the \$500 000 fund for agricultural animal industries to access animal welfare education and extension activities?

Ms PULFORD (Minister for Agriculture) (12:24) — I thank Mr Ramsay for his question. I reject absolutely that our animal industries have been sidelined — that is a ridiculous suggestion — but I would indicate to Mr Ramsay that the government has no intention of changing the legislative arrangements that were put in place by the former government, of which Mr Ramsay was a member, and I would refer Mr Ramsay to the Domestic Animals Act 1994, part 7F, legislation drafted by his colleagues:

Payment of money out of the Fund

On the recommendation of the Minister, money may be paid out of the Animal Welfare Fund to any organisation that—

- (a) provides for the welfare of animals; or
- (b) provides an animal shelter; or
- (c) provides education on the responsible ownership of animals; or

- (d) provides a community foster care network in respect of dogs or cats; or
- (e) provides animal relief services and use of facilities during an emergency within the meaning of the **Emergency Management Act 2013**.

Northcote by-election

Mr O’SULLIVAN (Northern Victoria) (12:25) — My question is to the Minister for Agriculture. Minister, on 22 October 2017 the Animal Justice Party (AJP) on its Facebook page posted to its members and supporters, and I quote:

In recent discussions with the ALP, we, the AJP, negotiated a better welfare deal for animals in Victoria.

Our ideal situation is an independent office for animal welfare ... What Labor agreed to is far from that but it is better than the existing situation.

The post ends with a picture of you, Minister. As you have stated, it was your decision to create Animal Welfare Victoria, but you have previously stated that you took no part in negotiations surrounding the eventual policy for preference deals — a little weird, especially with the AJP posting a photo of you. So I ask, are you the person that negotiated a better welfare deal for animals in Victoria with the Animal Justice Party, and if not, who was it?

Ms PULFORD (Minister for Agriculture) (12:26) — I am not somebody who looks at the Animal Justice Party Facebook page — something I do not think I have ever done actually — and what photos they choose to post I guess is a matter for them. As I have indicated in previous answers to questions from the opposition, discussions about arrangements between political parties in elections or by-elections are matters for those political parties. My role as the Minister for Agriculture in relation to animal welfare is to deliver on our election commitments and to continue to pursue our reform agenda in this area. That is my responsibility; it has been and remains my focus. We have legislation to improve animal welfare in the other place today. I look forward to the National Party’s support of it given their newfound interest in matters of animal welfare.

Supplementary question

Mr O’SULLIVAN (Northern Victoria) (12:28) — Minister, the Animal Justice Party stated that they had ‘negotiated’ policy for preferences during ‘discussions’ and that ‘Labor agreed to’ demands, so I ask you specifically: since the election of the Andrews Labor government on what dates have you or your office met with representatives from the Animal Justice Party?

Ms PULFORD (Minister for Agriculture) (12:28) — I have not met with the Animal Justice Party at any point since I have been Minister for Agriculture. They are an organisation, as there are many in the Victorian community, who care about animal welfare and who write to me and seek to influence policy and seek information from government on different issues. I have certainly corresponded with them on a number of occasions, none of those recent, but I can certainly confirm to Mr O’Sullivan that I have not had any meetings with them.

Northcote by-election

Ms WOOLDRIDGE (Eastern Metropolitan) (12:29) — My question is to the Minister for Agriculture. Minister, have you sought legal advice regarding the appropriateness of your involvement in the establishment of Animal Welfare Victoria, the \$500 000 worth of new grant funding announced and the policy-for-preferences deal with the Animal Justice Party?

Ms PULFORD (Minister for Agriculture) (12:29) — I thank Ms Wooldridge for her question and for her, also newfound, interest in animal welfare. The government announced three things. We announced that we would provide funding for the next round of animal welfare grants — animal welfare grants established by the former government, and they are continuing. The department had been having discussions about how to provide better support within their policy teams to me as minister and to the government for what is a very busy animal welfare agenda. Yesterday I went through a number of the things that have been occurring. Those discussions about the best and most effective use of the departmental staff who work in animal welfare had been occurring for some months.

In relation to the third part of that announcement on 19 October, the government committed to creating a new animal welfare act. Members would be well aware that the Prevention of Cruelty to Animals Act 1986 has served Victoria very well but it is dated and in need of modernisation. Those are the things we announced. There is nothing in the announcement around a new animal welfare act that would be of any surprise whatsoever to the many people who have been involved in the consultation. It stands in stark contrast to what the opposition were getting up to last week in terms of consultation with the Victorian Farmers Federation about selling Snowy Hydro to pay for Los Angeles-style intersections in Melbourne.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) (12:31) — I think it is instructive to the house that the minister failed to say whether she had sought legal advice. Minister, in the context of that and following on, the facts are that the creation of Animal Welfare Victoria was not part of your original animal welfare action plan announced by the government; you did not consult with the Victorian Farmers Federation, the Australian Veterinary Association, the RSPCA or the chief vet; you decided and announced the creation of Animal Welfare Victoria and the allocation of \$500 000 worth of new funding during the preference negotiation period of the Northcote by-election; the Animal Justice Party said the announcements were part of a preference swap deal; and the Animal Justice Party itself has said it negotiated a better welfare deal for animals as part of the Northcote by-election process, including posting a photograph of you. Minister, this is clearly a policy-for-preferences deal. So I ask: given all of this, what conclusion can the Victorian community draw but that your government's actions constitute corrupt behaviour?

Ms PULFORD (Minister for Agriculture) (12:32) — For a start, I completely reject the assertion of corrupt behaviour. Our government has been working with stakeholders on animal welfare issues since the week it was elected, and it will continue to do so.

Ms Wooldridge — Why have you sought legal advice then?

Ms PULFORD — Well, I haven't.

Ms Wooldridge — You didn't answer that before.

Ms PULFORD — But I haven't, so there's your answer.

QUESTIONS ON NOTICE

Answers

Mr JENNINGS (Special Minister of State) (12:33) — I have written responses to the following eight questions on notice: 11 329, 11 609–14 and 12 283.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT (12:33) — In respect of today's questions, regarding Mr Purcell's question to Ms Pulford, the substantive question, I direct a written response within one day; Ms Hartland's question to Mr Dalidakis, the substantive question, within two days; Mr Bourman's question to Ms Tierney, both the substantive and supplementary questions, within two days; Ms Crozier's question to Ms Mikakos, both the substantive and supplementary questions, one day; Mr Ondarchie's question to Mr Dalidakis, just the substantive question, one day; and Mr O'Sullivan's question to Ms Pulford, the substantive question, one day.

Ms Pulford — On a point of order, President, if I could by leave of the house perhaps acquit the remaining sentence of my answer to Mr Purcell's question, that would perhaps provide him with the answer right now. The clock got away from me.

The PRESIDENT — We actually did have a problem with the clock at the time of that announcement, and you also did raise a point of order as part of that. On this occasion, provided it is brief, I will allow you to acquit that matter.

Devondale Murray Goulburn

Ms PULFORD (Minister for Agriculture) (12:35) — Thank you, President. I think Mr Purcell and people in our electorate are very interested in this issue. Saputo is a Canadian-owned company. I had an opportunity to speak to Lino Saputo a couple of weeks ago when he was last in Australia. I think he will be here on a regular basis. They have played a really positive role in the dairy industry to date, with their ownership over recent times of Warrnambool Cheese and Butter. I do not accept the characterisation of cannibalisation, but I would indicate to Mr Purcell that our government is encouraging the federal government to act swiftly on the Foreign Investment Review Board decisions, which is really where this question of foreign investment sits most appropriately.

The PRESIDENT — Can I have a copy of Mr Purcell's question?

Mr Purcell interjected.

The PRESIDENT — It is gone. The question was about what the Victorian government would be doing in future to safeguard dairy farmers; is that correct?

Mr Purcell — The question was along the lines of what the government is going to do to provide a level playing field for companies when they are competing against international companies that are getting subsidised in their country of origin. So it was in regard to what the government is going to do to make sure that local companies are not adversely affected in regard to their competition.

The PRESIDENT — Thank you. In the context of that question, as I understand it, most of the matter in terms of competition policy would be a federal government issue and one for the Foreign Investment Review Board, which the minister has referred to. I accept that that question has been acquitted.

Mr Ramsay — On a point of order, President, yesterday in relation to a response to a question without notice — from me to the Minister for Agriculture — you asked the minister to respond with a more fulsome answer within one day. I received this response from her 2 minutes before question time. It does not respond to the direct question I asked, which was about what stakeholders were consulted and engaged with in relation to the formation of Animal Welfare Victoria.

Ms Pulford has managed to skirt the question yet again. She talked about consultation on the animal welfare action plan, which is quite separate from the formation of Animal Welfare Victoria. Then she sort of waffled on to say that in the future they will be drawing together existing functions within Agriculture Victoria and working closely with stakeholders in developing that process. But again she has not directly answered the question in relation to consultation with major industry stakeholders in respect to the formation of Animal Welfare Victoria. She talked about the welfare action plan, which was not the question I asked.

The PRESIDENT — The minister has indicated in her answer that ‘stakeholders have been widely consulted on animal welfare matters’. I am mindful that the answer says ‘over the course of the year’. The answer is acceptable as it stands. Whether or not it does reflect that the specific initiative that the government announced was the subject of those stakeholder negotiations is quite another matter. The member is able to pursue that further, but having set a time frame the minister can be judged on, the answer is acquitted.

CONSTITUENCY QUESTIONS

South Eastern Metropolitan Region

Mrs PEULICH (South Eastern Metropolitan) (12:40) — My constituency question is for the Minister for Sport in another place, and it is in relation to yet another major project debacle of this government, this time involving the Frankston basketball centre and its redevelopment. The former coalition government made a commitment of \$2.5 million, the federal government made a contribution, the local council made a contribution and Basketball Victoria made a contribution of \$1 million. Unfortunately negotiations have fallen over. The question that I ask the minister is: what action has he or his department taken to prevent this important project from falling over? If he has not taken any action, he should do so forthwith before the money is squandered.

Northern Victoria Region

Mr GEPP (Northern Victoria) (12:41) — My constituency question is to the Minister for Roads and Road Safety in the other place. It is about four upgrades taking place in the electorate of Murray Plains in Northern Victoria Region. In August the minister announced a rebuild of four local roads: a critical 700-metre stretch of the Murray Valley Highway at Reedy Lake, a 2-kilometre section of the Murray Valley Highway, major rehabilitation works on the Echuca-Mooroopna Road at Wyuna East and vital works on Prairie-Rochester Road.

There is a strong push in the community from my constituents to ensure that these works are completed in a timely manner, although roadworks and temporarily reduced speed limits over the festive season will hopefully ensure less accidents and a slower, safer drive. We can all understand frustrations with ongoing roadworks to and from our workplaces and schools. Many constituents are contacting my office regarding a time frame as to when these upgrades will be completed. My question to the minister is: when will the people of Murray Plains and Northern Victoria Region more broadly enjoy their new, safer roads that will connect locals, visitors and industry?

Northern Metropolitan Region

Ms PATTEN (Northern Metropolitan) (12:42) — My constituency question is for the Minister for Health. A constituent of mine, having experienced a sudden health issue, recently found herself unexpectedly admitted to the Mercy Hospital for Women for several days. She was shocked to find that the pharmacy at this

public hospital would not supply her with her regular contraception while she was there. The government's *Women's Sexual and Reproductive Health: Key Priorities 2017–2020* includes the right to effective and affordable methods of family planning and fertility regulation. How is it, then, that a publicly funded hospital can deny women contraceptive medication, and does the minister intend to address this?

Southern Metropolitan Region

Ms CROZIER (Southern Metropolitan) (12:42) — My constituency question is to the Minister for Energy, Environment and Climate Change, Ms D'Ambrosio. Last week a shopping strip on Glenferrie Road experienced yet again more blackouts; in fact the whole state is at risk of blackouts due to the government's closure of Hazelwood. But what is concerning for these local traders is that it is happening continuously. So far this year they have experienced 11 blackouts, and we are only just entering our first summer without Hazelwood in operation. According to an *Age* article:

Business owners on the busy Hawthorn shopping strip say they are at breaking point after 11 blackouts this year, including four in the past week as the mercury soars across the state.

The blackouts affect several blocks and about 30 businesses ...

The article goes on to say:

A spokesperson for CitiPower said the blackouts were due to soaring energy demand from the thriving retail strip.

So I ask the minister: could she provide to the house information from CitiPower as to the additional energy demand that has been required by this shopping strip that has caused these 11 blackouts over the past year?

Western Victoria Region

Mr MORRIS (Western Victoria) (12:43) — My constituency question is directed to the Minister for Regional Development, and it relates to Eureka Stadium and the recent revelations that the government has failed to deal with a lease that the North Ballarat Roosters have over some land at the stadium. Ballarat council has recently forked out \$5.5 million to deal with the government's failure to properly plan for this project. So my question is: will the minister provide an assurance to the people of Ballarat that no further ratepayers money will be spent fixing this mess with regard to the North Ballarat lease?

Western Victoria Region

Mr RAMSAY (Western Victoria) (12:44) — My question is to the Minister for Health, and I refer to the press release from the Minister for Health of 10 June 2015, which claims:

The new \$33 million Barwon Health North facility will be built in Norlane as part of Geelong's new northern arts, recreation and community health and wellbeing hub.

I might add that it was Mr Davis, when he was Minister for Health, that actually committed funding for that northern Geelong health precinct. It also says in the press release:

Construction is expected to start in the second half of 2016, and due to be completed in 2017.

Well, guess what? Not a piece of dirt has been shovelled yet in this project. They are still arguing the toss about some planning issues. So my question to the Minister for Health is: when does she actually expect that construction will start? It certainly will not be 2016, and it is unlikely to be 2017, so now we are looking forward to 2018 — a two-year delay for those people living in the north part of Geelong to access health services — so when is the construction to start on this very important project?

Northern Victoria Region

Ms LOVELL (Northern Victoria) (12:45) — My constituency question is for the Attorney-General. I have recently been contacted by one of my constituents, Mr Garry Larmour, JP, honorary secretary of the Buloke branch of the Royal Victorian Association of Honorary Justices. Mr Larmour made contact with me, and other members of this house and in the other place, to express concern at the lack of justices of the peace (JPs) performing duties in certain areas of my electorate of Northern Victoria Region. This shortage is predicated on a variety of reasons including old age and justices leaving the area. Mr Larmour has forwarded a letter to the Premier requesting the appointment of an additional JP in both Sea Lake and Wycheproof. Will the Attorney-General ensure the appointment of additional justices of the peace in both Sea Lake and Wycheproof to ensure these communities continue to receive the valuable services these honorary positions provide?

Southern Metropolitan Region

Mr DAVIS (Southern Metropolitan) (12:46) — My constituency question today is for the Minister for Roads and Road Safety, and it relates to an FOI letter that was provided by the North East Link Authority to

the City of Boroondara. This letter refused access to virtually all documents. It is one of the most extraordinary FOI refusals I have ever seen in my time in Parliament. It is anti-democratic, it is clearly in flagrant breach of the Freedom of Information Act 1982 and what I seek from the minister for roads is that he review this case and release the documents that can be put into the public domain by his own action. Ministers of course are in the position where they can release many documents, as long as they do not compromise individuals, and make them public. Will he release these documents and ensure that the community's right to know is protected?

JUSTICE SYSTEM

Dr CARLING-JENKINS (Western Metropolitan) (12:48) — I move:

That this house —

(1) notes that —

- (a) in the 2016–17 financial year, assault and related offences increased by 4.2 per cent, sexual assaults increased by 6.6 per cent, robbery increased by 10.6 per cent and dangerous and negligent acts endangering people increased by 14.4 per cent;
- (b) on 11 October 2017, the High Court of Australia ruled that sentencing for serious offences in Victoria has been too lenient;
- (c) Victoria Police command has not observed strict neutrality in all matters connected with politics;
- (d) regrettably, many Victorians have lost faith in the judicial system and Victoria Police command;

(2) affirms that —

- (a) the principle of the separation of powers is a fundamental element of fair government;
- (b) political correctness should not in any way be allowed to interfere with the safety of Victorians; and
- (c) law and order matters and enforcement should be free of undue politicisation.

The rule of law is a fundamental building block of civil society, and it is the position of my party, Australian Conservatives, that we stand for and believe in a strong criminal justice system with a primary focus on community safety. But repeatedly we hear here in Victoria that the community at the moment is not feeling safe.

I will point the chamber's attention to just some of the crime statistics that came out reflecting on what happened in the 2016–17 financial year. Assaults and

related offences are up by 4.2 per cent, sexual assaults are up by 6.6 per cent, robbery is up by 10.6 per cent and dangerous and negligent acts endangering people are up by 14.4 per cent. This concerns the community at large, and it certainly concerns me.

Australian Conservatives believe in a civil, respectful society which is built on a strong criminal justice system — a system which supports all of our citizens. We support an adequately resourced police force focused on targeting the criminal element of our society. But this is not consistently what we have here in Victoria.

Furthermore, while crime rates are going up our standards around sentencing are going down. On 11 October 2017, just earlier this year, the High Court of Australia ruled that sentencing in Victoria was too lenient for some serious offences. It highlighted the urgent need for reform in our justice system when it ordered the Victorian Court of Appeal to resentence a man convicted of incest who had previously been handed a sentence of only three and a half years. This is a problem which has been a problem for many years, while it has been highlighted only recently.

In fact I found that nine out of the 10 worst crimes, from manslaughter to rape, from murder to brutal assaults, have not had the maximum sentence imposed in almost 20 years. Victorian courts have been dishing out sentences well below the maximum for repeat offenders who have committed some of the state's most horrific crimes.

Miranda Devine made this observation:

Victoria has twice the crime of NSW and half the imprisonment rate, which tells you something about the perils of leftist judges and magistrates who don't believe punishment should fit the crime.

The Police Association Victoria secretary, Wayne Gatt, is reported to have said the data shows that maximum sentences have become 'virtually redundant'. The report continues:

'This is a constant and enduring frustration for our members', Mr Gatt said. 'When it comes to serious, indictable crimes there is a community expectation that serious consequences will follow'.

Mr Gatt said it was unrealistic for maximum sentences to be applied in every case but that sentencing reform is clearly needed. I quote him again:

The fact that they —

maximum sentences —

are never applied shows that they have become virtually redundant and some recalibration in sentencing is needed.

We have seen numerous high-profile examples of this, from predator Adrian Bayley, murderer Mehmet Torun to drug lord Tony Mokbel. They are prime examples of criminals who received sentences well below the maximum thresholds despite the horrific crimes they perpetrated. These are sentences which, I should add, are below community expectations.

Victims of crime commissioner Greg Davies is reported to have said that many victims are angered by short jail terms:

If those sentencing outcomes are not in line with community expectations, there's only one place it can be rectified and that's in our courts', Mr Davies said.

Offenders are not being deterred as a result. I quote again from Mr Davies, who said:

If there are no consequences or if they are of no significance, there's nothing to tell them, 'Don't do it again'.

On top of this Victoria Police command, rather than focusing on their job, have become far too involved in political matters. The community expect our police service to be apolitical and to get on with the job of keeping law and order. However, I do not believe they have done this. They have not observed strict neutrality. Ron Iddles, then secretary of the Police Association of Victoria, in March last year stated that:

Police officers are timid when dealing with ethnic-based gangs because they fear being accused of racism.

He said:

Let us not mince words. Victoria Police and the state government have become too timid towards ethnic-based gangs. Their timidity is because of political correctness.

I put to the chamber today that police command need to support their members to give them the power and the freedom to act as a police force, not as a politically correct (PC) community service.

Miranda Devine pointed out another tragic example of a lack of neutrality when earlier this year she wrote, and I quote:

As a sixth victim of the Bourke Street massacre died in hospital on Monday, Victoria's chief police commissioner Graham Ashton boasted about his officers marching in uniform in a gay pride march in St Kilda: 'Victoria Police relishes the opportunity to publicly display our support for LGBTI people'.

Miranda went on:

No, Victoria Police should just do their job. They're not social engineers or political activists. They are cops tasked with locking up bad people.

I might add that all police officers that I have spoken to have joined the police force with this intent in mind — that is, to enforce the law, not to make political statements.

Despite this, police command, perhaps in a sleight-of-hand move to distract us from the rising crime rates that simply are not being controlled, insist on making political statements. Again I point to police commissioner Graham Ashton, who in October this year made comments suggesting the force was officially supporting the campaign for same-sex marriage. This behaviour by Ashton was in direct contradiction to the *Victoria Police Manual: Policy Rules — Professional Standards and Conduct*, which states:

During the performance of your duties you must:

observe strict neutrality in all matters connected with politics ...

Now, he did attempt to backtrack on this, but only after he drew widespread criticism from the community, who demanded an apolitical police service. The community expect an apolitical police service. Neutrality must be observed so that officers on the ground are free to do their job to protect the community without timidity and without distraction.

Quite simply members of the public have lost faith in Victoria Police command and in our justice system. As a result, many are spending their days living in fear — fearful of leaving their homes, fearful of going to sleep at night and fearful of stopping at traffic lights. This is not a situation in Victoria that anyone within this house should be satisfied with. Many within the public are joining groups that are calling for a better way in Victoria Police command and our justice system — I am not promoting these groups, but I am mentioning them — groups like Protect Victoria, who have amassed over 30 000 members in less than 12 months.

This is a group of people consisting of a cross-section of concerned Victorian citizens who state that they are appalled at the Victorian government's and the Victorian judicial system's unwillingness to deal with violent crime, especially youth crime. They claim not to be a political group, not a racist group, not a hate group and not a vigilante group. They are simply a group who want the government of Victoria and the Victorian judicial system to return to us the safety and security we

once enjoyed here in this state. Daily Protect Victoria receive statements and reports from their members who are living in fear, and I encourage you to look at their website just to gain some insight into this. I have attended one forum run by Protect Victoria, and it was at this forum that I heard stories from victims of crime who also feel very let down by decisions of Victoria Police command and by the judicial system.

Another campaigner that I would like to mention in this space is Avi Yemini, who stated:

Victorians have lost faith in the justice system. They feel Victoria Police command have lost control and judges are refusing to prosecute.

Avi has 90 000 followers on Facebook. His public profile has risen simply because he has been calling for a tougher stance on crime in this state. He certainly knows what he is talking about, because he runs a business which actually assists victims of crime.

With this background in mind, I call on the chamber today to affirm the principle of the separation of powers being a fundamental element of fair government and to affirm that political correctness should not in any way be allowed to interfere with the safety of Victorians and that law and order matters and enforcement should be free of undue politicisation. Judicial sentencing and the operations of Victoria Police must reflect community standards and expectations, not the political views of magistrates, judges or police command. The correlation between lenient sentencing for serious offences and an increase in rates of assault and related violent crimes cannot and should not be ignored. We must stop political correctness from interfering with the safety of Victorians, either by way of distraction, as in the case of the involvement in the same-sex marriage campaign, or by way of intimidation, as in the case of the reluctance or the inability of police officers to have the freedom to act without putting their decisions through the PC vortex which is their politically aligned command.

In conclusion, I ask members of this chamber to support this motion because in so doing you will be supporting the return of Victoria Police to a force able to enforce the law with neutrality and the removal of political correctness from judicial and operational police decisions. It is time for Victorians to feel safe and supported and to be provided with real solutions for rising crime, not politically correct spin. I commend this motion to the house.

Sitting suspended 12.59 p.m. until 2.03 p.m.

Ms SHING (Eastern Victoria) (14:03) — It is my intention to be what others might term ‘mercifully brief’ today, but I probably would not use that adjective. What I would like to do, however, is to go through the second part of Dr Carling-Jenkins’s motion as the primary focus of what I intend to look at today in the context of motion 477, which at paragraph (2) affirms that:

- (a) the principle of the separation of powers is a fundamental element of fair government;
- (b) political correctness should not in any way be allowed to interfere with the safety of Victorians; and
- (c) law and order matters and enforcement should be free of undue politicisation.

If we take the words on their face in relation to paragraph (2) of the motion, there is nothing to quibble with. There is nothing with which to disagree in paragraph (2) of the motion as it appears on the notice paper. In the first instance, the principle of separation of powers is indeed a fundamental element of fair government, and we have seen that despite the best efforts of some in this chamber, across this jurisdiction and indeed across multiple jurisdictions there is a consistent attempt to eat into or erode the separation of powers, often with difficult consequences for those who attempt to interfere with the independence of the court or seek to engage in a process of cross-contamination of the powers of the executive, the legislature and/or the judiciary.

We see that time and time again elected representatives get it wrong in the comments that they may make, and it is good to see that courts of various jurisdictions, whether at a state level, in a superior court jurisdiction or at a commonwealth level, have indeed taken them to task. In this regard I note that public comments about the nature of judicial discretion being exercised in the courts have featured at length in the way in which some federal members of Parliament have been invited to explain their comments and to express regret and/or contrition for the way in which they have called into question the independence of the judiciary. In this sense I am not suggesting that politicians do not still have a long way to go in understanding and respecting the importance of a proper application of the separation of powers.

I would also note that Dr Carling-Jenkins’s motion does refer to political correctness and states that it should not be in any way allowed to interfere with the safety of Victorians. Again, on its face the words as they are set out in this motion do not present any difficulty, but as we have heard from others who have made

contributions on this motion and who will no doubt rise to make contributions in the course of this particular debate, political correctness really is an opportunity for every person to have his or her say — or their say, as it may be — on any issue, and any criticism of the way in which that opinion is expressed might well be called a fetter on the right to express an opinion or to act upon a specific freedom.

Again, we see examples of this time and time again in the policy domain, in the legislative arena and also in the way in which commentators through the media, in Parliament and across various jurisdictions express their views. We have seen it most recently in relation to a number of law and order issues and matters which have been subject to pretty intense public scrutiny and speculation, often by those who do not have any expertise in the area. In this regard it was interesting to note the exchanges that occurred in various chambers after significant events that occurred earlier this year in Victoria and to note the speculation that was rife. I do not intend to go into those details because it is neither necessary nor helpful to this particular debate or in fact any proceedings which may be before the courts in any substantive or residual way.

The final paragraph of the motion states:

law and order matters and enforcement should be free of undue politicisation.

In this regard, again there is nothing on its face with which to disagree. Law and order matters and enforcement — that is, the operational nature of the work that Victoria Police command does and the way in which it sources, resources and deploys its operations should in fact be something that is free of undue politicisation. I do not think you will have anyone from this side of the chamber quibbling with the words as they are set out in this notice of motion.

What we see, however, is time and time again people not respecting that when it suits their political ends and arguing that police resources should be deployed in a specific way and that in fact government should direct the Chief Commissioner of Police or senior force command to do or not do certain things. This represents a fundamental misunderstanding of the independence of the police force and force command on the one hand and of the importance of perceiving that independence to be paramount. This is a hugely important priority, and it relates to the way in which we must defer, as elected representatives, to the expertise of Victoria Police command, as and when it is absolutely appropriate, to make decisions in the best interests of Victorians, to safeguard public safety, to act in the

public interest and to take account of competing priorities and interests as and when they might arise.

This is something which members of the force are trained to do from their very first days at the academy. This is something which people who recruit members to the force, whether they are sworn or unsworn, are keenly aware of as a priority. It is of crucial importance that the people who are charged with upholding rights and protecting freedoms, the people who are charged with the opportunities and the privileges that come with being a member of Victoria Police, have that confidence from force command to be able to act on their authority in representing law and order in Victoria. We see that in this respect the force enjoys record levels of public confidence.

That takes me then to paragraph (1) of the motion, which talks about a number of statistics in the 2016–17 year and then refers to a High Court decision in *Director of Public Prosecutions v. Dalgliesh*, which ruled that the sentencing for serious offences in Victoria has been too lenient. The motion asserts that:

- (c) Victoria Police command has not observed strict neutrality in all matters connected with politics;
- (d) regrettably, many Victorians have lost faith in the judicial system and Victoria Police command ...

Let us look at (d) and at whether in fact there has been a loss of faith in the judicial system and in Victoria Police command. We hear this bandied around a fair bit in the public domain coming from people who have not been part of a proceeding but who are equipped with megaphones and with access to social media and print media to ventilate all sorts of opinions about the efficacy or otherwise of our judges, the administration of justice and the application of law to specific circumstances.

What we do see, however, is that confidence in Victoria Police is in fact extremely high. We have seen data released following a report into the confidence of the police force conducted by Roy Morgan, which found this year that police are more trusted now than ever before, particularly in light of their exceptional and brave responses to terrorist threats. It is that pre-planning, behind-the-scenes work and covert operational work which we in this Parliament and those on the street will rarely, if ever, have access to. That is not to say that the work is not going on. It is not to say that the operational resources that the force and force command have to hand are not being used and deployed as assiduously as possible, not just to respond to terrorist threats when and as they might occur but to prevent them from occurring in the first place. There

are matters that have recently occurred, which I do not intend to speak about in any great detail, again because they are before the courts, that would tend to indicate that Victoria Police has been absolutely vigilant in the way that it monitors public safety, the way that it goes about its work to protect the safety of Victorians and the way that it engages in a collaborative approach with other jurisdictions to minimise threats and to respond swiftly whenever and however any threats might arise.

We have a passionate police command. We have that in Chief Commissioner Graham Ashton, who has made a power of difference as the commissioner. He makes sure not only that we have a safe and inclusive workplace — including the appointment of 3135 additional police as part of that record \$1.9 billion investment — that will continue to make a difference but also that these people will be supported in what they do. As part of that leadership role force command is not just talking about the importance of good culture and practice but walking the talk on it. We have comments about inclusive workplaces as far as community engagement is concerned and about embracing the diversity within the community that includes LGBTI officers. In October Commissioner Ashton stated:

We've got a lot of officers who identify as LGBTI officers and yeah, we're largely supportive of them having the same rights as everyone else ...

In this context we need to make sure that Victoria Police, as with any other employer, is complying with the necessary laws and regulations that apply in the workplace around freedom from discrimination and, given the risks and the risky nature of policing work, that all police — every single police officer and every single member of the force, whether sworn or unsworn — have access to mental health support.

We have seen a very difficult and challenging time with the recent postal survey on marriage equality. That affected members of the force, as it did anyone else in the LGBTI communities. It was in fact appropriate that the chief commissioner expressed his view in front of his staff, again making sure that we have engagement from the chief commissioner as it relates to policy decisions, including the trial of a medically supervised injecting facility, which was recently announced. The chief commissioner's support is another really important part of not just establishing but maintaining public confidence in the way in which our police force does its job.

The Police Association of Victoria is another important part of the way in which this work continues. It has been on the record indicating that it does not oppose a trial and that in fact a medically supervised injecting

facility is predominantly a health issue. Talking to the families of people who have died from overdoses is a big part of this issue around public confidence in policing.

We have had some recent comments from the High Court in *Director of Public Prosecutions v. Dalgliesh* that I want to turn to as they relate to the motion. Item (b) of the motion states:

on 11 October 2017, the High Court of Australia ruled that sentencing for serious offences in Victoria has been too lenient ...

We probably need to break this down a little. It is very easy to extrapolate in a certain direction when and as you want to for the purposes of drafting a motion for a notice paper in this house. It is probably worth noting though that at paragraph 68 of the judgement the High Court said that current sentencing practices must be taken into account, but only as one factor and not the controlling factor, in the fixing of a just sentence. The High Court's decision, if we break that down, effectively means that current sentencing practice should be a guide rather than a constraint. As a consequence of the decision in *DPP v. Dalgliesh* Victorian courts will have more freedom to impose sentences that reflect the gravity of offending and the moral culpability of the offender.

In this regard we welcome this change and note that in fact the Sentencing Guidelines Council that we are creating will give the community a greater say on sentencing, on top of the work that we have already done to take significant action to strengthen the sentencing regime in Victoria. That includes passing standard sentencing legislation aimed at increasing the sentences for 12 of our most serious crimes here in Victoria, creating new laws preventing the courts from using community correction orders as a sentencing option for the most serious crimes such as rape and murder, and creating new offences for carjacking and home invasion, with a statutory minimum non-parole period of three years for aggravated carjacking and home invasion.

What we will see is that serious offenders receive sentences which better meet community expectations and that the courts can retain discretion in sentencing, but it is appropriate for the Parliament to provide guidance to the courts, and in fact that is precisely what the scheme will deliver. Our reforms will mean that for the offence of murder, for example, a standard sentencing penalty of 25 years will override current sentencing practices. The standard sentencing scheme will provide a legislative guidepost for certain serious offences. That will then represent the midpoint of

objective seriousness, and that will be calculated at 40 per cent of the maximum penalty, with the exception of those offences which have a maximum penalty of life imprisonment.

When courts have regard to the standard sentence alongside other relevant factors, which again would be consistent with the findings of the High Court at paragraph 68 in *DPP v. Dalgliesh*, they can then determine the appropriate penalty in each case. This is an area where those looking in from the outside often falter. It is an area where people in the community will often adopt an opinion around a sentence or around a set of facts and circumstances in existence at a particular time without knowing the circumstances of each case. Again it is important to understand that the courts' work is to apply the law to a particular set of facts and circumstances as they are found to have been in existence around the alleged offence and to then apply the law to it, not the other way around, and without a fabrication of or a speculation on what those circumstances may well have been. So again aligning serious offences and sentences better with community expectations is a really important part of this work.

We should also look at how the work that we are doing is in fact different from the baseline sentencing model which was introduced by the coalition. We are in the process of developing a model which replaces the coalition's unworkable baseline sentencing scheme, which it should be said was referred to by the Victorian Court of Appeal as being 'incapable of practical application'. Let us be very, very clear about what the Court of Appeal said in relation to the flawed legislation that was introduced by the coalition. It called the legislation — this is the Court of Appeal referring to the coalition's legislation — 'incurably defective'. So while we are looking at how the courts are applying the law we should take the view of the Court of Appeal in being pretty unambiguous about the workability of the model that was proposed by the coalition. The standard sentencing scheme from the Andrews government will in fact commence early next year.

Finally, in relation to the crime statistics which are referred to in the motion, there has been a lot of talk about crime statistics and the growth in various crimes and offences in recent years. Those opposite are often all too quick to confine this to a three-year period as though, if you were to believe them, there had not been any crime between 2010 and 2014, when in fact crime rates did go up over the last six years. That included three years of the coalition government. In addition to that, recidivism was also starting to climb again. So we are doing more to make sure that we have better responses, better deterrence and better engagement, and

that has started to return an investment as far as community engagement and as far as law and order are concerned in the crime rates. We are doing better, and there is always more work to do. It happens through increased policing resources, it happens through a better set of guidelines for the courts to use and it happens through allowing the separation of powers to in fact work as it is intended to work, and that is precisely what we see here in Victoria.

Is it perfect? No. Do we have more to do? Yes. Is it however the case, as the motion purports to have us conclude, that Victorians have lost faith in the judicial system, that the Victoria Police command has not observed strict neutrality, that in fact sentences are too lenient and that the statistics referred to at (a) of the motion are in fact the entire story? No, it is not. It is simply not correct. So in this regard we cannot support the motion in the terms that it has been put, despite my earlier opening remarks that in paragraph 2 of the motion the statements as they appear on the face of the notice paper are of themselves not problematic in the slightest.

We will continue to do the good work of resourcing, assisting and supporting our valued and valuable members of the force in all that they do. We will continue to encourage diversity in our force, to encourage better engagement and to encourage a level of interface between our command, our operational officers, our sworn and unsworn staff and every Victorian, not just here in metropolitan Melbourne and not just in our suburban areas but everywhere. Whether it is through drugs offences, through prevention or through deterrence, whether it is through engaging with sports clubs and associations or whether it is through getting to know people within the community to make sure that young people have good positive role models into the future, the work will go on, and we have a fine force that is doing its very best with more resources than ever before to get that mix right and to keep it right for generations to come.

Mr O'DONOHUE (Eastern Victoria) (14:24) — I am pleased to rise to speak on Dr Carling-Jenkins's motion. The opposition agrees with much of what she has to say in the motion and in her contribution, particularly her noting in paragraph 1(a) of the increase in criminal offences in the last financial year. When one looks at the increases since the change of government, there has been over a 16 per cent increase in crime under the Andrews government. We all know that for the first two years of the Andrews government they were asleep at the wheel when it came to matters of community safety and law and order. Police numbers per capita went backwards, and the academy was

virtually mothballed for 12 months. Now there is a desperate game of catch-up. But if you look at many of Melbourne's growth corridors — Casey-Cardinia in my electorate, Wyndham and other parts of the north and west of Melbourne — they are crying out for more police on the beat to manage the crime and manage the law and order issues that are impacting the community.

Paragraph 1(b) of Dr Carling-Jenkins's motion refers to the High Court of Australia ruling that sentencing for serious offenders in Victoria has not matched that in other states and has been too lenient. That is why the coalition has already released a number of policies containing statutory minimum terms of imprisonment for particular offences. In her contribution Ms Shing referred to the carjacking and home invasion bill that the government passed — of course after the government voted down the opposition's own private members bill in relation to introducing carjacking as a specific offence with a statutory minimum term of imprisonment. We are seeing that game of catch-up again from Ms Shing and her colleagues in relation to the issue of police vehicle ramming.

But again the coalition in its bill that passed this place, despite the opposition from government, had a statutory minimum term of imprisonment because the community does expect to see for particular serious crimes a term of imprisonment to send a message of deterrence and to remove those offenders from the community in the interests of community safety. My colleague Mr Pesutto, shadow Attorney-General, together with the Leader of the Opposition in the Assembly, Mr Guy, has released a mandatory sentencing policy for the most serious types of offences against the person for repeat offenders, because simply those offenders have not been receiving the length of jail terms that they deserve, that the community expects and that is in the interests of community safety. Dr Carling-Jenkins cited some examples of recidivist offenders who have been in and out of jail and clearly should have received longer jail terms. That issue is one on which the coalition agrees with Dr Carling-Jenkins in relation to her motion.

Where the opposition has issue with Dr Carling-Jenkins's motion is paragraph (1)(d), which says, 'many Victorians have lost faith in ... Victoria Police command'. Yesterday deputy commissioner of police Shane Patton held a press conference at 9 o'clock following the arrest of a suspect in relation to an alleged terrorist plot. That work and the work that Victoria Police does under force command with active engagement and decision-making from force command is in the interests of community safety. We saw the Christmas Day plot foiled, and I doubt there would be a

person on the street who would say force command has not acted exceptionally well with other agencies — federal agencies — in a sophisticated way in gathering information in working in the interests of community safety.

The law and order space has got much more difficult in recent years, and responding to that at the front line are members of Victoria Police under the direction of members of force command, and I think Victoria Police has done a great job in trying to respond to the crime tsunami following the weakening of the justice system by the Andrews government, so I cannot agree and the opposition cannot agree with the proposition that Victorians have lost faith in Victoria Police.

Many of the institutions that have stood the test of time in the community do not have the faith and respect that perhaps they once did, and in many ways that is regrettable. I think a notable exception to that trend is Victoria Police. I think that Victoria Police is highly regarded and highly respected. Wherever I go the feedback I get from community members is, 'Police do a great job; we just want to see them in the community more often. Police do a great job. They work really hard, but why don't they get the support from government that they deserve — the backup when it comes to sentencing, the backup when it comes to backing up police?'. So my beef is not with Victoria Police, unlike Dr Carling-Jenkins; my beef is with the Andrews Labor government.

Dr Carling-Jenkins — Just the command.

Mr O'DONOHUE — Dr Carling-Jenkins has amended her motion to reference command. These operations we will not talk in too much detail about, but with these serious operations attacking organised crime, attacking those who wish to seek to do as much harm to the community as possible, the decision-maker at the top of that tree invariably would be a member of force command. I for one personally would not criticise the job they are doing or second-guess the job they are doing when it comes to keeping Victorians safe. My beef, as I say, is with the Andrews government.

The fact is that we lost two years through inaction and self-congratulation on the job they were doing, without being focused on this crime tsunami that saw the Parkville youth justice centre trashed, the Metropolitan Remand Centre prison trashed and an explosion in carjackings and home invasions, the like of which Victoria has never seen before. So I wish to circulate the following amendments:

1. In paragraph (1)(c), omit all words after 'has' and insert 'been under-resourced by the Andrews Labor

government, hampering its ability to address the crime tsunami across Victoria in recent years;’.

2. In paragraph (1)(d), omit all words after ‘the’ and insert ‘broken justice system in Victoria;’.

I am pleased to advise the house that these are in similar terms to the wording that has previously been provided to Dr Carling-Jenkins. As I say, the opposition can agree with much of the motion and can agree with much of the sentiment of the motion, but we cannot come at a motion that simply does not reflect the facts. I think the facts are that Victorians do have faith in Victoria Police. Victorians do have faith in the job that Victoria Police does, and they simply want to see Victoria Police backed by the Andrews government and given support by the Andrews government.

Mr BOURMAN (Eastern Victoria) (14:35) — First of all I have just got to say that this is the first time I have been made aware of the amendments. Even as it has happened with the Greens, I will not support amendments to someone’s motion. The motion can live and die on its merits. I am not even going to entertain them. What I am going to do is stick basically to paragraph (2) of Dr Carling-Jenkins’s motion — that is, the principle of the separation of powers, political correctness and so on.

I have to say that I am a little biased. I think Victoria Police is probably one of the best, if not the best, police forces in the world. The people on the ground do a difficult job in sometimes very dire circumstances. I have tried not to carry on too much about my own personal experience, but in this case I think it is very relevant. One of the things I did pick up from my time in the force, albeit which was a long time ago, is that political correctness can be a problem. There is a saying that came up as the subject of someone’s book which was criticising Victoria Police, from memory, which is ‘without fear or favour’. That is how policing by any police force should be done. You should be enforcing laws. You should not be worrying about whether you are insulting someone by doing it or whatever. It is fairly black and white.

As society moves along, obviously the various government departments, including the police force, will move along with it. The laws may change to reflect society’s attitudes, but the principles of policing should not. The job of Victoria Police is to detect and apprehend offenders — it has been a while, so I am trying to remember all of this — and to present them to the courts. The courts themselves, I could spend hours complaining about them, but that is not really the object of this. The thing is that we need to have these people out there, regardless of colour or creed. Victoria Police

people absolutely should be hired regardless of where they come from, as long as they can do the job — that should be the only way in which there is any form of weeding out of people. They really should just be out there catching crooks, preventing crime, doing all the good and the bad things that come out, and they need to be protected.

Political correctness was also manifested in the no-pursuit policy of not so long ago, and I am digressing here a little bit. The no-pursuit policy was tried in quite a few American jurisdictions many, many years ago, and — no surprise — it ended up with exactly the same situation as we had here: the crooks realised they could run, so they ran. I could go on ad nauseam about it, but I will not. It gets down to the point that we need to leave the police to do their job. They need to be free of the influences of social change, and they need to be free of any of the other influences that affect the rest of society, because they are slightly different. Their job is to ensure that we, the general public, are looked after and are safe and they are safe too. I am going to wrap it up with that. I will support Dr Carling-Jenkins’s motion, but unfortunately I cannot support the amendments that have been put up.

Ms PENNICUIK (Southern Metropolitan) (14:39) — I rise to speak on motion 477 moved by Dr Carling-Jenkins. In the relatively short amount of time devoted to the debate on this motion so far, we have certainly taken a few twists and turns away from the words of the motion. I have to say — and I did mention this to Dr Carling-Jenkins — that looking at the motion in preparing for speaking to it today I struggled to get the gist of what it was. I did say that to Dr Carling-Jenkins, and we did have a discussion about it. As we did have that discussion about it, I got more of the idea, and when she spoke to the motion outlining her reasons for it, I did understand what she was getting at. But I struggled with that in the way the motion is actually presented.

As I say, it has taken a number of twists and turns, culminating in the circulating of the amendments by Mr O’Donohue just a little while ago. I understand those had not been flagged with Dr Carling-Jenkins earlier, which is a little unusual to say the least. What we do try to do in this place is give some notice of amendments. It is not always possible to provide a lot of notice, but certainly there should be some notice. So I will just talk to the amendments. I have read them, and Mr O’Donohue read them into *Hansard*. In terms of his amendment to paragraph (1)(c), I will not be supporting it because I do not agree with the words with regard to the under-resourcing of the police. The second one, which refers to a ‘broken justice system in

Victoria', I do not support either. I do not support the amendments, and I do not support the fact that they were tabled without any discussion with the mover of the motion. I think that we should be very wary of moving amendments to motions moved by people unless it is by some agreement with the person moving the motion.

I will be sticking to the words that are in the motion — again saying that I did struggle to see the connection between paragraphs (1) and (2). Paragraph (1) talks about an increase in certain offences. We have had a lot of motions about increases in crime and increases in certain offences over the last little while, so once again I looked at the statistics put out by the Crime Statistics Agency in order to find the statistics that Dr Carling-Jenkins was referring to. I did find them, and interestingly her words are taken verbatim from the Crime Statistics Agency (CSA); however, it is not the full story. You can find the words that are in this motion on the CSA website under 'Recorded offences', in section 1.2, for the most recent year. One of the first things you notice in the graph in section 1.1, entitled 'Key movements in the number and rate of offences', is that in fact between 2016 and 2017 there has been a decrease in the number of overall offences in Victoria — it is a decrease of around 500 offences. So that is the context to put it in.

In section 1.2 another graph divides certain types of offences up into six main offences — property and deception, public order and security, drug offences, justice procedure offences, crimes against the person and other offences. If you look at crimes against the person, going back to 2013, in fact crimes against the person in 2017 are less than they were in 2013. They made up 15 per cent of all crime in 2013. They make up slightly less now — about 14.9 per cent in 2017. It is under that particular graph that the words from Dr Carling-Jenkins's motion come. The report says:

In the last 12 months, the number of offences within the category of crimes against the person increased by 3.6 per cent ...

that is, there are slightly more, a slightly higher percentage of crimes against the person in 2017 — even though it is less than in 2013 — compared to the previous year, 2016. It then says:

This was driven by an increase in the assault and related offences, sexual offences and dangerous and negligent act endangering people ...

which are up by those percentages as outlined in Dr Carling-Jenkins's motion. I say that as it is always easy to pull out a couple of statistics from the pages and pages of related statistics that are actually on the

website of the Crime Statistics Agency and say, 'That's what's happening', without putting it in the fuller context. As I have mentioned before, because the Crime Statistics Agency has over the past few years been recategorising some offences, really in order to make a very accurate statement about what has gone on with particular offences you would have to be tracking the categorisation of offences and the numbers of those offences over those few years. So as I say, it is easy to pick that out and plonk it in there, but it is really a sentence taken out of a few pages of quite complicated statistics.

The next part of the motion refers to the 11 October 2017 decision of the High Court. The motion says the court:

... ruled that sentencing for serious offences in Victoria has been too lenient ...

I think that is a very broad statement with regard to a very narrow ruling of the High Court. The High Court decision of 11 October referred to was an appeal from the Court of Appeal of the Supreme Court of Victoria, and it was with regard to the inadequacy of sentences imposed on a Mr Dalglish, who was convicted of a number of offences of incest. This High Court decision referred only to that and did not refer to serious offences in Victoria. It referred only to this particular case, and the High Court made the ruling that the Court of Appeal in recognising as it had that the sentence was inadequate did say that it was within the general range of sentences — not wholly outside the permissible range — although extremely lenient. The High Court found that the Court of Appeal should have corrected that when it was looking at the appeal. That is what the High Court found. In fact the Court of Appeal has basically accepted that and has made that known to the sentencing courts in Victoria. It is a bit disingenuous to use this particular decision of the High Court as applying to all serious offences in Victoria, because it does not.

The court also held that current sentencing practices still must be taken into account but only as one factor, not the controlling factor, in the fixing of a just sentence. I know that in comments made after that Professor Arie Freiberg, who is the chair of the Sentencing Advisory Council, said that:

... the High Court had essentially found Victoria's appeal court had made an error by placing too much weight on 'current sentencing practices'.

He said that the ruling was that:

... if a sentence is wrong, the court should fix it ...

and that this judgement —

won't change the range of factors courts are obliged to weigh up in sentencing offenders in Victoria.

Courts need to look at the maximum penalty, the offender's culpability, their prior history or offending record, aggravating and mitigating circumstances and the effects of crime on victims. These are in the sentencing guidelines in Victoria, and that is what our judicial officers use as their guide in sentencing in Victoria.

The next point that Dr Carling-Jenkins made was that Victoria Police command does not observe strict neutrality in all matters connected with politics, and I am not sure that I really heard any evidence of that and I am also not sure what Dr Carling-Jenkins means by politics as opposed to issues. In fact Mr Bourman said in his contribution that the police should be free from influences of social change, and I find that quite an extraordinary statement because the police are members of the community and cannot be free of influences from social change. They live in the community; they are part of the community.

I am not sure if Dr Carling-Jenkins actually said this in her contribution, but she certainly said to me something about police command talking about marriage equality. I do not see that there is any problem with that. That is not a party political statement; that is a statement about a social issue. In fact I have attended all of the Pride Marches in St Kilda since they began happening 21 years ago and for many years the police also have been participating in that event, so I am not really sure what that point is about and I do not agree with it.

The next point is that many Victorians have lost faith in the judicial system and Victoria Police command, and I do not know that there is any evidence for that either. There is a lot of assertion about it — that people have lost faith in the police — and I would say that I certainly support the police in their work. I understand their work is very difficult and challenging and can be dangerous. I also understand — and this is something I have raised not only here in the chamber but also in the Public Accounts and Estimates Committee — about the mental health effects on some police and the need for more action on post-traumatic stress disorder for police who have been involved in very difficult incidents. I think there does need to be more attention paid to that, and I have raised that many times.

I do not believe that overall the public has lost faith in the police or in Victoria Police command, and I do not believe that the public has lost faith in the judicial system either. Whether the public at large has lost faith

in the judicial system is a different issue from whether certain individuals who have been involved in some very tragic or serious cases feel that they may have been let down; they are two different matters.

I would say also what I have said many times before: when exercises are carried out — and there have been a couple of them done through the courts with the help of universities — to bring members of the general public into the courts, present them with the evidence that was before the court and the sentence that was imposed by the judicial officer, the majority of those members of the public either agree with the sentence as put by the judicial officer or, in some cases, find the sentence to be too harsh and feel the judicial officer has been harsher than they would have been when faced with the same evidence and factors or circumstances involving a particular case. As I have said many times, it is all very well for people to read a headline in the *Herald Sun* and a couple of tiny paragraphs about a case and make a judgement about it when they do not actually know all the facts of the case; when they do know all the facts of the case they usually come to understand how a particular sentence has been handed down. As I have said, there is always the appeal process with regard to that.

I have to echo what Ms Shing said with regard to paragraph (2). I was thinking of approaching it very much the same way in that the statements there regarding the separation of powers and that there should not be undue politicisation are okay as they are read, but given the aforementioned four subparagraphs that I have just gone through, I cannot agree with the motion. With those comments, I would have to say the Greens will not be able to support the motion as put forward by Dr Carling-Jenkins.

Dr CARLING-JENKINS (Western Metropolitan) (14:55) — I wish to briefly conclude the debate on the motion, and I wish to thank everyone who has spoken to this motion. I want to particularly thank and note my respect for the input of Ms Shing in representing the government and for being mercifully brief — her words, not mine —

Ms Shing — No, I said you might think that.

Dr CARLING-JENKINS — Or I might think that. I want to thank her for her agreement with much of my motion and remind the government that many people are expressing concern and showing a loss of faith in the judicial system and in police command, and many of those people are victims of crime. I note that Ms Shing presented research on confidence in police officers, and I want to put on the record that I am not

disputing this; I point out that it is police command and the judicial system which I believe the community has lost faith in. I just want to put that on the record and thank the government for their contribution. I understand their defending their own record and thus voting against the motion, but I would like to say that this motion was not pitched at what has happened only during the three years to date that this government has been in power; these issues I am identifying have gone across political terms, as I outlined in my contribution earlier. However, I respect the indication of your vote, and it does not surprise me, of course.

I also want to thank Mr Bourman for his contribution and note that his experience in the police force gives him a unique ability to comment on the motion. I thank his party and Mr Bourman for his support today. I acknowledge Ms Pennicuik for her contribution — no surprises with her commentary. I thank her for having a consistent position on these issues. I think that is fair. However, the coalition have shocked and disappointed me in this. Daily in this place we hear the coalition accusing the government of being soft on crime, but they are fine with political pointscoring games, which is something we have heard —

Ms Mikakos — Hear, hear! We agree with you.

Dr CARLING-JENKINS — Thank you, Minister Mikakos. It is something that happened today even through the amendments that were not moved but were circulated. This is political pointscoring pure and simple. In voting against this motion, the coalition will be admitting that it thinks politics should continue to be part of law and order in this state, and that disappoints me. I would also like to note that it is not convention in this house to circulate amendments without talking to the mover of the motion first. I find this rude at best, insulting at worst.

I will now conclude. I will just say that the Australian Conservatives intend to take the politics out of law and order, to take the political correctness out of Victoria Police command and to tackle the problem of the rising incidence of violent crime by advocating for the return of a genuine apolitical police force as opposed to the disempowered community service we currently seem to have. Thank you for your time today, and I commend this motion to the house.

House divided on motion:

Ayes, 4

Bourman, Mr
Carling-Jenkins, Dr

Purcell, Mr (*Teller*)
Young, Mr (*Teller*)

Noes, 31

Atkinson, Mr	Mulino, Mr
Crozier, Ms	O'Donohue, Mr
Dalidakis, Mr	Ondarchie, Mr
Davis, Mr (<i>Teller</i>)	O'Sullivan, Mr
Dunn, Ms (<i>Teller</i>)	Pennicuik, Ms
Eideh, Mr	Peulich, Mrs
Elasmar, Mr	Pulford, Ms
Fitzherbert, Ms	Ramsay, Mr
Gepp, Mr	Ratnam, Dr
Hartland, Ms	Rich-Phillips, Mr
Jennings, Mr	Shing, Ms
Leane, Mr	Somyurek, Mr
Lovell, Ms	Springle, Ms
Melhem, Mr	Tierney, Ms
Mikakos, Ms	Wooldridge, Ms
Morris, Mr	

Motion negatived.

BALLARAT RAILWAY STATION PRECINCT

Mr MORRIS (Western Victoria) (15:06) — I move:

That this house notes:

- (1) that the Minister for Regional Development and the Andrews Labor government continue to ignore the significant community concern surrounding their current proposed redevelopment of the Ballarat railway precinct;
- (2) that the Andrews Labor government, if they do proceed with their current proposal for redevelopment of the Ballarat railway precinct, will be breaking the promise they made to the people of Victoria before the last election; and
- (3) that the only solution to solving the issues surrounding the current proposal for the Ballarat railway precinct is to undertake a genuine and thorough community consultation before proceeding with any redevelopment.

I bring this motion to the house because of the significant community concern that has surrounded the proposed redevelopment for the railway station precinct. I note that there is a significant amount of history behind the railway station precinct. On 11 October 1859 this precinct was gazetted as a rail reserve; I note that occurred some 158 years ago. My grave concern is that with the current proposal from this government we are going to be tearing up that history. The government is going to make a huge mistake in that all the land there that has been preserved for 158 years for rail and transport purposes will be lost, to the detriment of the community and to aid a private developer. That is of great concern to me and it is of grave concern to many in the Ballarat community. Those who have had the good fortune of reading my *Hansard* contributions over the last little while will

know that the railway station precinct is an issue that I have given great concentration and import to. Indeed it is of concern to people who have been reading the *Ballarat Courier*, and Alan Marini at the *Miner* newspaper has given this particular issue a significant amount of coverage, because he and many in the community know about the grave concerns that are held about this potential redevelopment.

I am not quite Nostradamus, but I do think that when Minister Pulford rises to make her contribution to this motion she might mention the *Ballarat Station Precinct Master Plan* that was developed and released in 2014. I feel that Minister Pulford may say that what the government is doing is delivering upon this master plan that was developed by the then Liberal government and council.

Mr Leane interjected.

Mr MORRIS — Indeed, Mr Leane, you are right; I was mayor of the City of Ballarat at the time. What we are seeing from this government is them backflipping away from the commitments they made prior to the last election, including to implement this master plan. But they are stepping away from it, and what we are seeing now resembles nothing like what was proposed in this particular master plan, which is why in my motion I ask them to go back to the drawing board and actually have a look at what would be of benefit to the community.

I do not believe there would be too many at all who would say that the current railway precinct is utilised well. There is certainly a need for development, and I am in favour of that. Indeed, many of the community who are fighting against this proposal are also in favour of development of the precinct. However, it needs to be done well, because once it is done it cannot be undone, particularly with this Labor government proposal where they will gift this land to a private developer. Once it is out of the hands of the community, the community cannot have a say in what is going to happen there, which is why it is incredibly important that it is done correctly the first time, because we will not get a second chance at it.

The big change from the master plan is that nobody had envisaged that every urban bus in Ballarat was going to go through the railway station precinct. This certainly came as a huge shock to many of the residents in Lydiard Street, who live in a magnificent heritage street — one of the most magnificent heritage streets in all of Australia. They have had to put up with dozens of buses parking outside their homes and spewing diesel fumes outside their windows. This has caused significant distress and, indeed, health issues for many

of the residents there. The government have said that this is only going to be temporary and that there is going to be a bus interchange placed at the railway station precinct. However, they only announced this after significant community concern was raised about the fact that they had not committed to the bus interchange in their initial plan.

This is really a hallmark of the government's plan, because what we are seeing is that the government are being forced, time after time, to change their position on what this development looks like. They initially had a vast reduction in the number of community car parks that were going to be at the precinct, but after significant work by the community in advocating for the need for more car parks, they admitted that they had got it wrong and added additional car parks. After there was significant concern about the bus interchange not being part of the initial development, they again backflipped and announced that there was going to be a bus interchange.

I note that there has been a massive blowing out in the time frame for the delivery of this bus interchange. Minister Pulford indicated in a response to a question I asked in this place that the delivery of that bus interchange would occur in mid-2018, being mid next year. However, the government backtracked on this and said that it will be delivered sometime in 2018. I am sceptical of the capacity of the government to be able to deliver that bus interchange when we consider that we have not seen any plans at all for this bus interchange. Whether or not Heritage Victoria have seen any plans is certainly unknown as well. The government really have made a dog's breakfast of the bus interchange, with the lack of an announcement of it, the announcement of it and then the need to revise the time frames in which it is going to be developed.

I want to acknowledge the significant advocacy of a group called Save Our Station — SOS Ballarat. This is a group of like-minded residents of Ballarat who have taken up the fight against the government with regard to their proposal. Interestingly I note that on the odd occasion those opposite like to say that these types of organisations are just a Liberal front for a particular issue, but this particular group has members of the Greens party, members of the Labor Party and members of the Liberal Party. It is a cross-party group that is taking up the fight against the government's current plans for the site.

The SOS group have done a marvellous job. I have been fortunate to go along and address a couple of their meetings, and those meetings have certainly been an opportunity for the community to voice their

frustration. Unfortunately we have not had any members of the government, whether it be ministers or local members, attend these meetings to attempt to explain why it is they are going through with the current proposal. I want to acknowledge the great work that SOS have done.

One of the things that SOS did, with Min Myers at the forefront, was deliver a 50-metre monster petition that was rolled down the front steps of Parliament. Mr Ramsay, I note that you were there whilst this monster petition was being unfurled. Not only did it go all the way down the steps, but it crossed the tram tracks across Spring Street as well. The protective services officers did an excellent job in ensuring that everybody did the right thing out the front for that protest. That monster petition had 2000 signatures on it, and that is indicative of the strength of feeling in the Ballarat community about how poorly this redevelopment has been decided upon and progressed by this Labor government.

Why is it that I am so against this proposal as it stands? It is because it flies in the face of what the government said they were going to do prior to the election. On the odd occasion before an election a government will come up with a proposal which they say they will do and the opposition disagrees, but if they are elected at that subsequent election we might say they have a mandate for it and perhaps it should proceed. But what we have here is a government who said they were going to do one thing before the election, and after the election it is entirely different.

Before the election the government said they were going to be developing a 3000-square-metre exhibition space; it is now a 1700-square-metre exhibition space. Before the election the government said that there was going to be a 4-star hotel; now we have got a block of flats — serviced apartments — that in the future could be sold off individually as residential properties without the benefit that a 4-star hotel would have had in Ballarat.

As has been referenced, when the discussion surrounding the development of a hotel at this site was beginning it was because we needed a new accommodation offering in Ballarat. We needed a 4-star hotel — something that is not currently available in Ballarat — and that was one of the reasons and one of the true geneses behind the rationale for the master plan at the station precinct. Without that 4-star hotel the whole rationale behind this redevelopment as proposed in the master plan falls down.

Mr Ondarchie interjected.

Mr MORRIS — It does fall apart indeed, Mr Ondarchie, and that is why the government needs to go back and truly consult with the community.

There has been a huge amount of secrecy from this government about how this redevelopment is to occur and indeed about the reasons behind the change to the land use. I do note that Mr John Barnes from the SOS group put in an FOI request on 8 December 2016 — some 356 days ago an FOI was lodged by Mr Barnes — and he is still yet to receive a response to that FOI. That is something that is entirely inappropriate. I note, Ms Pulford, that you are shaking your head. I do not believe it is with your department — it is not — but there was an FOI lodged. Mr Barnes has certainly been very persistent in following up his FOI request. I have certainly raised it in this place a number of times, and Mr Barnes is still yet to get a response to a very reasonable FOI request that was lodged some 356 days ago.

One of the significant issues that has fallen out of the understanding of how the government is going to go about its redevelopment is the lack of disability access to the station throughout this whole process. There is only one station on the Ballarat line that does not have access that is Disability Discrimination Act 1992 (DDA) compliant. There are many, many stations on the Ballarat line — we have got Ballan and we have got Bacchus Marsh — and all of these stations have true DDA compliance in terms of access to the station from car parking areas and the like. However, the government has not taken on board some of the genuine concerns about disability access with regard to this station.

Now, I note that Ballarat is a very historic station. It is a magnificent historic station that needs to be preserved, but at the same time the usability and accessibility of the station are also critical. For people with disabilities and mobility issues not to be able to have the same access to the station as others is nothing short of shameful. This is an issue that the government has failed to address, an issue that remains live and an issue that many, many in the community have very serious concerns about.

I do note that the minister recently turned the first sod at the station. This was a ceremony that was hardly marked by a great fanfare. I do note that the mayor of the city was not actually even invited to this sod turning, which was remarked upon in the local media — indeed it was a pile of potting mix that the minister was turning there. The mayor of the city disgracefully was not invited to this sod turning that occurred. I note that this was referenced in the local

media — that the mayor had been cut out of this particular issue. This is indicative unfortunately of how political this particular redevelopment has become.

This comes off the back of, I note, a remarkable, shocking letter that was written by the Assembly member for Wendouree to the mayor of Ballarat, who is doing an exceptional job, I might say. Cr McIntosh is doing a great job as mayor of the City of Ballarat at the moment. It was a shocking letter in which Ms Knight accused the council of disagreeing with the government about some of their projects. Would you believe it: a council raising concerns about the shortcomings of some of the government's projects! I think this is just indicative of the way this government goes about things: 'Either you agree with us or we're just going to steamroll you into submission because what we want is the only thing that matters, and that's the way we're going to go about it'. I note that that is the way that the government has gone about this process. It is not the way we on this side of the house certainly believe we should go about things. We believe in true consultation, listening to the community and working with the community about how a project such as this should occur.

We are at a critical juncture at this point with this project, because as I have said, if we do not get it right, the Ballarat community forevermore is going to be stuck with this shoddy, ill-thought-through development. That is something that we cannot entertain. It is something that we need to stand up against, which is why I have moved this motion.

In summation, I certainly hope members of the house will support this motion. It is critically important that this motion is supported by the house to send a very strong message to the government. They have got it wrong — the Ballarat railway precinct development. They have got it wrong. They need to go back, they need to start again and they need to listen to the community — the true concerns of the community. They need to recognise that their half-baked implementation of the Ballarat station master plan just will not cut it. Rather than making ham-fisted attempts to fix this shoddy product, they need to go back, start again, listen to the community, develop a plan that the community can get on board with and ensure that this development is done correctly, because we have only got one chance. If we get this wrong, this project will be out in private hands. There is going to be no opportunity for the community to get it back and to do what needs to be done.

I certainly look forward to the house supporting this motion and sending a very strong message to the

government. They have got it wrong: go back, start again and actually work with the community rather than against them.

Ms DUNN (Eastern Metropolitan) (15:24) — I rise today to talk to Mr Morris's motion in relation to the Ballarat railway precinct. I note that Ballarat's population is growing at 1.9 per cent per annum. That is a strong growth rate and will mean it will reach a population of 140 000 by 2030, an increase of 40 000 people on its 2011 population figure. This is to be encouraged. We need growth in our regional towns to help underpin our rural economies and provide better services in all parts of the state. It also helps provide more balanced economic development, instead of all the opportunities and benefits accruing in the state capital. Thriving regional cities will also help take the heat out of the housing market and the pressure on infrastructure in Melbourne due to this city's strong population growth rate.

If we are to have successful regional cities, we need good public transport infrastructure. The Ballarat rail corridor has been ignored for too long, and the Victorian Greens welcome the well-overdue investment to provide more frequent and reliable services on this line. It is therefore astounding that the Andrews government will undo some of its good work by severely circumscribing the future potential of the Ballarat station precinct.

The core requirements of the redevelopment must be to provide a rail station that is capable of managing future passenger loads and is futureproofed for electrification and longer regional trains that may be run into the future. It must also cater for the specific needs of passengers, including people with disabilities. It must be fully compliant with the Disability Discrimination Act 1992 (DDA). It is therefore extremely concerning that the government's current plan would not provide for a DDA-compliant passage between platforms 1 and 2.

Furthermore, once the upgrades across the Ballarat line are complete, Ballarat station will be the only station on the entire Ballarat line that does not provide complete access for people with disabilities. This is an extraordinary weakness in the upgrade of this train service. While the redevelopment allows for another 405 car parking spaces, a mere eight of them are reserved for disability parking permits. Of these, two can only access the station through a long 200-metre detour via an access ramp. That is less than 2 per cent of the spaces. You would think with the growing demand for disability-friendly transport in regional Victoria that more spaces would be provided. However,

there is no such intention with this development. We should be reserving more car parking spaces for people with disabilities and providing feeder buses for other rail passengers such that they do not need to drive their car to the station.

What we are seeing with the changing plans of this government with respect to the Ballarat station precinct is yet another attempt to do something on the cheap by giving private developers what is public land. This is a very concerning trend which is most egregious on public housing land, and it is opposed by the Greens. Giving away public land in such prime areas is completely detrimental to the ability to deliver services in the long term.

In her announcement at the start of construction of the Ballarat station redevelopment, the Minister for Regional Development, Jaala Pulford, said it would be:

... a transformational project for Ballarat that will inject a new lease of life into our city.

Frankly this is dismissive of all the effort that local groups, small businesses and civic leaders have put into diversifying the economy in Ballarat. This effort has made it a cultural hub for a number of exhibitions and gastronomy and wine events. That is what has put life into that city. Do you know what will contribute nothing to the life of Ballarat and even detract from the comprehensive efforts of the local community? A cookie-cutter block of Quest serviced apartments and a retail outlet run by Spotless, which is what this redevelopment is building on the site. Why on earth is the state government forcing the community of Ballarat to be subject to a development managed by the same company that infamously bid against its own guidelines to run the Manus detention centre? Why would the government partner with Spotless, which is now owned by Downer, the company that is shedding all pretence of respectability to try to build the infrastructure for the Labor-backed Adani coalmine? The people of Ballarat do not want their transportation hub run by a company with a dubious ethical track record.

The people of Ballarat deserve to have their views respected, not dismissed. The cultural and archaeological history of Ballarat deserves to be preserved, not denigrated with this corporatised development. Rail and bus passengers in Ballarat deserve a station that serves their needs, not one that pushes them to the side to make way for developers. People with disabilities are legally entitled under the Disability Discrimination Act to a station that meets their needs, not one that forces them to exit the station and cross at a level crossing just to get to the other platform of the station.

Ms PULFORD (Minister for Regional Development) (15:30) — I am pleased to be able to provide the house with a few facts in relation to the project that is occurring to the north of the Ballarat railway station. The project is a terrific project and is the result of the Ballarat station precinct master plan that was developed by the City of Ballarat, when Mr Morris was the mayor, and released in 2014 by the former Premier, the Honourable Denis Napthine.

It is worth noting that the closest thing to a major project that the former government did in Ballarat over its four years was to refurbish a couple of small rooms that actually do not get a lot of use — I am being kind — at the station, nothing so bold, nothing so grand, nothing so transformative for the local economy, nothing with the significant job creation benefits of this project. Other than that they did absolutely nothing.

Before the 2014 election our government committed \$25 million towards this project. The redevelopment in total will inject \$51 million into the region. That is a significant private sector investment, and additional funding has been announced to accelerate stage 2. The project will commercially activate the heritage goods shed. I know that Mr Morris would prefer that the project not proceed, but you have got to see how bad those goods sheds are to really believe it. They are terrible. There is a lot of bird poo, there is broken glass, there is graffiti and they are run down. Ballarat deserves better. The old bluestone goods sheds have amazing potential, and we want to see that potential realised.

This project will generate 140 jobs during construction, and some of those jobs are in place now because construction has started on the first part of the project. There will be 30 jobs ongoing once the project is complete. Just for the record, I think people in Ballarat are well familiar with this but the precinct redevelopment has a number of different aspects: the Quest apartment hotel, with 77 rooms; the goods shed, featuring a modern conference and event centre — something that is absolutely critical to the project and something that Ballarat definitely needs — with 1700 square metres of meeting rooms, a 300-seat banquet space and a 300-seat theatre; more than 900 square metres of retail and dining space within the goods shed; and a public plaza, suitable for community events, markets and general use.

Previous speakers have talked about the public use and that the government is being accused of denying people. At the moment we have a ramshackle car park that is poorly lit. Again I am trying to be kind to the site as it is. There are unmarked car parking spaces. No-one gets public benefit from that space because it is a

hotchpotch of parking. We are building a new, proper car park, fit for purpose for commuters. There will be in this project a lovely public plaza, which means we will be able to have community events and markets. It will be a space where people will be able to go and sit and have their lunch or meet friends, and it will be open to the public. At the moment the public do not get use in the way that they will in future. There will be a new multilevel commuter car park, which will enhance the number of car parking spots on the site.

As I indicated, the government committed \$25 million towards this project and it has made a subsequent announcement about the second stage and the integration of the bus interchange. What did the coalition commit after all that fuss and fanfare and general awesomeness about the master plan? It was \$5.3 million. That was it. What would you get on this site for \$5.3 million? There was a complete lack of imagination, a complete lack of serious commitment to do anything with this site. It was just selling Ballarat people a pup. What they were promising was another four years of doing absolutely nothing for Ballarat, but the people of Ballarat saw through that, thankfully.

Mr Morris quoted the *Courier*, and I might do that too. For an article of 28 March this year Mr Morris was photographed with David Hodgett, who was at the time public transport spokesperson. Mr Hodgett is quoted as saying:

The previous government had worked with the council to put together that master plan, (so the coalition would) go back and review it, but it had the bus interchange incorporated into the station and more car parks than what there is now.

For everyone's benefit, again let me state that we made a \$25 million commitment and have actually got this project moving. Those things were never going to happen with the \$5 million commitment from Mr Hodgett and his friends, Dr Napthine and Mr Morris. The *Courier* article finishes with:

Mr Hodgett also confirmed the coalition would honour any contractual commitments struck with the consortia charged with developing the site, which includes the Pellicano and Spotless groups.

Mr Morris interjected.

Ms PULFORD — But here you are advocating doing just that.

Mr Morris interjected.

Ms PULFORD — You are advocating doing just that. You are saying, 'Stop the project'. You are saying that you do not like the project and the project should not be going ahead, yet your then shadow minister

colleague said that you would be honouring the contracts. I think you are being a little cute with what you are telling people back at home. What is clearly the case — perhaps it is actually not clear at all, because the coalition has said that it wants the project to stop. They want it to not proceed, they want it to go back to the drawing board, but they have also said that they will honour the contracts, and the contracts of course say that the project will go ahead. I think this is one of those situations where the coalition is telling everybody what they want to hear.

The motion before the house is at odds with Mr Hodgett's statement. There is a development agreement in place with Pellicano, and there has been for quite some time. I do not know who is calling the shots on this for the Liberal Party, whether it is Mr Morris, whether it is Mr Hodgett or whether it is Mr Davis, as the new shadow minister for Public Transport in the world's largest shadow frontbench, but we are committed to staying the course. We will be honouring the contracts, and we will be developing this wonderful project for the Ballarat community.

If I could just go through some of the process that led to the final approvals, the Minister for Planning's advisory council that was operating between December 2015 and March 2016 consulted widely with the Ballarat community ahead of the making of a planning scheme amendment to facilitate the project. Directly impacted stakeholders, including surrounding property owners, occupiers and government agencies were consulted. A public hearing was also held. This is in addition to the consultation that has gone on in various stages over the best part of 15 years about the need to activate this site.

Following a two-stage commercial procurement process, a development agreement was executed with the consortium led by Pellicano for a mixed-use precinct that includes a hotel facility, convention centre and public open space. The project's concept design plans were on exhibition up to 22 January 2017 — again we sought community feedback. During the exhibition process a community open day was held in Ballarat on 3 December.

The community did raise concerns about the commuter car park. Concerns were also raised that were out of scope of the election commitment and the master plan, including issues around investment in public transport. It is probably worth mentioning at this point the more than \$500 million investment that the government is making to upgrade the Ballarat line. It is probably also a good time to mention the significant boost to our bus network. Again, if you listen carefully to the things that people like Mr Morris say, you see they do not much

care who gets to catch a bus in Ballarat, but we do. Bus travellers are responding with great enthusiasm to the new timetable.

The design and the project information were provided, and we consulted people about the project. People wanted to talk about things like train timetabling and the local bus network, and of course the doors are always open for people in the community to talk to the government about anything. The train timetabling and the \$500 million upgrade to the railway line are not things that are within the scope of this project, but we are happy to talk about them if people would like to.

In response to the community feedback, we committed to add a third floor to the commuter car park, which will take the number of spaces up to 405. Some of the opponents of this project like to talk about the number of car parks there are currently in the shambolic parking space that commuters have available to them. The formal car parking on the south side of the goods shed, so on the north side of the railway line, has capacity for 108 cars and seven to 10 half-hour spots. The remainder of the site was never intended to be a car park. It is poorly maintained, the lighting is not good, as I indicated, and there are no line markings, so cars are parked everywhere.

There will be informal car parking of around 270 spots on the north side of the goods shed, but again if you take those two numbers and add them up, there will be greater parking available. There is also a parking upgrade that the government has delivered at the Wendouree station for people on the western side of town, where population growth is the greatest. To summarise on parking, the project actually delivers 570 car parks in the precinct — 405 for free commuter car parking and another 165 parks to support the new businesses, so for people accessing the retail stores or staying in the hotel and for conference centre patrons.

On the question of heritage, and this is important, Ballarat has a wonderful heritage; it is one of our city's great charms. A 14-day advertising period associated with the heritage permit began in July 2017, and 33 public submissions were received. Many of the submissions received related again to out-of-scope matters, but we always welcome people's input into these matters. Pellicano provided a response to Heritage Victoria addressing the submissions. The response announced new measures to address some of the submission concerns, including improved wayfinding, signage and historical interpretation.

Heritage Victoria also considered matters raised in the public submissions when developing the heritage

condition requirements of the heritage permit. One example is the requirement to restore the historic north weighbridge hut, which was strongly supported in public submissions. I know it is something of particular interest to our mayor, Samantha McIntosh. In October 2017 Pellicano reached agreement with Heritage Victoria about treatments to address each of the heritage permit conditions, and a heritage permit has been approved.

The bus interchange project is something that previous speakers have mentioned. The new \$5 million bus interchange will bring local buses even closer to the station. It is worth noting that that is the same amount that the coalition government proposed to invest in the entire precinct. The bus interchange will accommodate all 15 town bus routes, and the new timetable is being supported by increased use from our bus-travelling public in Ballarat. V/Line coach buses will remain at the current station precinct on the south side of the rail tracks, and the bus interchange will be built to accommodate future services.

In relation to the current arrangements for buses, which I know are troubling to some of the residents on Lydiard Street, I reassure those residents, as I have when I have spoken to them, that this is a temporary measure and that we will get that bus interchange built as quickly as we can.

Mr Morris — When?

Ms PULFORD — Well, you're trying to get the project halted, so I suppose it depends on whether or not you're successful, Mr Morris.

Transport for Victoria will continue to work with local stakeholders, council and the bus operator to plan for the future movement of buses into the interchange. We have listened to the concerns regarding bus bays in Lydiard Street, and we have reduced the number of bays from seven to three to reduce congestion. Three of the bus bays were removed from Lydiard Street in April 2017 and relocated to Ararat Street. The bus bays were returned to parking. The four temporary bus bays will remain in Lydiard Street North, meaning there is just one more bus bay than there was before the introduction of the new bus network. The Lydiard Street North bus bays will continue to be for passenger drop-off only. All of the bus bays will be removed when the new bus interchange in the redeveloped precinct is completed next year. We expect the construction of the bus interchange, if Josh Morris is unsuccessful in trying to stop this project, will begin in 2018. I would have thought the residents of Lydiard Street, who would like this temporary bus arrangement

to be concluded sooner rather than later, might be very disturbed to hear that Mr Morris wants to put the whole thing on ice.

Bus patronage in Ballarat is booming. There are hundreds of extra passengers every day since our government — I commend my Assembly colleagues Sharon Knight, Geoff Howard and Jacinta Allan for their great work on this — delivered a more frequent, reliable and direct bus service for people in Ballarat. That has been operating since earlier this year. The new data shows an average of 5768 passengers used Ballarat's bus network every weekday in August, up 15.6 per cent. Again, I know the Liberals do not like it when people have a new bus network. They do not seem to care about people who catch the bus, but we do. It is wonderful to see the community responding to the new timetable. Our bigger, better bus network began in January. It is also worth noting that we do not just do this in Ballarat; it is part of a \$100 million improvement to bus services for passengers across the state. The services are faster, more direct and simpler, which is of course important for people wanting to navigate the service, and the 15 routes operate more often across both weekdays and weekends, giving people better connections not only to the trains but also to the other parts of the bus network.

On the question of accessibility and Disability Discrimination Act 1992 (DDA) compliance — and I know there is a bit of an effort to scare people about this — the government is delivering upgrades across the network to make public transport easier for everyone to use. Our Ballarat station precinct redevelopment project will actually, in spite of what you might get told locally, deliver a new, more accessible and user-friendly bus interchange, as well as DDA-compliant car spaces to make it easier for people with a disability to park and ride. The accessibility improvements to the station will continue to explore options to support people of all abilities to use Ballarat station. We are committed to improving accessibility across the network, and I am told that a public transport access committee has been established to provide advice to the government on accessibility policy and how the public transport network can be improved. This is something we care about greatly.

I am conscious that tomorrow we will return to another bill, the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017, which provides wonderful opportunities for people with a disability who have been poorly served by the current arrangements. As a result of the first piece of legislation on commercial passenger vehicle reform, we are already seeing a really great take-up of people who

want to be providing disability transport services. I think that is a really important and not often spoken about part of that reform. The new commuter car park includes a 200 per cent increase in designated car spaces for people with a disability. That is important. Ballarat residents and commuters are set to benefit from a transformational redevelopment of the Ballarat station.

I will just share with the house some comments made by the chair of the Committee for Ballarat, Janet Dore, in relation to this project. Ms Dore wrote about the significant investment in Ballarat CBD that our government is supporting, both the civic hall and railway projects. Ms Dore said:

Both the civic hall and railway station projects are being undertaken after an extensive engagement and consultation process with the community and are vital to a renewed central area.

Ms Dore then went on to say that the station project:

... will also provide an opportunity for Ballarat to take its place in the lucrative business events market, with the redevelopment to include conferencing facilities, a 300-seat theatre and a 300-seat banquet room.

The estimated value of business events in Australia is \$23.1 billion a year.

I would personally like to see Ballarat getting a greater slice of that action. Ms Dore went on to say:

The investment of the state government in key strategic projects is vital for the future growth and prosperity of Ballarat and the region.

That is the kind of thing the Liberal Party used to support. I will also quote the chief executive officer of Visit Ballarat, Noel Dempsey. Mr Dempsey wrote to the Ballarat *Courier* as well and said:

The Ballarat station precinct's economic benefits to our city are countless — the creation of local jobs, the chance to inject millions of dollars into our local economy, and the opportunity for our businesses to truly thrive.

That is something the Liberal Party used to be into. Mr Dempsey then went on to say:

The creation of a state-of-the-art convention space will also solidify Ballarat's reputation as an events and conferencing regional destination, with the space taking pride of place amongst other prized function venues, restaurants and attractions ...

Mr Dempsey went on to name some of Ballarat's other great businesses and venues. And of course the mayor —

An honourable member interjected.

Ms PULFORD — The former mayor wants the project stopped. That is what this is all about. The current mayor is actually very supportive of this project. The current mayor is very supportive of the work that we are doing to support council's CBD activation plan. There will be lots of opportunities, I hope, for us to debate GovHub. That is the one where we are bringing 600 new jobs to Ballarat and fixing that shemozzle at the civic hall site, a beautiful building that has been closed for 15 years, sitting there right in the middle of town. We are very excited to be getting on with that. Cr McIntosh, also in the *Courier*, in referring to this project said, 'The project shows government and commercial confidence in the strength of Ballarat's economy', and I know that Cr McIntosh is certainly very keen for this project to get on. I am not sure she would be so keen on Mr Morris's idea of putting the project on ice.

The redevelopment of the precinct will provide a magnificent new gateway to Ballarat for commuters and visitors to the city. We have a wonderful events schedule for visitors to our community with a series of festivals, events and amazing exhibitions at the art gallery, as well as visiting family and friends — lots and lots of reasons that people come to Ballarat — so for visitors being able to come in through that new gateway is going to be a wonderful experience, and of course for our commuters they will have a much better rail line. They will have much better parking arrangements, and for the business community in Ballarat they are going to have an activated CBD which is going to be very, very exciting. When you think about the combined investments our government is making in Mair Street with GovHub and the project to the north of the station precinct, we are seeing an investment in Ballarat that is as significant as any made by any government or anyone since the gold rush.

Mr Ramsay — We put water in Lake Wendouree.

Ms PULFORD — You put water in Lake Wendouree? We put water in Lake Wendouree.

Mr Ramsay — No, we did.

Ms PULFORD — That is just complete rubbish. There are six different augmentation projects that feed Lake Wendouree, and Lake Wendouree was droughtproofed when we were in government in 2010. Mr Ramsay, you need to check your facts. What you guys did in Ballarat, apart from a whole lot of nothing, was to tizz up those rooms on the northern platform side. That was it. Nothing else happened for four years. It was unbelievable.

This redevelopment will inject \$51 million into the region. It will stimulate the local economy. It will activate the CBD. It will preserve the heritage goods shed, and it will return it to the community. At the moment it is not accessible to the community. That is public space that will be there. Again it will be access for the local community that will be very, very different to what it is now, because at the moment you have got a locked up bluestone goods shed that is providing zero benefit to the community. I think there are some pigeons who probably call it home, but it is certainly not providing any benefit to the community at all.

Mr Ramsay — You did nothing for 10 years.

Ms PULFORD — Apart from regional rail, apart from investing in just about every school in town, apart from setting up the Ballarat West employment zone — which is the only thing you guys can even pretend to claim — and the link road.

Mr Ramsay — We put in planning provisions for that and the Ballarat link road.

Ms PULFORD — It was well underway before you came to government. Do you remember the upgrade to the rail line, one of the few that survived the Kennett government? That is what we did last time we were in government in relation to rail services and the Ballarat station precinct.

Mr Morris — That's the one that caused all the trains to stop. That one?

Ms PULFORD — This is the one that made the trains go. Anyway, the redevelopment will clean up the site. It will breathe new life into a heritage part of town, it will stimulate the local economy, which is really, really exciting, and it will be a precinct that locals can be proud of. I regularly talk to locals in Ballarat who say, 'Gee, would you just get on with the station precinct project?', and it was really exciting to see work start there in the last week. It was really, really exciting to see it start, because I know there are lots of people in Ballarat who would say, 'Get it done faster. Why can't this be done yesterday?', because it is a project that has captured people's imagination. I think all those people would be horrified to hear that Mr Morris is trying to get the brakes put on a project that has been talked about for 15 years and is so desperately needed.

There will be that new recreation open space. There will be more activity in the Ballarat CBD, plus we are bringing 1000 public servants together in a new building on the civic hall site as well, and the upgrade to Mair Street. There is so much going on in Ballarat. There will be an increase in visitors. There will be a

boost in local spending. Again, the former government did nothing in terms of public sector employment in Ballarat; they did nothing.

If I could just conclude, the commencement of the car park construction has now occurred. The car park, we believe, will be finished early in the new year. That work will occur over the Christmas and summer period, and people who are parking in the current shemozzle are not going to know themselves. The commencement of the bus interchange construction works, as I indicated, will occur in the middle of 2018. We want to complete work on the car park before we start work on the next part of the project so that we can minimise disruption to communities. On that basis we are very much on track for the convention centre work and the restoration of those bluestone sheds to be underway by the middle of 2018. It is going to be very exciting. Ballarat is very excited about it, and Mr Morris should be ashamed of himself for trying to stop something so fabulous.

Mr RAMSAY (Western Victoria) (15:58) — I am actually going to give some compliments about the Ballarat railway station because I like the Ballarat railway station. It is a beautiful old historical building, which I enjoyed over my three years of being the local government member when I was in Ballarat. Not only that, but I presented Mr Morris with a beautiful historical office with much the same architectural significance as the Ballarat railway station.

Mr Ondarchie — A palace.

Mr RAMSAY — Yes, it is a palace, Mr Ondarchie. I put as much effort into getting that office as I did in convincing Denis Napthine, with the mayor of Ballarat, to provide funding for the master plan, which I announced in one of the local wine bars down in Lydiard Street.

Mr Morris — Mitchell Harris?

Mr RAMSAY — Mitchell Harris, was it? It was in Lydiard Street. I get a bit confused about the wine bars in Ballarat. I do not think it was actually. But anyway, I did want to firstly say it is a beautiful railway station, and it is much admired by not only the local communities but also those who use the commuter services from around Victoria coming into Ballarat. The strange thing about that railway station is it seems to be facing the wrong way because the front actually faces toward the road underpass that goes past, and there is very little opportunity to see the beautiful architectural design on the front of the railway station.

Certainly when we were discussing the master plan I saw the importance of having a connection to the CBD with the railway station through the Camp Street arts and culture centre at Ballarat so there would be a direct connection from the CBD through the art and culture centre precinct and through the library precinct to the station. In the original master plan the use of the goods shed, which I understand now has been reduced by about half the metreage, was to include that exhibition space so people coming into Ballarat could utilise the arts precinct as well as the exhibition space down at the railway station.

I did note Ms Pulford in all her glory, with the hi-vis jacket on and the shovel, in the *Miner*, but poor old Geoff Howard from the Assembly has no shovel. I expect, given his impending retirement, he just loves seeing Ms Pulford dig her own hole in respect of the very land that she is shovelling which she is happy to give away to private developers. This is our land, public land, which under some quasi-arrangement she is going to gift to private developers, so the public will lose ownership. I am not sure why she would be so proud to be standing there with a shovel, knowing that she has basically shovelled that very land that she is standing on away from the public to a private developer.

Getting back to the actual motion in hand, I congratulate Mr Morris on his motion. I must say he has been consistent in the last eight months in raising issues around his concerns and community concerns in relation to the change from the master plan that was developed under the Napthine government to what is now a very different reflection on what the community was —

Mr Morris — And the City of Ballarat.

Mr RAMSAY — I beg your pardon, Mr Morris? Yes, I have mentioned you four times, but all right, I will mention you again — the City of Ballarat of course when Mr Morris was mayor. His motion is in three parts:

- (1) that the Minister for Regional Development and the Andrews Labor government continue to ignore the significant community concern surrounding their current proposed redevelopment of the Ballarat railway precinct ...

I, like Ms Pulford, who selectively reports on people's commentary around that, would like to also provide a commentary in relation to some community members. This is from the *Miner*:

A signboard has gone up at the Ballarat station advising that a section of the precinct will be fenced off by the site

developers on Saturday, 18 November 2017. The area is considerable and will reduce the car parking numbers ...

This is just the history:

The duration of this part of the precinct being a construction site is not known.

Save Our Station — SOS Ballarat spokesperson John Barnes said, 'With the commencement of works, the Andrews government is digging itself into an electoral hole that will cost it many tens of millions of dollars to fill if they expect to hold onto the seats of Wendouree and Buninyong in next year's election.

Mr Barnes went on to say:

The builder's fences on site will be a daily reminder to commuters that the next four years of construction pain will provide less car parks, no end to the bus chaos, and completely ignores access for all between platforms in the train hall.

When the government reluctantly find the money and resolve to address the transport and access needs of the site, as they must inevitably do, the additional disruptions to commuters and nearby residents from these works will double their pain.

He also went on to say:

Without a clear and comprehensive transport plan for Ballarat station, the people of Ballarat have no assurance whatsoever that the end result will have been worth the disruption and their taxpayer dollars.

What they can count on though, is that Dan Andrews is making a thorough dog's breakfast of the Ballarat station precinct. The people of Ballarat deserve better.

I have to say Ms Pulford has form on dog's breakfasts, because we, probably in the next sitting week, are going to discuss some puppy farm legislation that is absolutely disgraceful and discriminatory against those people that are actually adhering to good animal welfare standards and growing their small businesses. The outcomes that she has been seeking will in no way be reflected in this dog's breakfast of legislation that she is proposing that has been debated in the Legislative Assembly — yesterday, I think, and probably today — and that we will no doubt debate in the next couple of weeks.

But getting back to the motion, Mr Barnes talked about the Ballarat station precinct being turned into a dog's breakfast which otherwise would have been an inventive, educational and artistic precinct that would have direct a connection through the arts centre and library precincts to the CBD and would give Ballarat a real cultural precinct that they could be proud of. Sadly, as we know, and as the Andrews government have a tendency to do, they have stuffed this up. We gave them a master plan that would provide that significant cultural experience to train travellers, a direct

connection through the CBD, a 4-star hotel that is desperately needed and which would complement the other accommodation in the area, a large exhibition space using the historical beauty of the bluestone goods shed and also significant parking for commuters and those that actually want to visit what would become a significant tourist icon. But, no. As Mr Barnes went on to say:

This is just the beginning. The station site will be a cause for heartache and community anguish for at least the next two state elections. The damage done by this misguided project to Ballarat's key transport hub, vital for Ballarat's future growth, will reverberate for decades to come. From a heritage viewpoint, it will be looked back upon as greater vandalism than the Commonwealth Bank and the removal of Ballarat's verandahs in the 1960s.

So, as I said, Ms Pulford was very selective in picking out a couple of electorate officers or minders or some of her Trades Hall staff that she regularly seeks advice from to say that she has had the community sounding boards and that the community of Ballarat are, with open arms, accepting what has been changed in the way of a master plan for this site. Ms Pulford also went on to say, 'We have started the work'. I am not sure if that is right. Mr Morris? I have not seen any work start. There are a couple of holes where she has had a photograph taken, but apart from that I have not seen any action down there at all.

Mr Morris's motion goes on to say:

- (2) that the Andrews Labor government, if they do proceed with their current proposal for redevelopment of the Ballarat railway precinct, will be breaking the promise they made to the people of Victoria before the last election ...

and we have talked about the significant changes to the master plan, the serviced apartments instead of hotel rooms and the lack of good space metreage. The last paragraph in the motion is:

- (3) that the only solution to solving the issues surrounding the current proposal for the Ballarat railway precinct is to undertake a genuine and thorough community consultation before proceeding with any redevelopment.

Mr Morris has certainly flagged in this chamber a number of times that community consultation has not been part of the Andrews government process for this redevelopment. I suggest that Ms Pulford heeds his advice and goes out into the community again and listens to what the community are saying in relation to their concerns about the significant changes in the master plan from what we committed to when we were in government to what the Andrews government is committing to.

Mr MORRIS (Western Victoria) (16:09) — I just want to thank all members for their contributions to this debate. However, I certainly would take the minister to task on some of the comments that she made. I think Mr Ramsay very correctly said that she is very selective at quoting people. The vast majority of the commentary in the media and in the community has certainly been very critical of the government's handling of the redevelopment of the site. The community consultation has, in effect, just been a sham. The government have just railroaded the community to get exactly what they want, and at times the government have been forced into positions like announcing the bus interchange and announcing additional car parking in the face of huge public opposition to their plans for the site.

The minister's characterisation that we are supporting the tearing up of contracts is just false. There is no reason why the government cannot go back and discuss with Pellicano, the developer, how to find a better development plan that the community could actually get behind and support, because we must not forget that the primary use of this site should be for public transport. We should be ensuring that public transport measures and accessibility of this site are of the highest order. As Ms Dunn pointed out, anybody who cannot walk upstairs and who wants to go from platform 1 to platform 2 will need to exit the station, cross the train lines themselves where the level crossing is in Lydiard Street and then go back into the station. It is easily a 200-metre trip across very unstable territory to get from one platform to the other. Then when we consider where the new car parking is going to be, there is going to be again at least a couple of hundred metres that those with disabilities are going to need to be able to travel, again across very unstable territory, to get to the station. This lack of disability access is entirely inappropriate and unacceptable, and this is one of the reasons why the government needs to reassess their project.

We are not about tearing up contracts. It is those opposite who waste \$1.3 billion tearing up contracts. We are about ensuring the community's needs are addressed in public projects such as this, and that is why I certainly commend this motion and hope it does receive the support of the house.

Motion agreed to.

GRAFFITI PREVENTION

Ms CROZIER (Southern Metropolitan) (16:12) — I am absolutely delighted to follow Mr Morris's excellent motion to which he has just spoken. I was listening to some of that debate and I am pleased that

the house saw it through. I would like the house to also support my motion. My motion is an important motion that deals with the rising scourge of graffiti that is occurring across Victorian communities. I move:

That this house condemns the Andrews government for the inaction on increasing graffiti across Victorian communities and in particular notes that —

- (1) visible graffiti is on the increase in the electorate of Bentleigh, including in shopping precincts;
- (2) graffiti is becoming more prevalent on structures along the Frankston train line;
- (3) Australia Post boxes, street signs and phone booths have all been targeted for increasing tagging and graffiti;

and calls on the Andrews government to cease a soft approach on crimes such as graffiti and provide greater resources to address this increasing criminal behaviour.

And that is what it is; it is criminal behaviour. This sort of vandalism, this crime of defacing public or private property, unfortunately is on the increase across Victorian communities and in the electorate of Bentleigh, which is one of the areas that I represent in Southern Metropolitan Region. Alarming, in a number of areas across my electorate as in other electorates, this graffiti is becoming more and more evident. The increase in graffiti was very evident when I was driving to work this morning along Punt Road, whether it is on the sides of walls, on street signs or on fences. As I said, this level of graffiti that is occurring across our suburbs and communities is really very untidy and unbecoming, not only to local residents and businesses within these areas but also to commuters.

Only last week or the week before in the media it was noted that Melbourne is being compared with New York, but not in a good way. We love the city of New York. It is the city that never sleeps, and those of us who have spent time in New York well understand just what a magnificent city it is, but it also has its problems. This article says:

The city's graffiti and rubbish-riddled gateway railway corridor has been compared with the Bronx.

I have not been to the Bronx. I have only seen vision of it in various movies and newspaper articles and the like, but what you do see there is a very unruly and dysfunctional type of local community. I think it is shameful that this beautiful city that many of us are so fortunate to live in is compared with the Bronx. Those of us who come from the outer areas of the state or from interstate and even international visitors comment on how beautiful the city of Melbourne is, and of course it is the most livable city. I think it says an enormous amount about where we are heading.

The crime wave that has occurred across Victoria in the last few years is truly alarming. I know that members have spoken about this crime wave — the crime tsunami — that has really gripped the state of Victoria, and it is partly because of the Andrews government's soft-on-crime approach in terms of dealing with the very real issues that we have. They have really come to the fore very recently with so many aspects of the crime that is occurring. This graffiti that is happening around our city is something that can lead to larger crimes —

Ms Shing — That's how good your speech is!

Ms CROZIER — I can hear the cheering from Queen's Hall. Heavens above, I did not realise I was getting such an audience!

An honourable member — That new telecast is working a treat.

Ms CROZIER — Indeed. I am not quite sure what is going on in Queen's Hall, but nevertheless, back to my very important motion about graffiti, because this is an important issue that is affecting communities, and certainly people have spoken to me in relation to what is really concerning to them in their communities.

For background information on this I had a bit of a look at what tagging and graffiti styles there are, because like many people, I do not understand what the tagging means. I do not understand this inane scribble, and quite frankly this filth that is on our buildings, at Southern Cross station, on letterboxes or Australia Post boxes — you name it — and that is occurring along the rail corridors. But I did, as I said, go and have a look on the internet at what graffiti styles there are, and it came out that there are all sorts. A website lists multiple styles: wildstyle, cartoon, realistic, 3D, stencil, old school, abstract, sharp, brush, ignorant, billboard, hardcore, block, landscape, bubble, stickers, fat cap, wholecar — and there are other types of graffiti that are mentioned on this website.

Of course many people will say, 'It's urban art', about much of this, but the definition of urban art is where there is some sort of meaning to it. I acknowledge that we do have the famous street — the name escapes me; I think it is AC/DC Lane — where there is artwork by Banksy and others. Some street art is in a confined space where the property owners and those around are quite happy for that work to be undertaken on those sites. The website also talked about the graffiti supports, or where it occurs — walls, street equipment, trucks, shops, trains, rooftops and tunnels. That is what I am talking about; it is this unsightly scourge of graffiti

that is occurring in our suburbs and across our streets and along our transport corridors.

I am really finding it difficult to concentrate with all of that cheering in Queen's Hall going on, to be honest. They are really having a very happy time out there.

As I said, the graffiti and tagging that is occurring is fairly plentiful in many parts of our communities. For whatever reason, so many people are going out and committing these crimes on public and private property where they do not have the authority to do so, such as occurs in these other areas, like the one I mentioned where it is allowed.

When this blight of graffiti — because it really is a blight on our neighbourhoods and communities — is on the rise, it demonstrates that no-one is watching, that it is not being monitored, that it has not been taken seriously and that these offenders that are doing this work or committing these crimes on this public or private property are getting away with it, and they know that, and it is continuing. That is what we are seeing. We are seeing an increase in that, and it shows those vandals that are committing these crimes that no-one is watching and no-one cares.

I think that is the essence of what we are talking about here, because once these petty crimes are on the rise — graffiti might be seen as a petty crime and nothing serious; it is not like the serious crimes that we talk about, and of course we have seen in the last few days some very serious potential crimes being thwarted by our agencies and others — this starts a mentality, and it starts an absolute following by many who undertake to do it.

I am talking about the issue across our communities, but I am also talking about the issue in Bentleigh. When I was out there with our excellent Liberal candidate Asher Judah, we talked about the very obvious graffiti down the Frankston line, including around Bentleigh station — and it is really obvious. There is a lot along that rail corridor. It is incredibly unsightly, and it is growing in its presence. If you just look to Moorabbin, a little bit further down, there are hundreds of examples of this tagging and graffiti all over the place. This is the problem. Once you start to get this tagging and graffiti in the amount we are talking about, it really becomes incredibly unsightly.

What message does that send to the community? It sends a message that the community is unsafe, and people start to be concerned about their safety and welfare. We have clearly seen that with a whole range of other crimes that have been committed, whether it be

home invasions or carjackings — the terrible incidence of shocking crimes that our community have not been used to that have just come to the fore in the last few years under the Andrews government and have really taken off in abundance in a terrifying manner.

I wanted to have a little more of an understanding about what the impacts of graffiti are, and I noticed a paper that was undertaken quite some years ago by the Australian Institute of Criminology, but I think the points remain. They said in this article:

Graffiti is one of the most visible forms of crime and disorder that occurs in a community and as such can become a visible sign of unruliness, social decline and antisocial behaviour among young people.

Now, I am not blaming all young people for this, because I think there are people of various ages that undertake this vandalistic, criminal behaviour. But in saying that, that lends itself to how communities at the moment are feeling very unsettled. They are feeling very unsafe in respect to many issues that are arising in our communities because of the increase in crime that is occurring across our state. As the Australian Institute of Criminology said in this paper:

Graffiti has a significant impact on whole communities, not just on the owner of the property targeted.

That is also a point. The property owner who is just going about their business has to wake up to some of this messaging that is really unruly, is unnecessary and can contain various messages. Unfortunately we saw some terrible graffiti in the suburb of Caulfield a few years ago, which was politically motivated and very unsettling for those people. Those businesspeople, households and residents who are affected have to then go and deal with this issue: clean it up, paint their fence. I mean, why should they have to be put out and undertake that because somebody has got away with it?

They know they are getting away with it under this government because the government has taken a soft approach. We have seen that with the weakening of the bail laws for young offenders. As we know, we have got a revolving door of young offenders who are going into the youth justice system, and of course as we know, the youth justice system under this government is a complete and utter mess. It has been an extraordinary failure of the Andrews government and the minister and it requires a significant investment to address the shocking state that it has been left in.

Again in terms of what the impacts have been, graffiti has a huge financial impost. Estimating the cost of the graffiti clean-ups is very, very difficult to do. Not only is there the cost to local governments and to the state

government but for those private residences and businesses that I have spoken about where the graffiti occurs the cost can be very considerable. That also can have an impact in terms of how businesses are perceived in the community and whether people are really going to feel safe to shop there. It looks unruly, it looks untidy, it is uninviting. People are veering away, and that is a loss to those businesses. So it has various impacts for so many reasons, as I said.

I spoke about the Moorabbin area, where there are a hundred or so examples of really ugly tagging around that shopping precinct. Really there is nothing spared — whether it is the Australia Post boxes or whether it is the streets, the footpaths, the phone booths or the street signs. It is very prevalent, it is very ugly and it is having a detrimental effect on that community. Around the area where the McKinnon shops are and the Bentleigh shopping centre they are also having similar problems with this ugly tagging. Again it is just sending a message to those people: if it is continually happening in this area and they are getting away with it, they are going to continue to vandalise these properties and undertake these crimes.

As I said, they are not the only spaces affected; graffiti is not just in those shopping strips and around those areas that I have spoken about. It is around the train lines and along those train corridors. As Mr Davis has spoken about previously, there is a huge potential for this level of vandalism and crime to occur along the new sky rail corridors in Carnegie and Oakleigh. With those huge pylons there are open spaces for people to go and undertake tagging or graffiti or whatever it is they do. Very soon, as we have seen along other train corridors and rail corridors, it becomes really unsightly. One just has to look over the Flinders Street rail precinct to see all of those pedestrian and rail tunnels that are covered in graffiti.

As I said, it does cost businesses and private residences. They have a cost in relation to getting rid of this unsightly mess, as do local governments and the state government. It is astounding and astonishing to know that Metro Trains Melbourne say they spend \$10 million a year cleaning up graffiti along the train network. Now I am very pleased that they are, but that is a huge amount spent on a crime that quite clearly is occurring on a regular basis. These individuals that are partaking in graffiti are getting away with it. There is not any consequence for them, and clearly that is why millions and millions of dollars are being spent on one piece of infrastructure — that is, just on the rail network. That is not talking about graffiti on VicRoads signage across the state or those shopping centres that I spoke about or the local government areas where they

have got to clean up public amenity areas and footpaths. So the cost is huge. I think the figure of \$10 million to clean up the network is astounding. I am very pleased that they do, because it is offensive to commuters. They do not feel safe on the network when there is so much graffiti; it is just sending out a message that crimes are occurring.

I note an article in the *Herald Sun* from just a few weeks ago, around the same time that the figure of \$10 million was spoken about, where it says:

Public Transport Victoria has said the rail operator must remove offensive graffiti 'anywhere on Metro's land or infrastructure' within a week.

I think that is a good thing because it is trying to clean up this unsightly scourge and trying to deter these people from doing this crime, but really it will need to be seen who is monitoring that and how that will be monitored. I think it is absolutely important that the government insist that Melbourne Metro rail needs to keep on top of it, because as we have seen before and as we see now, if they do not there will be wall after wall of graffiti across these rail corridors. There are so many pictures that depict this and that show it is there on our trains and elsewhere. I think it is a very good thing that Melbourne Metro rail do clean it, and I am hoping that they will be held to account in relation to that. It is not just their responsibility; it is the government's responsibility to ensure that this graffiti issue is stopped.

At the moment it is something that, along with other crimes, has taken off across the state. There are extraordinary amounts of graffiti happening where the level crossing removals have happened. There is more wall space for more graffiti to be done. There are protective services officers patrolling various stations, but they cannot keep on top of everything when these vandals are allowed to get away with it. I am very pleased that Asher Judah, the Liberal candidate for Bentleigh, has taken this up. He has been out there, together with Matthew Guy, speaking about how we need to clean up this mess. I was out with them too when we were checking this very unsightly corridor where there is significant graffiti, and we were talking about what we needed to do.

It does require us to look at policing these areas so that we can take account of the vandals that are committing these crimes, and if need be putting in CCTV cameras. I know Ms Fitzherbert, who is in the house, is a great advocate for more CCTV in the areas that she represents. She has spoken to and heard from many of her constituents, like I have, about their not feeling safe and that they feel that CCTV cameras would give them

the security of knowing that if a crime is committed, then it will be recorded, tracked and dealt with by the authorities, as it should be. CCTV records the people who are committing these crimes, and those people should be able to be dealt with and made to clean up the mess that they have participated in making.

The clean streets campaign that the candidate for the Assembly seat of Bentleigh is undertaking is an excellent one. He is having a terrific response from members of the community who, like a lot of people, are very concerned about this visible graffiti that is on the rise. It is fair to say that, like that community, Victorians are sick and tired of looking at and cleaning up graffiti vandalism across all the areas that I have spoken about. The people that undertake this activity need to face the consequences of their actions. This is like anything: there are too many people that are victims of this needless, senseless crime. It might be a crime that is not particularly violent towards anyone, but it is disrespectful to the rights of a person's property and the communities where they reside or have their businesses. It shows a complete lack of respect. We have a complete lack of respect and a breakdown of authority on so many issues, including with this crime of graffiti. We need to put the rights of the victims ahead of the offenders, whether it is a petty crime such as graffiti or whether it is a more serious offence, such as those we have often spoken about in this place. I am very pleased that Matthew Guy has made it clear that we will crack down on graffiti. It is one of those crimes that does not need to occur, and it needs to be dealt with in a proper fashion.

I just wanted to quickly mention a number of initiatives. I am very pleased to see Mr O'Donohue in the chamber, because when he was the Minister for Crime Prevention — and he was an excellent minister — he took crime prevention very seriously, and he still does as the shadow minister. The government has had a very limited focus on crime prevention issues, which demonstrates the Andrews government's interest in those who are affected by crime. Mr O'Donohue often spoke about graffiti prevention grants and promoted them across Victoria, and I know that because he would come out to a number of areas that I represented in Southern Metropolitan Region. It was about cleaning up graffiti for local government and providing assistance for businesses that had been affected by graffiti. I am glad that the current government is continuing on with those graffiti prevention grants for local communities to prevent graffiti vandalism in those communities. I think that is a good thing. As I said, Mr O'Donohue had a very strong focus on crime prevention and still does.

I am not going to go on for too much longer because I think I have made the points I needed to make in relation to my motion. But it is true to say that the rates of property damage in the Bentleigh area have increased in the past year according to the latest crime statistics, and a lot of that property damage is due to the graffiti issue that I have been speaking about. Graffiti is the crime of defacing public and private property. It needs to be recognised in that light, that it is a crime and that it needs to be treated as a crime and not treated lightly. It is vandalism that impacts on the community and costs the person a significant amount of time, money and angst.

I am very pleased that Matthew Guy and the Liberal-Nationals coalition are taking a strong stance on this issue, because if we do not, we are going to — as the article that I quoted earlier in my speech said — end up like the Bronx. That is something that none of us in this chamber want. We are very proud of our city, it is a magnificent city, and having the inane, unsightly and ugly scribble of tagging and graffiti across our city in so many forms and on so many pieces of infrastructure is unnecessary. It needs to cease.

Mr MELHEM (Western Metropolitan) (16:41) — I rise to speak on Ms Crozier's motion on the issue of graffiti in the city of Bentleigh and also to talk about law and order and being soft on crime. A number of issues were actually outlined in that motion, but perhaps I will start by talking about the issue itself, the graffiti issue. I think it is fair to say that we all agree that graffiti in public places, in any outdoor public or private place, is not something that we like to encourage. We do not want it to happen in the first place. On the other hand, there are two types of graffiti. There is the graffiti, for example, in the some of the lanes in the City of Melbourne, which attract considerable numbers of tourists. Some people think they are great works of art. The Lord Mayor of Melbourne, I think at one stage, was looking at listing some of these areas on the heritage list.

On the other hand, there is some other graffiti in Melbourne or in other cities like Bentleigh and the City of Glen Eira that is basically not acceptable because it is defacing public property or private property. I think Ms Crozier talked about graffiti on postboxes, street signs, phone booths et cetera. No-one can support the actions of these young offenders, and I assume they are mainly young offenders. I do not think anyone would condone that.

The difficulty I have with the motion put by Ms Crozier is that suddenly the opposition have decided that they want to condemn and blame the Andrews Labor

government and make them responsible for these activities. It is as if we are sitting back and doing nothing about it. It is as if now suddenly this problem has appeared, and the Andrews Labor government are basically being held responsible for it and should be condemned.

To me, this is just the opposition playing politics. I think Ms Crozier talked about how the Leader of the Opposition, Matthew Guy, is going to fix the problem, get out his magic wand and eliminate the graffiti issue full stop. We will see what happens and how he is going to fix it.

Ms Crozier — That's good — you are conceding.

Mr MELHEM — We will see if that is ever going to happen. We will wait and see what happens. It is wishful thinking that that might occur in the next decade or so. If Mr Guy is still around, then we will wait and see.

In the area Ms Crozier was talking about, Bentleigh, the Crime Statistics Agency data shows an increase from six graffiti offences in Bentleigh in 2015–16 to 23 in 2016–17. It is a significant increase; I get that. However, these numbers have varied over recent years, and in 2012–13 there were 16 offences. The point I am making is that suddenly the opposition are coming in here and saying it is a problem and the Andrews Labor government has caused it or the Andrews Labor government is not doing anything about it. It has been an ongoing issue since forever really.

In 2012–13 the Liberal-National parties were in government and the numbers were actually not much lower than the numbers we are talking about today — 16 offences. So the point is that we can talk about how, as a community, we have got an issue with graffiti, but we need to be proactive and we need to do something about it. We need to discourage these young offenders from actually defacing public or private property, and we need to make sure there are prevention programs put in place and diversion programs where we make sure these people — mainly youth, in my understanding — do not continue defacing public property and places, instead of turning that into a political issue.

We have talked about law and order, about being soft on crime and about what the Andrews Labor government is actually doing in relation to crime in general. We all know that there has been a lot of investment and a lot of time and effort has been put in since the Andrews Labor government was elected to make sure we address the crime issue. We have given

resources to Victoria Police, and they are the ones put in charge to police these things. The biggest investment in Victoria Police in its history has been under this government. The *Community Safety Statement*, which was released in December 2016, outlined that record investment. We backed that up with new laws and powers, and clear priorities for Victoria Police and community safety. We did not just talk about it. We actually made the investment and provided the resources. I recall the statement the Premier made in relation to this issue. He said that he will do whatever it takes and that whatever resources Victoria Police and the Chief Commissioner of Police require to actually address these issues, including graffiti and various crimes, he will provide. Sure enough, he did.

When the police commissioner and the Police Association Victoria were asked for some numbers in relation to how many sworn police officers would be required for them to do their job, implement government policy and make sure Victorians are kept safe, they asked for 3165 new police officers over the next four years — I think that is the figure. What happened? It was agreed to: \$2 billion of investment was allocated, and the plan has been implemented. More and more police are now being trained, and police have been employed and trained, and they are hitting the road as we speak. We are actually investing in additional resources and additional frontline police officers and protective services officers in this state — unlike the other lot, the former Liberal-Nationals government, who during their four years failed to actually employ or invest in a single additional police officer in this state.

Yes, those opposite did make some investment in relation to replacements for natural attrition because of people leaving the force, but if we are talking about additional resources, the number is zero. My understanding is that their biggest investment was for new lockers for police officers. So basically those opposite cannot stand here and lecture us about investing and putting in resources to address these issues when it comes to crime. Also, the investment was designed around a new staff allocation model that Victoria Police designed in consultation with the Police Association Victoria.

There is a clear thing we need to understand here, which is the separation of powers. It is the role of the government to actually provide the resources and the investment to Victoria Police, but it is up to the Chief Commissioner of Police and his officers to allocate the resources and where the resources and their members should be deployed. That is why that new system has been developed by Victoria Police and has now been

implemented to actually provide these resources. It is not the minister, not the Premier and not the members of the Labor Party or the members of the opposition. That is not our role; it is not the role of politicians to say where resources should be implemented.

That system is now in place, and I think we need to wait and see the result of that, but I am sure the result will be very positive, because if you look at the statistics — talking about being soft on crime — over the last six to 12 months the statistic in relation to the crime rate is actually dropping. We do not get any recognition for that. In fact funnily enough the other side have gone a bit quiet on that over the last six months. You can twist the truth a few times, but there comes a time when you cannot twist it anymore, so you had better give up. This silence is good recognition that what we have done over the last few years is actually paying a dividend. Victoria Police are doing their job. They are getting the resources they need, and the crime rate is going down.

We still have a fair bit of work to do. Mr O'Sullivan, you are absolutely right. We all do. But let me tell you that we have done far more work in the last three years than what you did in your previous four years. You did nothing in your four years — nothing. You just invested I think it was about \$7 million in new lockers, while the number of additional police in your four-year term was zero.

Some of the areas that were part of that program included the government providing \$8.5 million in youth crime prevention grants in 2016–17 to focus on positive initiatives that would engage younger Victorians in preventing crime and criminal behaviour. Forty-two new specialist youth positions will support our new police youth framework built on a proven model of engagement, adapt to social and technological change, target areas of greatest need and serve the key interface between police, young people and justice and social services.

Now, Mr O'Sullivan talked about Apex. I have news for you, Mr O'Sullivan: Apex has gone.

Honourable members interjecting.

Mr MELHEM — Well, I don't listen to you; I listen to the police commissioner and his senior officers, and they say they have broken the back of Apex. They have done a fantastic job, so it is about time we give them some recognition for that. Let us give them some credit for that.

The other thing is the graffiti prevention grants program. No-one would accept that anyone should go

and deface any property, private or public. We agree on that. What do you do? Lock them up? I do not think that is the answer, but I will come back to some of the programs. I have 5 minutes. I will come back to the graffiti prevention grants program that we have in place. I just want to talk about an important issue. I am not saying that the graffiti issue in Bentleigh is not important. It is very important. I agree with Ms Crozier that we need to address that. I agree with her on that. But I think the people of Bentleigh have other important issues.

There are some really good things in Bentleigh for people to be proud of thanks to some of the achievements of this government over the last three years. I am going to borrow some words from Mr Staikos, the local member. He made a statement in the other place yesterday. As members know, he has been the member there for the last three years and has worked extremely hard to deliver a great outcome for his constituents in the electorate of Bentleigh. Let us go through some of the things this government has achieved in Bentleigh. Mr Staikos said:

We have removed level crossings at Bentleigh, McKinnon and Ormond and built three new stations. We have invested a record \$46 million to upgrade McKinnon Secondary College, Bentleigh Secondary College, Tucker Road Bentleigh Primary School, Valkstone Primary School, OLSH College, Bayside Special Developmental School, Berendale School and Southmoor Primary School and funded improvements at McKinnon Primary School ...

The list goes on:

We are planning a new secondary school for East Bentleigh, and we have built a new student hub at Holmesglen TAFE Moorabbin.

We have completed a \$16.2 million expansion of Moorabbin Hospital, giving 50 000 people more access to health care closer to home. We have funded upgrades to sporting facilities at Moorabbin Reserve, Bricker Reserve, Duncan Mackinnon Reserve, the King George reserve, Coatesville Bowling Club and Glen Eira McKinnon Bowls Club. We have deployed police custody officers at Moorabbin police station, playing a vital role in supporting our local police. We have improved our local bus services and finally built Southland station.

They are some of the things the member for Bentleigh has achieved for his constituents in the last three years. That is what the Andrews Labor government has achieved for the people of Bentleigh over the last three years. That is great stuff; it is a great achievement. Yet what have we been talking about over the last hour and a bit and probably for another few minutes? We have been talking about graffiti: 'Let's just ignore all the achievements of this government. We've got nothing

positive to say, so we're going to talk about graffiti'. The graffiti prevention grants program —

Mr Ramsay interjected.

Mr MELHEM — What was that, Mr Ramsay? I missed that. Since July 2015 the government has provided \$1.36 million towards 70 anti-graffiti projects across Victoria. Earlier we talked about what we should do with these people. As I said, it would be easy in terms of a government to lock them up and put them in jail, but I do not think that is going to fix the problem. As part of the graffiti removal program that has been implemented, we now have a removal program in terms of supervised offenders who use purpose-built trailers to clean up graffiti from vandalised state and local government property, including road and rail assets in community areas. I think Ms Crozier acknowledged this program in relation to cleaning up the rail lines and various other areas. I think that is what we should be doing. We should catch these people and make them clean it up. We put these prevention programs in place to make sure they do not repeat these offences.

We agree with Ms Crozier — we do not want to see graffiti anywhere — but what I do not accept and what I reject is this motion by Ms Crozier that turns this into a political issue, ignoring all these programs that have been put in place by this government to address the issue and have been put in place by Victoria Police and local councils to address this issue and turn it into a positive thing that encourages more and more of these programs to make sure we address this issue. Instead they just turn it into a political thing and say, 'We condemn the Andrews Labor government for doing nothing about it', and so forth. Instead they are saying, 'Matthew Guy's going to get his magic wand and he's going to go "Bang!" and the whole issue will disappear'.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Gardiner Foundation: report 2017

Mr RAMSAY (Western Victoria) (17:00) — I want to report on the Gardiner Foundation's *Investing for a Vibrant Dairy Future: Annual Report 2017*, and in doing so I want to congratulate the board on another very good year in relation to its return on investments and its funding of specific projects for the dairy industry. I note that Bruce Kefford is now the chair. I used to work with Bruce when he was in the department. I congratulate the foundation for the way that it has identified projects that are presented to it for

approval. The projects have moved significantly from what I call the bread-and-butter projects of barbecues, updating kitchens, creating hall spaces et cetera into projects of a more scientific nature, where the investment in research and innovation will provide greater profitability for the dairy industry.

Gardiner has an interesting history. Many of you will know that the Gardiner Foundation was born out of the sale of Big M for about \$40 million. The marketing program for Big M, and obviously the girls that went along with it, was a great success for the dairy industry. It certainly opened up a whole lot of new products for the consumer, particularly in flavoured carton milks, and the marketing and promotion by the dairy industry of those products was first-rate. The yield on that investment has been significant. The foundation was born in 2000, and that program yielded a start-up funding stream of about \$40 million. Now I think the assets in the annual report are around \$106 million. Those assets are returning just over \$5.5 million a year, and the dividend from that yield, which is about 5.5 per cent, is being returned straight back to the industry.

This is very different to the disappointment we have seen, particularly with Murray Goulburn and the demise of what was our largest and most successful export dairy processor to potentially now being bought out by a Canadian firm in circumstances where the controls, particularly in relation to governance, good decision-making and good board decision-making were totally detached from the reality of the marketplace at the time. Without going into detail about the demise of Murray Goulburn, certainly in the Gardiner Foundation's case the chairmanship, the board decisions, the governance and the work of the CEO — and I notice that Mary Harney is retiring this year — is a very different reflection on the industry than in Murray Goulburn's case.

When I talk about Gardiner, which provides farmer organisations with funding to do a whole range of special projects and a lot of leadership programs, which I was involved in when I was president of the Victorian Farmers Federation, I note the struggle that agripolitical representation is having nationally. If I can use dairy as a case, we have the peak farmer organisation, the National Farmers Federation, which requires funding from the state farmer organisations. We have Dairy Australia, and dairy farmers provide a percentage of their milk sales to fund that body. Then there is the Australian Dairy Industry Council, which gets funds from Dairy Australia to do some of the research work. We then have Australian Dairy Farmers, which is funded by the state farmer organisations. It also gets

some money which has been tagged specifically for doing some research work.

We then have United Dairy Farmers Victoria, which is a state-based organisation and part of the Victorian Farmers Federation, that is funded also by the dairy farmers. Then we have our smaller, local regionalised dairy groups like WestVic Dairy, which again are funded by the dairy farmers. So in effect, if I just do a rough count here, dairy farmers are funding different organisations to improve, presumably, their productivity and profitability. There are six, possibly seven different organisations. This needs a total restructure.

Department of Treasury and Finance: budget papers 2017–18

Mr MORRIS (Western Victoria) (17:05) — I rise to make my statement on reports the afternoon with regard to the state budget papers 2017–18. In doing so I want to make some comments about Ballarat's Eureka Stadium development that the government has undertaken and what has come to light of late with regard to the government failing to properly deal with a particular lease that the North Ballarat Football Club holds over Eureka Stadium.

I know that there has been already significant concern and expenditure of ratepayers money by the City of Ballarat to the magnitude of \$5.5 million to compulsorily acquire land at Eureka Stadium as a result of the government not properly dealing with the associated landholdings at the precinct when committing to the Eureka Stadium project at the 2014 election. It is in my view extremely shameful that the local council was in effect forced to bail out the government with a \$5.5 million acquisition of land as a result of the government not doing its homework and not doing its due diligence on how it is that this particular project could come to fruition.

My grave concern at the moment is that the government may once again place the ratepayers of Ballarat on the hook for significant funds because it has failed in the development of this project to do its job properly. The City of Ballarat should not be beholden to come to the aid of the state government because of its shoddy work in relation to the Eureka Stadium development project. The government must make sure that the ratepayers of Ballarat are protected against any future financial exposure as a result of its shoddy work in not ensuring that this particular lease has been dealt with.

I can well understand that the North Ballarat Football Club is well within its rights to protect the interests of the club and its members and indeed the playing future of any particular VFL football team. It is certainly well within its rights to ensure that its rights are protected and are represented in this matter. It has its job to do to ensure its organisation is protected. But for the government to have not foreseen this, not understood this and not taken this into consideration when going through the redevelopment of the site is nothing short of shocking. Once again it exposes the people of Ballarat to significant financial burden.

As this saga of the ownership and use of the land at Eureka Stadium proceeds, the government must ensure that the ratepayers of Ballarat are not going to be unfairly dealt with and are not once again going to be holding the can for the failings of this state government. The government should be making statements to reassure the ratepayers of Ballarat that if there is a need to acquire this lease, if there is a need to compensate the North Ballarat Football Club, it will do so and not to the detriment of the people of Ballarat. I think the City of Ballarat has gone above and beyond to bail out the state government to this point, and a commitment should be made to ensure that that is not going to be required into the future.

Department of Treasury and Finance: budget papers 2017–18

Mr DAVIS (Southern Metropolitan) (17:09) — Today in statements on reports and papers I want to talk about the state budget, particularly the transport outputs in that budget. Today we have seen the government make further announcements regarding Melbourne Metro. I have already spoken in this chamber about the recent documents that have been put online that require significant community input. The government has a very short time period with respect to many of the heritage matters and some of the works plans, and that will require the government to look closely and make sure that the community does have sufficient time to put in its views.

This government has made a specialty of sham consultation, not only in the sky rail project but also in many other projects. We have seen another round of it today. Only Daniel Andrews could hold a costly taxpayer-funded PR exercise that ends with him and Jacinta Allan choosing the names of Metro stations anyway. The truth of the matter is that this has cost a lot of money. Public consultation included more than 50 000 suggestions, and that has seen Daniel Andrews ignore the whole process in any event. Goodness knows what steps they actually took internally to reach these

decisions, and I have got to say my office is submitting an FOI today to follow this very Byzantine process. Somebody has made the point that this is just another burst of sham consultation, perhaps the greatest sham consultation since last week's sham consultation.

On this case, of course there was no South Yarra connection so there was no need to rename that station, although that did not stop them from renaming North Melbourne station. I think that is going to cause confusion. People know where North Melbourne station is; people have known where it is for a very long time. Honestly, I think the community needs certainty and predictability. We do not need new and novel interventions thrown in. The station up in the Arden area — up in that particular area of North Melbourne, the old North Melbourne — could have been called Arden or some other similar name.

I am sure there were many suggestions made by the community that could have been taken up. Instead of that they have done a round robin of names and then come up with a series of names on the so-called new stations that will not be built until 2026. What is the urgency with this naming process? I think there is plenty of opportunity to consider what the community truly wants. There should be no haste in the naming that could spook someone into feeling that they are compelled to live with these names long term.

Mrs Peulich — They're certainly imaginative.

Mr DAVIS — No, they are not imaginative. I do not mind the Anzac name, although there are some other appropriate suggestions for that particular location. I would regard that location as one that the government has not thought through in the proper way. It is pretty clear that the destruction that is being visited upon the corridor along St Kilda Road is a sacrilegious act that the government is proceeding with in doing a cut-and-fill operation rather than a full underground operation that would have preserved what is one of the greatest boulevards in the world and one of Australia's great national treasures. To lose that and then to think that you would in fact name this Anzac after destroying that boulevard does have a very, very nasty ring to it. It leaves a very nasty taste in the mouth, despite the worthy objective of acknowledging the contribution of our Anzacs.

It is a costly sham consultation again. In the end the Premier and his minister Jacinta Allan have made the decision in any event, and they have scrambled the names of longstanding stations like North Melbourne. Why on earth we needed to change the name of North Melbourne is a mystery that only they will be able to

answer, I suspect. In my case I am particularly agitated because they have still not revisited the very important issue of South Yarra. There is no way they should be disconnecting the Pakenham and Cranbourne lines from the Metro and leaving South Yarra station out.

Victorian Multicultural Commission: report 2016–17

Mrs PEULICH (South Eastern Metropolitan) (17:14) — I wish to speak on the Victorian Multicultural Commission annual report for 2016–17, noting many of the commission’s objectives which are set out in section 7 of the Multicultural Victoria Act 2011. The report basically highlights the range of activities undertaken in 2016–17 and their relationship to the commission’s 10 objectives. Many of those are promoting the full participation and engagement of Victoria’s diverse communities in the social, cultural, economic and political life of Victoria. The way it does this depends on the activities. One that few have any criticisms about but are in fact praiseworthy of is the Victoria’s Multicultural Awards for Excellence initiative, which I had the pleasure of attending recently at the invitation of the Governor and her partner, who is a delightful host. That was an opportunity first and foremost to acknowledge the service of the outgoing, in terms of time, Victorian Multicultural Affairs Commission, which has moved on. This was an opportunity for them to be thanked. I did mention them by name this morning in my member’s statement.

In addition to that there were a number of other award recipients. The award for meritorious service to the community recognises the outstanding achievements of individuals and organisations which enhance multiculturalism in Victoria through either paid or voluntary work. Highly commended organisations include Agapi Care, the Chinese Women’s Association of Victoria, the Council of Christians and Jews, and the Greek Australian Recreational and Instructive League of Victoria, which were all recognised and represented. Individuals, through paid work, include the highly commended Ross Barnett, Ajit Singh Chauhan, Ann Foley, Catherine Hemingway, Dr Fiona Hill, Dr Raj Khillan, Jamuna Parajuli and Dr Lata Satyen.

The individuals highly commended for their voluntary work include Dr Gurpreet Cheema, Paraskeva Laholat, Halima Sheikh-Mohamud Mohamed and Sarah Williams, and the individuals commended include Katerina Abramoff, Faizullah Ashna, Maria D’Amico, Donato Di Fabrizio, OAM, Dana Lynikas, Walid Markas, Sambo Meng, Nawal Moudgil, Quan Nguyen, Boris Oiberman, Nicholas Piperis, Adel Salman, Koula

Teo, Reverend Thich Phuoc Thai, Michael Kwok Leung Tse and Beyhan Yilmaz.

The Community Innovation Award recognises projects that apply innovative solutions for the benefit of a community and which improve understanding of a culture for a wider audience. The winner of that category was Kaye Graves, and the highly commended include Dandenong Youth Services out of the City of Greater Dandenong and Robinvale District Health Services. I would like to commend them.

The Police Annual Multicultural Award recognises police employees who have established relationships with multicultural communities by developing innovative strategies. The following individuals received awards: Leading Senior Constable Albert Fatileh, Inspector Stephen Mutton, Leading Senior Constable Gabrielle Tyacke, Senior Constable Andrew McLachlan and Sergeant Ben McWilliam.

The Police Multicultural Media Award recognises police employees who communicate police and multicultural issues via ethnic and/or mainstream media outlets, and the people recognised there include Danielle Fleeton and Inspector Andrew Markakis.

The Protective Services Officer Multicultural Award is a great initiative that recognises PSOs who have established relationships with multicultural communities by developing innovative strategies, and recipients were PSOs Joseph Simonelli and Nicoletta Anaston.

The Police Community Exemplary Award recognises police, community groups or individuals who have developed innovative strategies and initiatives that promote positive relations between police and multicultural communities. Those recognised include the Victoria Police north-west metro region Somali community engagement plan, East Preston Islamic College and the Victoria Police southern region alcohol diversion program.

There is much more talent to recognise. I will continue to do so into the future. These people deserve at least a mention in the people’s house for all of the work that they do on behalf of everyone.

ADJOURNMENT

Ms TIERNEY (Minister for Training and Skills) — I move:

That the house do now adjourn.

Goulburn Valley Health

Ms LOVELL (Northern Victoria) (17:20) — My adjournment matter is for the Minister for Health and relates to Goulburn Valley Health's planned redevelopment of its community health precinct on Corio Street, Shepparton. The action I seek is for the minister to support Goulburn Valley Health's funding submission to the Regional Health Infrastructure Fund round 2 and fund the full redevelopment of the community health precinct on Corio Street in Shepparton.

Goulburn Valley Health services an immediate population of 107 000 people, and by 2021 its primary catchment is expected to be around 116 000. A total of 70 per cent of the primary catchment lives in Greater Shepparton and a significant number of patients also come from a secondary catchment in the Strathbogie, Moira and Campaspe shires.

Goulburn Valley Health's community health services is currently located within the Shepparton CBD on Corio Street. The service is staffed by allied health and nursing clinicians who provide a range of primary care services, including audiology, counselling, social work, dietetics, sexual health nursing, occupational therapy, podiatry, physiotherapy, speech pathology and health promotion. In accordance with Goulburn Valley Health's master plan it is desirable to redevelop the health service site into the Goulburn Valley Health community health precinct. The planned precinct will enable the relocation of child and adolescent mental health services, ambulatory paediatric services and participating service partners to join with the existing services to create a fit-for-purpose hub to meet the future primary care needs of the community.

To fund the redevelopment Goulburn Valley Health has made a funding submission to the Regional Health Infrastructure Fund round 2 for a grant of \$10 million. If it is successful in securing the funding, the Corio Street site would be redeveloped to provide compliant spaces, improved room layouts and upgraded engineering services, and Goulburn Valley Health would be able to acquire adjoining property and land to accommodate all of the planned services for the longer term. The development of the precinct will enable Goulburn Valley Health to house all care services in one hub, creating a one-stop shop for Goulburn Valley residents seeking community and primary care services. As it sits within the landscape of the Shepparton CBD, Goulburn Valley Health has conducted extensive consultations with Greater Shepparton City Council and a redeveloped precinct will support the revitalisation of the Shepparton central business district.

The demand for primary care services has increased greatly in recent years and this redevelopment is required as a matter of priority to meet the increased service demand. I know the minister is aware of Goulburn Valley Health's funding submission, and I urge her to ensure funding is granted to this much-needed project. The action I seek is for the minister to support Goulburn Valley Health's funding submission to the Regional Health Infrastructure Fund round 2 and to fund the full redevelopment of the community health precinct on Corio Street in Shepparton.

Taxi and hire car industry

Mr DAVIS (Southern Metropolitan) (17:23) — My matter for the adjournment tonight is for the attention of the Minister for Public Transport in the other place, and it concerns impacts on many taxi families — and I have talked about this matter a number of times in the chamber in recent times — as the fact is that many of the families that have owned licences previously have been left in serious financial straits. Indeed there are a number of cases that I am aware of where people have in fact suicided because of what has occurred, and there is enormous concern in families.

There are also cases where the impact is beginning to tell financially in a very serious way. I am aware of a number of cases of bank foreclosures that have begun to occur, and I am reliably informed that there is a risk that through the January and February period particularly the banks — and this is one of our smaller local regional banks in particular — face the prospect of people defaulting on loans. So the situation is this: those who have borrowed money against the assets — the licences that they held — now have assets that are effectively worthless. We have a government that is very slow in paying out the transitional money — the so-called Fairness Fund.

What I am seeking from the minister is twofold: one is to revisit the support and the compensation that is provided, and two is to hurry the process up with the transitional fund. There needs to be a full review of the transitional fund of course to understand why payments have been made to one person and not another in very similar circumstances; there needs to be a thorough piece of work done to understand why the government has made the decisions it has made. It is also clear that in many cases the requirements are so onerous that people simply cannot comply with old documents being sought that go back a number of years, and this is distressing people and indeed leading to many not pursuing their applications and the very limited rights that they have in any event.

But I put on record my concern that these foreclosures will go as a wave in coming months and put people at risk, and I put on record the financial distress this is causing to hardworking migrant families in many cases. So I seek the minister's assistance in reviewing these matters and hurrying the transitional payments in particular.

Mrs Peulich — On a point of order, Acting President, the matter that I am concerned about is an event that I witnessed here this week. Parliament was not sitting and there was a lunch activity. I was concerned because it appears that the people's house is now being turned into the Victorian branch of the Labor Party. Not only was there an event for Labor luminaries, but there was a donation form soliciting and collecting funds in Queen's Hall.

The ACTING PRESIDENT (Mr Purcell) — Mrs Peulich, what is your point of order?

Mrs Peulich — The point of order is I would like the President to investigate whether indeed —

The ACTING PRESIDENT (Mr Purcell) — I am sorry, Mrs Peulich, it is not a point of order. You can write to the President.

Mrs Peulich — So there is no public way of raising in the chamber the misuse of the people's house? On the Clerk's advice I am happy to move a motion. Thank you.

The ACTING PRESIDENT (Mr Purcell) — There are other ways within the chamber to raise the issue, but not as an adjournment matter.

Mrs Peulich — I will find ample ways. Thank you, Acting President, for your guidance. I was hoping to get an early start.

Responses

Ms MIKAKOS (Minister for Families and Children) (17:28) — This might be a record adjournment this evening. Tonight I have received adjournment matters from Ms Lovell directed to the Minister for Health and from Mr Davis directed to the Minister for Public Transport. I will refer those matters to the relevant ministers for responses.

I have also received written responses to adjournment debate matters raised by two members, and they will obviously receive their written responses now as well.

The ACTING PRESIDENT (Mr Purcell) — Order! The house stands adjourned.

House adjourned 5.28 p.m.

